

BZA MINUTES

FEBRUARY 21, 2023

Members present: Bill Davis, Don Calhoun, Jason Allen, Jim Hufford

Members absent: Jason Hawley, Drew Cleveland, Jon Peacock

Legal Representation: Jason Welch

Staff present: Debra Johnting, Director and Recording Secretary

Others present: Shane Billingsley, Missy Williams, Jackie Welch, Kate Blankenship, Scottie Harvey, Larry Boos, Cheryl Prescott, Charlie Shaw, Krista Kiser, Gary Kiser, Daniel Baker

Vice Chairman Davis: Alright, it's 7 o'clock, and we will start the meeting of the Randolph County Board of Zoning Appeals. First on the agenda is the approval of the minutes. Do I hear a motion to accept the minutes as presented? Do I hear a second? It has been moved and seconded to accept the minutes as presented. To the staff and board members, tonight we have four so it's going to take all four votes to move forward. If you want to move forward, we will move forward. Just for the record state your name and address please.

K. Blankenship: Kate Blankenship, 299 South Willow Drive, Union City, Indiana.

Vice Chairman Davis: I'm assuming you've received Article V, Conduct of Hearings?

K. Blankenship: Yes.

Vice Chairman Davis: Okay, the way this will work is you will have fifteen minutes to present your presentation and then any members in the audience may have three minutes to speak for or against, then you'll have five minutes for any possible rebuttal.

K. Blankenship: Okay, so I manage a mobile home park, trailer park, whatever you want to call it. When the park was built back in the 70's the lots were made for smaller homes. We have, I took it over about three years ago now. We completely renovated and turned it around. It's a beautiful place, safe, a well-managed place to live. There is not many housing opportunities that are nice and updated in Union City right now. Over the past three years, we have brought in ten new homes so far. We brought in five this year. However, three of the homes are smaller than the Unified Zoning Ordinance of 950 square feet for our area. I have three that I have brought in that range anywhere, there are two 840 square feet. They are two bedroom, one bath, brand new homes, all new appliances and then the third one will be the smallest and the only smallest home of 672 square feet so we are asking the board to allow us to put those smaller homes on the lots because the current lots will not accommodate our normal sixteen feet by sixty-six feet, three bedroom, two bath homes. That's pretty much all I've got.

Vice Chairman Davis: Does anyone on the board have any questions or comments right now?

J. Hufford: I know the area quite well, because I helped build that place. I know where you're talking about, back there on the back row, right?

K. Blankenship: No, these are vacant lots throughout the community. The back field is still all untouched.

J. Hufford: Okay, that's where you are talking about.

K. Blankenship: We are wanting to fill in, and we have fifteen vacant lots currently right now, but with the five we brought in, we will have ten left over which if you guys are for this, next year my plan is to completely fill the other lots, however they will be the smaller two bedrooms, could possibly be a three bedroom. But the square footage is going to be smaller. Because of the setbacks with the utilities the bigger homes will not fit on those current lots we have left.

J. Hufford: I've got a question, now if we do this on those lots there at the back of the place where...

D. Johnting: The ones at the back have never had a home on them...

J. Hufford: Okay.

D. Johnting: And have not been approved by Ed Thornburg. These are only ones that have been there before and are being replaced. Once the larger trailer was taken out the prospect of putting that larger one back in just won't meet the setbacks. And that's the criteria, it has to meet the setbacks.

J. Hufford: That's what I was wondering.

D. Johnting: These are not, on your map you'll see, I know it's hard to see on the dark paper, but I put an x on each lot that is being built on. Those are the lots they are talking about.

K. Blankenship: The current lots we are talking about are already established lots.

D. Johnting: Yes, there are none on the back row. I mean, one of them might have already been back there, but there are no new ones. But these have all been addressed and had homes on them before. A question was raised about the septic, or the sewer system; and they have all been on the sewer system before. They are going from three bedrooms to two, so with rent control there should be less residents in there. So, it will actually be going down in size, and therefore in the number of people as well. All the lots being filled has had an older home on it that is either gone or will be going.

K. Blankenship: They've been demolished or removed and we removed all the old unsettling, unsightly, not safe, I have removed all those within the past three years. And the homes we are bringing in are brand new straight from the factory. They are not used, they are not repossessed.

J. Hufford: Are these single wide or double wides?

K. Blankenship: They are single wide.

Vice Chairman Davis: I'm sorry, did you say where they are coming from? Or long it will take?

K. Blankenship: They come straight from the factory in Topeka, Indiana, so it's not like we buy them as repossessions or anything there. They are specifically made when we place our order, they are all brand new.

D. Johnting: Kate, two of the five that you want to do first are not less than 950 square feet, there's just three that are smaller?

K Blankenship: That's correct, there is only three that is in question for the zoning issue.

D. Johnting: So, some of the trailers will fit on the lots. Those are the ten they want to replace, but only three of them need the variance.

K Blankenship: Yeah, we have to measure for the setbacks first from where the utilities are first to make sure there is enough space for a bigger home potentially. But I have been told that we could do a three bedroom one bath that we could possible fit, but we're not for sure if they are going to be double wides, so they'd be farther to the back, and further to the front, and shorter to a lot for the utility lines in the back for the setbacks. But again, they will all be brand new homes.

J. Allen: Is there any plan for any of the ten that you have in question to be smaller than 672 square feet?

K Blankenship: No, no the 672 for 906 Lime Avenue is the smallest lot that we have, They will all range about the 840 square foot or above.

Vice Chairman Davis: Are there any other questions from the board?

J. Hufford: There were no zones or regulations back when these were put it. Now with the new regulations on sizes of homes and lot sizes makes it rough for them now.

Vice Chairman Davis: Thank you. Is there anyone in the audience that would like to speak on behalf of it? Let the record show none. Is there anyone opposing it that would need to speak? Let the record show there is none. I make a motion that we approve it.

D. Calhoun: Second.

Vice Chairman Davis: All in favor of taking a roll call vote? Ayes? Nos? Deb?

D. Johnting: Don Calhoun yes, Jim Hufford, yes, Bill Davis yes, Jason Allen, yes, and Jason Hawley, John Peacock, and Drew Cleveland are absent. Motion approved. Come and see us for permits.

Vice Chairman Davis: Next up, we have represented BZA2023-6-V, Winchester Motorsports LLC, Mr. Charles Shaw, would you like to come forward? Or a representative? Once again state your name and address for the record please.

L. Boos: Larry Boos, 2656 West State Road 32, Winchester, Indiana.

Vice Chairman Davis: And I need to say this one more time, that it takes four votes to move forward. Do you want to proceed?

L Boos: Yes. I think we are all aware of the history and heritage that Winchester Speedway has within the world of auto racing and also the economic impact that it has on the city of Winchester and the county of Randolph. But we also know the existing sign is antiquated and really sadly in need of repair. Right now, it is not a positive reflection upon the Speedway, or Winchester or Randolph County. Now is the time that that sign needs to be replaced, with something that not only echoes the

present and future of Winchester Speedway but also retains the image of history that the track reflects. We say now because Winchester Speedway has been selected by Fox Sports to be a pilot program for a documentary that they are putting together to showcase how communities and race tracks work together to strengthen each other. We are fortunate that Winchester was voted as the go-to speedway for this project, as we beat out nearly 600 other speedways across the country. That just exemplifies how important the history is of Winchester and Winchester speedway. With their selection it has been the impetus to getting local government bodies and community resources on board with financial contributions as well as property owner, Speedway owner Charlie Shaw. So, about the sign. It's not a garish or obtrusive sign. If you've seen in our petition a photo of the sign you might say "whoa, what is this"? It's a sign that was professionally designed by a sign company with input from highly respected local officials and citizens. The sign does measure nearly 198 square feet, and if approved will be located on property that is currently zoned agricultural land. And that's why we are here tonight to request a variance. The sign will offer greater safety for the patrons of the speedway and residents of the Timbers with much better vision for exiting the property onto State Road 32. The sign will be higher from the ground while remaining within the twenty five foot height standard and located beyond the state regulated right of way. The sign will be lit but in respect to our neighbors the sign will automatically be dimmed at designated times each evening. It is not going to be a flashy Las Vegas type sign. But rather the identification of a historical landmark along with an electronic message center to promote upcoming events. The message center will also be dimmed in the evening. In no way is the sign designed to have any adverse effects upon the area and does not create a dangerous situation. It is meant to showcase Winchester speedway as a proud member of the racing world, the City of Winchester, and Randolph County. It is intended to be a showpiece of pride and respect for all. With this detail, we are here tonight to ask for a variance from the Randolph County Unified Zoning Ordinance to erect a sign under the guidelines that we, Winchester Motorsports retain agriculture land zoning but be permitted to follow the requirements of Commercial Sign Table 4. Furthermore, we are asking that the square footage limitations outlined in that table be increased to 198 square feet. We would adhere to the Indiana Department of Transportation right of way plus an additional 5 foot to remove the signage from under the electrical wires and provide enhanced safety and visibility to patrons and residents. We would also ask for the capability to display limited racing action and moveable graphics on this electronic message center which is only actually about one third of the total sign space. Your consideration is greatly appreciated and if you have any questions, I'm here to answer them.

Vice Chairman Davis: I just want to go on the record to say I think a new sign is definitely in need. Thank you, you did a good job presenting.

J. Allen: If approved tonight do you guys have a timeline of when?

L. Boos: We do, it's a very fast. The Fox Sports air time for this is June 15th and it's going to air to millions of homes and be duplicated ten times on other networks. They have several high-profile figures that are participating in this documentary and they need to be out here to show the, not the demolition of the sign because we'd like to maintain a portion of that sign and put it inside the property to show the history. But to answer your question, we need to get the order in, because the sign company will take eight to ten weeks to get the sign produced and then we need to get the dignitaries

out here to be filmed. We are looking, hoping to have at least a good start on it for our first racing event out there which is May 21st.

J. Allen: I think this is going to be a good thing, I'm shocked that it hasn't blown over yet today with the wind.

L. Boos: Don't say too much, there's high wind warnings tomorrow.

D. Johnting: I would like to just add that from our conversation with the gentleman from the state, I'm not sure how much you can actually do to the sign that is there now. Because they understand it's in their right of way, but they really don't want to make you move it. But, as soon as you start trying to update it, they'd really like for you to just take it down and put up a new one out of their right of way.

J. Hufford: It's kind of grandfathered in.

D. Johnting: It is and they've allowed it and they said that major repairs are just not encouraged, it would be better just to do a new sign and get it out where it's supposed to be.

D. Calhoun: About how far back will it set back from where the sign is now?

L. Boos: The state highway has fifty feet from center line and then I believe the county is asking for another ten. We are requesting to go five. So, right now, approximately twelve feet of the existing sign are directly under the wires and out towards State Road 32. So, it's going to go back about another twenty feet from where it is right now, so it's really going to make that driveway much better for exiting. Much safer.

J. Allen: Plus the fact that it's going to be raised off the ground?

L. Boos: Correct. We are going to stick with the twenty five feet, and the sign, the base of the sign I believe is ten feet from the ground level.

D. Johnting: And the commercial sign table setback is actually five feet so there's no variance needed there.

L. Boos: Okay, so we are fine on that. Okay.

Vice Chairman Davis: Any further questions by the board? Okay, thank you. Anyone in the audience who would like to speak on, in favor of this presentation?

D. Baker: Dan Baker, Randolph County United. Do you need my address? 123 West Franklin Street, Winchester, Indiana, 47394. I do not live currently in the area but I have been working with Mr. Boos and Mr. Shaw over about three months on this project and I have seen a huge community support behind it. From government officials, from just community in the area, all the way from Union City to Ridgeville to Losantville, there is so much support behind this. It is not just the Winchester showing, it's the showing of Randolph County itself. The work that I've done with Winchester, the Speedway, they are very adamant about making sure the community is involved with what they are doing and very aware of the community that surrounds them. So, they, every step of the way has been focused on how is this going to affect the community, the neighbors, how is this going to affect everybody who will be in the place or around that sign. I just wanted to showcase that we, not just as Randolph County

United, but others in this community and as a community member myself, I would also state that as a citizen that drives State Road 32 West every night, when I have someone that's turning into Timbers and doesn't see where they are at and they slam on their brakes. I've almost hit a couple of individuals. So, I think the sign just from that standpoint, to have it dimmed and lighting that driveway for me personally from a citizen, for me that would be very valuable. But I don't live in the area so I can't speak directly to the light that's coming from the sign.

Vice Chairman Davis: Thank you. Anyone else in the audience like to speak for it?

M. Williams: I would like to. May I speak from here?

Vice Chairman Davis: No ma'am. [laughter] It's a recorded hearing.

M. Williams: Missy Williams, 37 Stonebridge Drive. For about twenty years my family and I, my husband and our son lived back there. At one point, Roger Holdeman owned the track and he passed away of cancer and so we went through a time period where we weren't sure, as we watched the grass grow up. When we watched somebody break into the house, that they now use for the hospitality suite. We even watched as two teenagers brought cars on the track and drove around until someone called the police. So, from my standpoint, I know I don't live there any longer but I have talked to a neighbor back there who is glad to see this sign get changed but also wants to see the track go again. It's so important to not only just Winchester but it's important to our community. And I think I can confidently tell you this, and I have not talked to them since last meeting, but Jackie Welch, Dan Baker and Scottie Harvey at Economic Development Randolph County United—they want to push us forward. And certainly, when we lived there it was a little bit of a, when a race, when Charlie...So, Charlie stepped in and bought it. And we were going what's a casket guy want to do with this? But he tried to make the best of it that he could and getting notoriety and getting the public to know that it was there. And you drive by, and now with this sign your going to say "oh there's that speedway" and before if you drove by you didn't know it. I think it could be a real economic boom to the city. I started coming to that race track when I was about eight years old with my dad. And so, to live back there, yeah, it was a hassle at times, when you couldn't get in on the drive down the lane but I think it can mean a lot to our community. And I think the sign is just a start to let people know that that speedway is going to go again. And like Larry mentioned Fox Sports has been great in doing that.

Vice Chairman Davis: Thank you, Missy. Anyone else like to speak?

K. Kiser: Krista Kiser, 4760 West Timbers Lane, Winchester, Indiana. I don't think we've met? We live back at the Timbers, and first off, I've had kids driving back there and that sign has really impeded in seeing both ways so the fact that you're going to put back means a lot to me because I still have grandkids that still pull out of the Timbers. And so, it's going to be wonderful to have a sign set back enough that they can see both ways. Secondly, traffic goes really fast through there and having a sign that's flashing and doing the things that he says they are going to be doing I think will be positive for us who live back there because the traffic will be much slower and people won't be trying to pass on the hill and do all those kinds of things. So, I really appreciate that you're doing the sign. I wasn't aware of what the sign would looked like, I'm still not aware of what the sign looks like nor how big it's going to be or any of those kinds of things. You know perhaps you indicated that to our president

of Timbers, but you know my husband and I haven't seen anything that has to do with the sign. But we do appreciate it. And we appreciate you and what you've done, and Charlie we can't say enough about how wonderful it is that you own the race track and the wonderful things you do. That's all I'm going to say.

Vice Chairman Davis: Thank you. Anyone else like to speak for? Let the record show no one came forward. Anyone like to speak against it? Let the record show no one came forward. Thank you. Any further questions by the board?

Vice Chairman Davis: I've got a motion to approve and a second. Can we get a roll call vote, all in favor? Opposed? Roll call vote, Deb?

D. Johnting: Bill Davis, yes, Jason Allen, yes, Don Calhoun, yes, Jim Hufford, yes. And Jason Hawley, Drew Cleveland and Jon Peacock are absent. Motion approved. Tomorrow you can get a permit.

Vice Chairman Davis: Congratulations, go and get your sign! You guys are free to go, or you can stick around. I don't think there is any old business to discuss, any new business to discuss?

D. Johnting: We do have petitions for next month already, for March 21st. And we did hire someone, she is still here so far. [laughter]

Vice Chairman Davis: I will accept a motion to adjourn, second? We are adjourned.

Jason Hawley, Chairman

Debra Johnting, Recording Secretary

Bill Davis, Vice Chairman