

Fortville Board of Zoning Appeals (BZA) Meeting Minutes

THURSDAY, 1/25/2024 – 6:30 PM

OPENING OF MEETING

The meeting was called to order at 6:31 p.m. by Amandia Jeschke, followed by the pledge.

ROLL CALL

- **BZA Members Present:** Earl Bolander, Jr., Amandia Jeschke, and Nathan Sturdevant – Quorum Declared
- **Town Staff Present:** Alex Intermill - Town Attorney (via Zoom), Adam Zaklikowski - Planning and Building Director, and Andy Williams – Recording Secretary
- **BZA Members Absent:** Dan Justus and Rick Jacobs

APPROVAL OF MINUTES

December 28, 2023 – E. Bolander, Jr. motioned to approve, 2nd – N. Sturdevant. Motion carried 3-0.

APPROVAL OF MEETING AGENDA

N. Sturdevant motioned to approve, 2nd – E. Bolander, Jr. Motion carried 3-0.

BOARD TO SELECT A CHAIRPERSON AND VICE CHAIRPERSON FOR 2024

- E. Bolander, Jr. nominated Amandia Jeschke, 2nd – N. Sturdevant. Motion carried 3-0. Amandia asks if she is allowed to vote for herself. Alex clarifies that a member is allowed to vote for themselves.
- E. Bolander, Jr. nominated Nathan Sturdevant, 2nd – A. Jeschke. Motion carried 3-0.

NEW BUSINESS/PUBLIC MEETING

Case No. SE-02-2023 – 3299 W. 1000 North – Caliber Collision Special Exception

To consider a petition from Bret Flory of Cross Architects requesting approval of a Special Exception to allow Caliber Collision, an automotive repair/body shop use, in a portion of the new shell building/site (Parcel No. 30-02-17-100-008.003-017).

Staff Presentation:

Adam Zaklikowski gives the staff presentation via slides including a plan overview –

- **Location:** 3299 W. 1000 N.
 - Northwest of Deaton's Waterfront Services
 - Parcel No. 30-02-17-100-008.003-017 (Debo Cook Park Lot 2)
- **Petitioner:** Brett Flory of Cross Architects on behalf of Caliber Collision
- **Owner:** Debo Cook 1 LLC
- **Zoning:** Industrial: Light (IL)
- **Use of Property:** Commercial/Industrial shell building under construction
- **Request:** Caliber Collision would like to open a new automotive body repair shop. A Special Exception for this use is required from the BZA per the Zoning Ordinance in the IL zoning district.
- **Size:** Total parcel size – 2.97 acres
 - Project would occupy 14, 600 SF of a 26,600 SF building.
- Maps (aerial, parcel, zoning) oblique aerial, site plan, concept site plan images, location, staff review & analysis.
- Community response requirements were completed and met for the Special Exception.
- Public Remonstrance for Special Exception – None
- Decision Criteria specific for **Special Exceptions:**
 - Special Exception is listed in the Zoning Ordinance.

- Special Exception can be served with adequate utilities, access roads, drainage, or other necessary facilities.
- The Special Exception shall not involve any element cause any condition that may be dangerous, injurious, or noxious to any other property or persons and shall comply with the development standards of the Zoning Ordinance.
 - Per the applicant, *“Operator implements specific operational and safety guidelines that secure on-going daily assurance of employee, customer, property, and surrounding area safely.”*
- The Special Exception is sorted, oriented, and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
 - Per the applicant, *“We are willing to comply should the town require any modification to the existing site/landscaping applicable to our use.”*
 - *Staff suggests approval conditions.*
- The Special Exception produces a total vision impression and environment which is consistent with the environment of the neighborhood.
 - Per the applicant, *“All repair activities will be conducted indoors and completely screened from public view. No vehicle awaiting repair shall be located on any portion of the site to be visible from any public street or any residential property.”*
- The Special Exception organizes vehicular access and parking to minimize traffic congestion in the neighborhood.
 - Per the applicant, *“Per the ordinance, ‘Auto-oriented Facility’ would require 1 parking space per 200 SF+1 parking space per employee on the largest shift + 1 parking space per each business vehicle stored on site. While no business vehicle will be stored on-site, the required parking would be 85 spaces and our site plan only shows 68 parking spaces which is more than enough to meet the Caliber Collision operation’s parking requirements.”*
- The Special Exception preserves the purpose of the zoning ordinance.
- Staff recommends approving the request with Conditions:
 - Shall plant arborvitae trees along the south and east portions of the fence for enhanced screening.
 - All vehicles awaiting repair shall be located within the fenced area.

BZA Questions for Staff:

N. Sturdevant – Enhanced screening on the west side of the south parking area? Adam – Narrow area between pavement and property line. The addition of trees on the south and east will help screen the parking area. Reasonable to require tree screening on the west side as well.

Petitioner Comments:

Melissa Hernandez, Cross Architects – Will gladly comply with the Conditions asked by staff.

BZA Questions for Petitioner:

Amandia Jeschke asked to clarify that this is only an auto repair shop, not an oil change shop. M. Hernandez – Yes, auto repair only.

Mike Cook, part owner of the building – The western portion of the site hosts a drainage swale that was required upon construction. Not sure where arborvitae would go on the west side.

Public Comments / Remonstrance - None

Government Officials Comments / Remonstrance – None

BZA Questions – Amandia Jeschke asks who would determine if Conditions were attached to how many trees are planted. Adam – To staff’s satisfaction based on typical commercial planting guidelines.

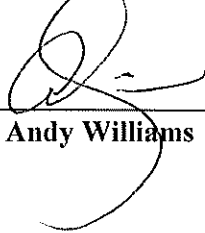
BZA Motion

N. Sturdevant motions to approve the Special Exception with the Conditions made by staff, 2nd – E. Bolander, Jr. Motion carried, 3-0.

ADJOURNMENT

Motion made to adjourn the meeting at 7:08 p.m. by E. Bolander, Jr., 2nd – N. Sturdevant. Motion carried 3-0.

BZA Chairperson: 
Amandia Jeschke

Recording Secretary: 
Andy Williams