NEW WHITELAND

BOARD OF ZONING APPEALS

JULY 28, 2015

6:30 pm

Vice Chairman, Jeff Weaver called the meeting to order at 6:31 pm. Members present were Jeff Weaver, Richard Burton and Chad Waltz. Member Frank Telakowicz was not in attendance. Attorney, Lee Robbins and Zoning Administrator, Tim Guyer were both in attendance.

**MINUTES**:

Chad Waltz motioned to accept the minutes to the previous June 23rd meeting. Richard Burton seconded the motion. Vote was 3 affirmative.

**OLD BUSINESS**:

Nothing.

**NEW BUSINESS:**

**DANNY CANNERDAY VARIANCE 15-V-04 GRAVEL DRIVEWAY IN FRONT OF HOUSE**

Jeff Weaver opened the public hearing. Jeff asked Tim Guyer and Lee if the variance paperwork was in order. They took time to look through it and replied, yes.

Mr. Cannerday approached the board for a variance to extend his driveway with gravel, about 9’ to 10’ in front of his house. He does not have enough room to go to the nearest side property line. Jeff asked Mr. Cannerday why he needs this extra gravel driveway? Mr. Cannerday replied because he can’t park on the street. He doesn’t want to drive in his yard and make it muddy and awful looking.

Jeff asked if there were any remonstrators in the audience. No one spoke up. There was discussion about why there are other gravel driveways in town. Lee explained that there have been several revisions on driveways through the years. Any existing gravel driveways were grandfathered in and allowed to remain. Some gravel driveways are in violation of the ordinance. Mr. Cannerday is doing the right thing by filing this variance.

After further discussion, Jeff Weaver motioned to deny the variance for a gravel driveway to be in his front yard. Chad seconded the motion. Vote was 3 affirmative.

**RAY SKILLMAN SPECIAL EXCEPTION 15-SE-01 CAR WASH**

Ray Skillman is petitioning to the board for a Special Exception to have a car wash at his New Whiteland location. Car washes are not addressed in our current zoning ordinances. Lee Robbins explained that this was discussed at the June Plan Commission meeting. The Plan Commission interpreted the definition of Auto Sales and Service to include car washes and that Ray Skillman would be required to file a Special Exception to have the car wash.

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**RAY SKILLMAN SPECIAL EXCEPTION 15-SE-01 CAR WASH** (continued)

Lee states that tonight the Plan Commission can ask questions if they have any special concerns or if there are any provisions they want to place on the Special Exception.

Jeff Weaver asked Tim Guyer if the paperwork is in order. Tim replied yes. Frank Williams, with Ray Skillman, passed out a diagram of the proposed car wash. It was discussed that the car wash will be used for Ray Skillman’s new cars, cars being serviced and open to the public. It will not be open 24 hours, more like 12-15 hours. It will probably be open from 6:00 a.m. to close, which might be around 7:00 pm.

Jeff Weaver asked about heavy traffic, on a warm day when there are a lot of people wanting to get a car wash. Frank Williams states the car wash will be capable of staging 20 cars and it will not back up traffic on U.S. 31. The car wash will be 130’ in length. Five cars can fit inside the actual car wash. The car wash is not self serve, it will be fully staffed.

Members were concerned about car wash water going into the sewer system. Frank Williams states that the car wash has a reclaiming system. It will reclaim approximately 94 gallons of water. The car wash uses about six gallons on every car. Compared to washing a car at your residence, a person would use about 110 gallons of water. Storage tanks are part of the system, as shown on page three of the paperwork Frank passed out. The water goes through a filter system. Frank Williams states it is a clean water system and that no chemicals will go through the sewer system.

Tim Guyer voices his concern about fire trucks being able to maneuver around the buildings. Tim states that it looks pretty tight in the front west corner, he doesn’t think there is enough distance between the buildings. Frank Williams states there is 20’ between the car wash and the existing building.

Jeff Weaver motioned to grant the Special Exception for the car wash use. Richard seconded the motion. Vote was 3 affirmative.

**RAY SKILLMAN VARIANCE 15-V-03 OUTDOOR OPERATIONS**

Ray Skillman is petitioning for a variance to allow outdoor operations in connection with the car wash. Such as dispensing machines for any car wash related items.

Lee referenced the Town’s Zoning Ordinance 6-403(1) on page 53, concerning outdoor operations. “All uses and operations shall be conducted within completely enclosed buildings, except where otherwise permitted.”

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**RAY SKILLMAN VARIANCE 15-V-03 OUTDOOR OPERATIONS** (continued)

Jeff Weaver motioned to grant the variance for outdoor operations for items that are car wash related. Chad seconded the motion. Vote was 3 affirmative.

Bryan Crowe included in this variance that they are going to have a FIAT/Alfa Romero dealership in the south building for maintenance and repair. Lee states that is a permitted use, subject to review. Bryan included signage in this variance for the dealership. Bryan states the signs for the dealership will not exceed the square footage of the signs they are taking down. Previously Ray Skillman was granted a variance to have two signs for the collision center that has now been moved to Greenwood. The variance was needed because the signage was more than what is allowed.

Chad Waltz motioned to grant the variance to use the existing south building for auto sales and service for the FIAT/Alfa Romero dealership and to include the two signs. Richard Burton seconded the motion. Vote was 3 affirmative.

Lee Robbins asked everyone in the audience if they got to be heard. Everyone in the audience was satisfied.

Meeting adjourned at 7:35 pm.

Respectfully submitted:

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Approved By: Recording Secretary