

**Shelby County  
Board of Zoning Appeals**

**June 9, 2020 at 7:00 PM**

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# MEETING AGENDA

## Shelby County Board of Zoning Appeals June 9, 2020, 7:00 P.M.

### CALL TO ORDER

### ROLL CALL

### APPROVAL OF MINUTES

Minutes from the April 14, 2020 meeting.

### WITHDRAWN CASES

**BZA 20-13 – JOHN E JOHNSON:** USE VARIANCE. Located at 0.14 acres at the southwest corner of Tinker St. & Locust St., Waldron, Liberty Township.

### OLD BUSINESS

**BZA 20-07 – WALDRON UNITED METHODIST CHURCH:** DEVELOPMENT STANDARDS VARIANCE. Located at 202 W Washington St, Waldron, Liberty Township.

**BZA 20-11 – SOUTHWESTERN CONSOLIDATED SCHOOL DISTRICT OF SHELBY COUNTY:** DEVELOPMENT STANDARDS VARIANCE. Located at 3460 W 600 S, Shelbyville, Hendricks Township.

### NEW BUSINESS

**BZA 20-15 – DANIEL MILLER & DEAN GARWOOD:** USE & DEVELOPMENT STANDARDS VARIANCES. Located at 8565 N 600 W, Fountaintown, Moral Township.

### DISCUSSION

#### APPROVED HEARING OFFICER CASES

**BZA 20-12 – MIKE & ANGIE STEINBARGER:** DEVELOPMENT STANDARDS VARIANCE. Located at 5176 W SR 252, Edinburgh, Jackson Township.

**BZA 20-14 – DAVID WAYT:** DEVELOPMENT STANDARDS VARIANCE. Located at 7464 E SR 44, Shelbyville, Union Township.

### ADJOURNMENT

The next regular meeting of the Shelby County Board of Zoning Appeals is scheduled for Tuesday, **July 14, 2020 at 7:00 PM.**

## Property Details

**Location:** 202 W Washington Street, Waldron, Liberty Township.

**Property Size:** +/- 1.0 acres

**Current Land Use:** Church

### Zoning Classification:

VM (Village Mixed Use)

***Intent:** This district is established for the mixed-use developments currently within small towns to allow them to expand into rural town centers that may offer a variety of housing, commercial and institutional amenities.*

***Development Standards:** Pedestrian friendly development standards to help create rural town centers. Minimize light, noise, water, and air pollution.*

### Future Land Use per Comp Plan

#### Commercial

*The purpose of this category is to provide a full range of commercial, retail, office and service uses for residents, businesses, and visitors. This category includes commercial activities with direct contact with customers ranging from neighborhood convenience stores to regionally oriented specialty stores.*

### Surrounding Development

	Zoning	Land Use
North	VR	Village Residential
South	VR	Village Residential
East	VR	Village Residential
West	VM	Commercial

# Staff Report

**Case Number:** BZA 20-07

**Case Name:** Waldron United Methodist Church - Development Standards Variance

## Request

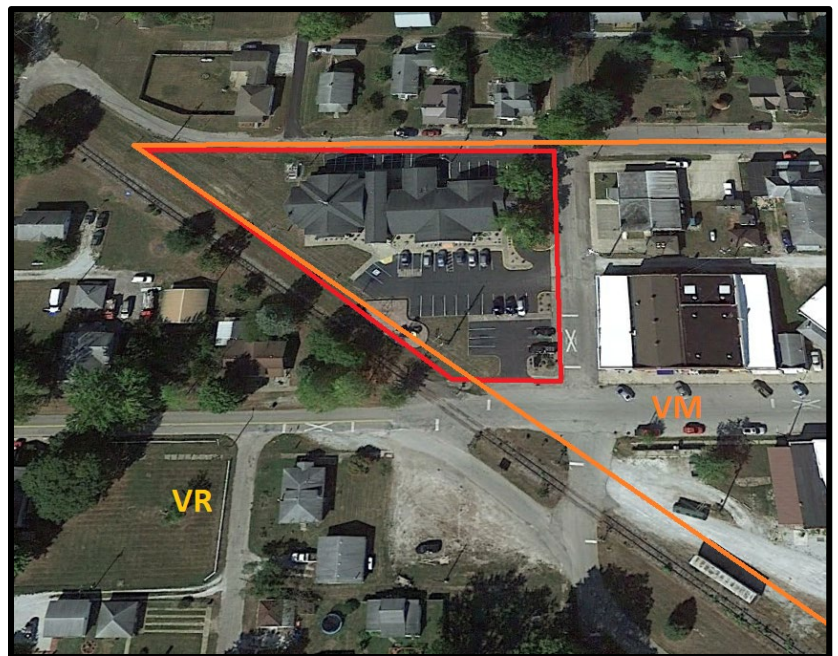
**Variance of Development Standards** to allow for an LED Sign utilizing a changing electronic message center (only static messages permitted on LED Signs).

## Code Requirement

**UDO Section 5.73 E – Prohibited Signs:** The signs listed in this section are prohibited. **1. Animated Signs:** Signs that gain attention through animation, including: **c. LED or similar sign boards, except LED elements that are used for static messages.**

**Purpose of Requirement –** The code prohibits animated signs to protect the character of the neighborhoods, limit distraction to motorists, and to limit light and visual nuisance to adjacent property.

## Property Map





## Case Description

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- The petitioner plans to replace an existing manual changeable letter sign with an electronic message center (EMC). The petitioner plans to use the existing brick sign base for the new sign.
- The EMC would measure 31" X 97" (~ 21 sq. ft.) and the non-changing portion of the sign would measure 24" X 97" (~16 sq. ft.), for a total sign area of ~37 sq. ft. The EMC portion of the sign would equate to 57% of the total sign area.
- The message of the sign would change once every 30 seconds. The sign would not utilize blinking, flashing, or other motion features.
- The property adjoins an area of Waldron primarily occupied by commercial uses, however residential properties south and west of the church would have a view of the sign.
- Staff has not located any other EMC signs in the town center of Waldron.
- The *International Sign Association* provides recommendations for regulating EMC signs. Staff has incorporated these recommendations into the stipulations of approval (see Staff recommendation).
- The UDO prohibits all animated signs, unless the LED portion of the sign displays only a static message. The UDO does not define 'static message.' Staff requested that the petitioner apply for a variance due to the relatively frequent change of message and to legally protect approval of the sign in the event that a member of the public raised a complaint.

## Staff Analysis of Findings of Fact

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**1. State Requirement: The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

Staff Analysis: The sign should not pose a significant distraction to motorists due to the low speed limit in the area.

**2. State Requirement: The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**

Staff Analysis: The change of message at a 30-second interval by an instant change or fade-in/fade-out effect should not pose a potential visual nuisance to adjacent property in a manner greater than an EMC sign with a static message.

**3. State Requirement: The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in use of the property.**

Staff Analysis: A strict application of the ordinance would not allow for utilization of typical EMC sign features.

## Staff Recommendation

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**APPROVAL** primarily because the change of message at a 30-second interval should not pose a visual nuisance to adjacent property in a manner greater than an EMC with a static message.

### Recommended Stipulations:

1. The electronic message center portion of the sign shall not exceed the size of the current changeable copy message portion of the sign or 67% of the total sign face, whichever is less restrictive.
2. The content of the sign shall change no more than once every thirty seconds and shall transition by an instant change/slideshow effect or fade-in-fade-out effect.
3. The sign shall include a sensor or other device that automatically determines the ambient illumination and be programmed to automatically dim according to ambient light conditions.







**Applicant/Owner Information**

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Applicant	Cain Signs, LLC 6363 E SR 44 Glenwood, IN 46133	Owner:	Board of Trustees of Waldron United Methodist Church PO Box 25 Waldron, IN 46182
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**DEVELOPMENT STANDARDS VARIANCE**  
**FINDINGS OF FACT**

Applicant: Cain Signs, LLC.  
Case #: \_\_\_\_\_  
Location: \_\_\_\_\_

The Shelby County Board of Zoning Appeals must determine that the following criteria have been met in order to approve an application for a Development Standards Variance. Using the lines provided, please explain how your request meets each of these criteria.

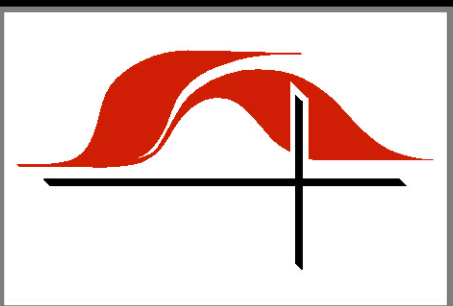
- 1. General Welfare:** The approval will not be injurious to the public health, safety, and general welfare of the community.  
Allowing the message to change at a reasonable interval, in order to inform patrons and attract new parishioners is the goal of the church with the proposed sign. Any changes in brightness or message interval can be adjusted with included software should any concerns be brought to the attention of the Church.
- 2. Adjacent Property:** The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.  
The property is zoned commercial and there should be no residences affected by allowing this sign to have varying messages. The proposed sign would be in the same location that it currently sits and would only make the facility look more modern.  
The sign won't make enough noise for anyone in residential areas to notice.
- 3. Practical Difficulty:** The strict application of the terms of the Shelby County Zoning Ordinance will result in a practical difficulty in the use of the property.  
It would be difficult to convey more than one message with a 24 static period. For example, if there was a function that the Church wished to promote, they would not be able to give appropriate details of the event on one message board. If an interested party wanted to attend said event, they may not have all of the information needed to do so, as they only recieved part of the message.

**The Board of Zoning Appeals may review the applicant's findings of fact to assist with their decision-making process. Please see below for general guidance related to completing the findings of fact:**

- General Welfare:** How does the request do no harm to the overall community of Shelby County? (ex. pollution, customer safety, road network safety, building code compliance, etc.)
- Adjacent Property:** How does the request do no harm to adjoining property and neighborhood? (ex. noise, odor, traffic generation, distance from property lines, appearance of property, etc.)
- Practical Difficulty:** This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain (ex. of practical difficulty: topography of property, location of septic system, consistency with nearby land uses, historical use of property, etc.)



# DAKTRONICS



# WALDRON

# United Methodist Church

24"

31"

# WELCOME FRIENDS

97"

56"x97" Overall size



## Property Details

**Location:** 3406 W 600 S, Shelbyville, Hendricks Township.

**Property Size:** 29 +/- acres.

**Current Land Use:** School.

### Zoning Classification:

IS (Institutional)

***Intent:** This district is established for institutional and municipal owned lands for public purpose and use.*

***Development Standards:** Require quality time, place, and manner development standards to minimize impacts on adjacent residential properties while serving the needs of the overall community*

### Future Land Use per Comp Plan

Institutional

*The purpose of this category is to provide land for buildings for government or private institutional use such as schools, churches, hospitals, and museums.*

### Surrounding Development

	Zoning	Land Use
North	A1	Cropland
South	R1	Single-Family Residential
East	A1	Estate Residential
West	A1	Cropland

# Staff Report

**Case Number:** BZA 20-11  
**Case Name:** Southwestern Consolidated School District of Shelby County – Development Standards Variance

## Request

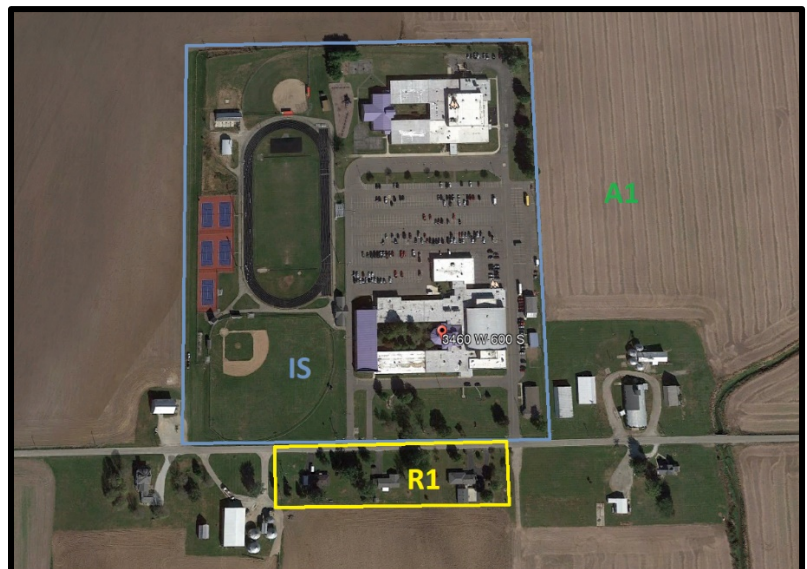
**Variance of Development Standards** to allow for the provision of 430 parking spaces (minimum 800 spaces required).

## Code Requirement

**UDO Table PK-A – Minimum Number of Parking Spaces Per Use: School (P-12) – 1 space per teacher, staff, administrator + 3 spaces per elementary or junior high classroom + 1 space per 10 high school student capacity + 1 space per 4 seats in the largest assembly space in the school (based on occupancy)**

**Purpose of Requirement –** Minimum parking space requirements for schools ensure adequate parking area for teachers, staff, visitors, and students.

## Property Map



## Case Description

- The school has obtained a permit to construct a field house addition. The school plans to construct the addition over a portion of the existing parking lot resulting in the removal of several parking spaces.
- The school currently has fewer parking spaces than required by the UDO. Staff considers the current number of parking spaces legal-nonconforming or ‘grandfathered’ due to construction of the school and parking lot prior to the current UDO. However due to the reduction in parking spaces, the non-conformity has increased, and therefore a variance is required to reduce the existing number of parking spaces.
- Approval of the variance will legally establish the parking lot having 430 parking spaces. Any alteration to the property that would require additional parking spaces would require installation of the additional parking spaces or approval of a new variance. For example, if the school constructed a larger assembly space.

Current Southwestern School Campus Parking Schedule				
	Number	Spaces Required	Required	Total
<b>Elementary</b>				117
Teachers, Staff, Administrators	42	1 per person	42	
Classrooms	25	3 per classroom	75	
<b>JR/SR High</b>				683
Teachers, Staff, Administrators	31	1 per person	31	
High School Students	269	1 per 10 students	26.9	
Largest Assembly Space (seats)	2500	1 per 4 seats	625	
<b>Total Required</b>				800
<b>Pre-Construction Parking Spaces</b>				550
<b>Post-Construction Parking Spaces</b>				430

## Staff Analysis of Findings of Fact

1. **State Requirement: The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

Staff Analysis: The school stated that the proposed parking area will adequately serve their parking needs. Large events at the school will likely not generate more than 430 vehicle trips.

2. **State Requirement: The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**

Staff Analysis: Large events at the school will likely not generate more than 430 vehicle trips and therefore vehicles will use the parking lot rather than the road or lawn near property lines.

3. **State Requirement: The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in use of the property.**

Staff Analysis: Buildings, athletic fields, and the existing parking area occupy all the land currently owned by the school. The property does not have enough space to accommodate additional parking area.

### Staff Recommendation

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**APPROVAL** primarily because the property does not have enough space to accommodate additional parking area.

### Applicant/Owner Information

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Applicant	Southwestern Consolidated School District of Shelby County 3406 W 600 S Shelbyville, IN 46176	Owner:	Same
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**DEVELOPMENT STANDARDS VARIANCE**  
**FINDINGS OF FACT**

Applicant: Southwestern Consolidated School District of Shelby County

Case #: \_\_\_\_\_

Location: 3406 W 600 S Shelbyville, IN 46176

The Shelby County Board of Zoning Appeals must determine that the following criteria have been met in order to approve an application for a Development Standards Variance. Using the lines provided, please explain how your request meets each of these criteria.

1. **General Welfare:** The approval will not be injurious to the public health, safety, and general welfare of the community. On a average school day the school does not use all of the current parking.

Currently, the existing parking lot does not meet the existing parking standards.  
\_\_\_\_\_  
\_\_\_\_\_

2. **Adjacent Property:** The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

The use of the parking lot will not change during the school day when the new facilities are used for physical education classes.  
Most of the non-school day time the new field house would be used to allow more than one athletic team to practice at the same time.  
Only upper class students might have cars that need to park on the lot. The others are dropped off and picked up later by their parents  
There is plenty of parking available for varsity contests with other schools.

3. **Practical Difficulty:** The strict application of the terms of the Shelby County Zoning Ordinance will result in a practical difficulty in the use of the property.

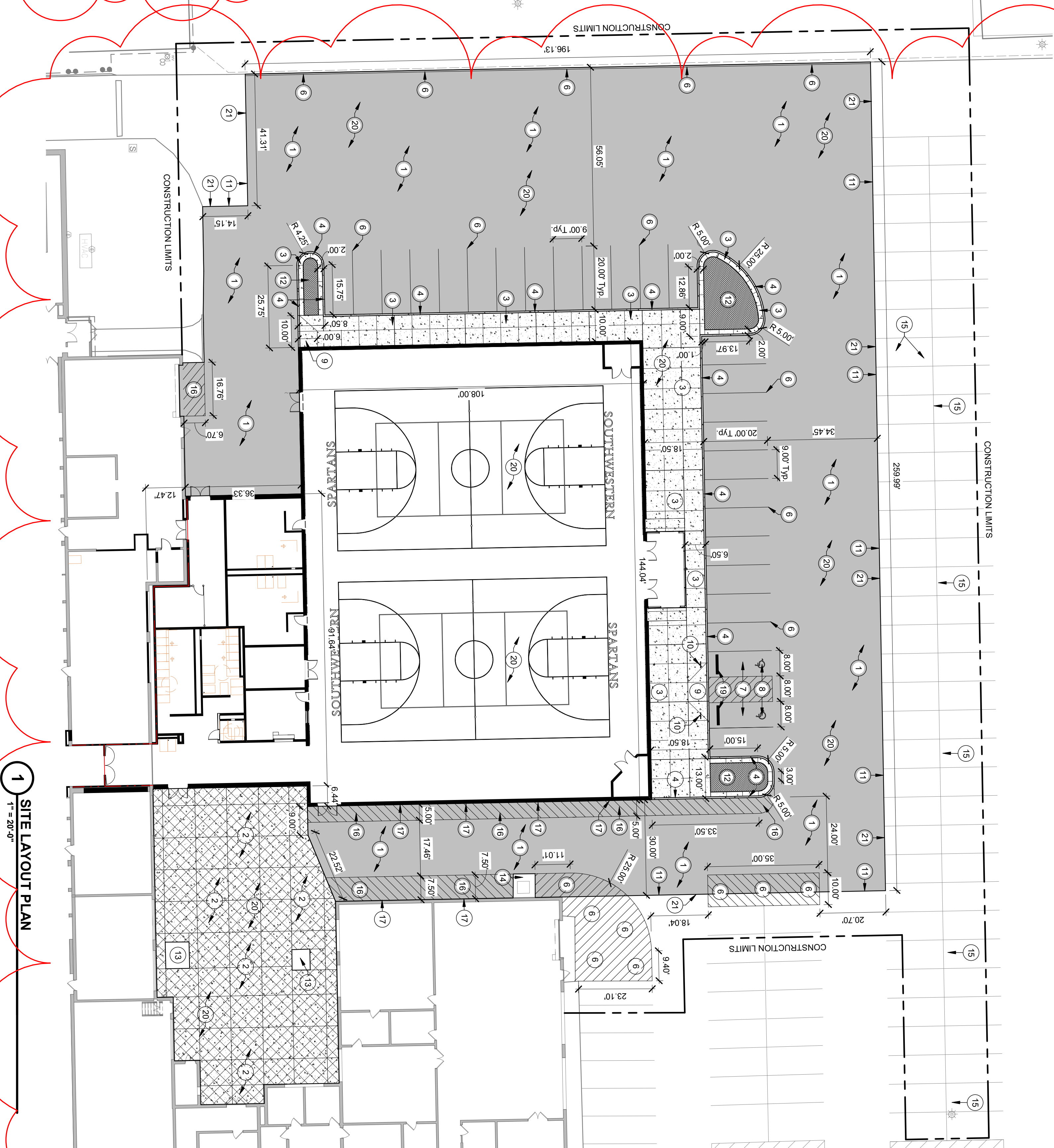
Currently, with the property the School owns, there is not enough space to add additional parking.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Parking Spaces			
Elementary	Number	Spaces	Required
Teachers, Staff, Administrator	42	1	42
Classrooms	25	3	75
JR/SR			
Teachers, Staff, Administrators	31	1	31
High School Students	269	0.1	512.175
Largest assembly Space (seats)	2500	0.25	625
<b>Total Required</b>			<b>800</b>
Pre-Construction Parking spaces			550
Post-Construction Parking spaces			430

SITE LAYOUT LEGEND	
	HEAVY DUTY ASPHALT PAVING, SEE DETAIL 1A/C1.501
	STANDARD CONCRETE PAVING, SEE DETAIL 3A/C1.501
	HEAVY DUTY CONCRETE PAVING, SEE DETAIL 2A/C1.501
	HOLLANDSTONE (CHARCOAL) PAVERS, SEE DETAIL 3B/C1.501
	CONCRETE EXPANSION JOINT, TYP. SEE DETAIL 5A/C1.501
	CONCRETE CONTROL JOINT, TYP.

Key	Note
1	HEAVY DUTY ASPHALT PAVEMENT, SEE DETAIL 1A/C1.501
2	HEAVY DUTY CONCRETE PAVEMENT, SEE DETAIL 2A/C1.501
3	STANDARD DUTY CONCRETE PAVEMENT, SEE DETAIL 3A/C1.501
4	INTEGRAL CONCRETE CURB, SEE DETAIL 4A/C1.501
6	4" WIDE SOLID LINE PAVEMENT MARKING, WHITE TRAFFIC PAINT
7	ADA ACCESSIBLE PARKING STALL, SEE DETAIL 3C/C1.501
8	ADA ACCESSIBLE EMBLEM, SEE DETAIL 3C/C1.501
9	ADA ACCESSIBLE SIDEWALK RAMP, SEE DETAIL 1B/C1.501 & 4D/C1.501
10	ADA ACCESSIBLE PARKING SIGN, SEE DETAIL 1C/C1.501
11	SAW CUT
12	HOLLANDSTONE (CHARCOAL) PAVERS, SEE DETAIL 3B/C1.501
13	EXISTING CONCRETE TRANSFORMER PAD
14	EXISTING CONCRETE MECHANICAL PAD
15	ALL ASPHALT PAVEMENT DISTURBED BY ELECTRICAL CONDUIT SHALL BE REPAIRED TO ORIGINAL FINISH
16	4" WIDE SOLID LINE PAVEMENT MARKING, YELLOW TRAFFIC PAINT
17	COORDINATE POSITION WITH CA / OWNER
19	CONCRETE WHEEL STOP, SEE DETAIL 2D/C1.501
20	LINE STABILIZE FOR ALL SUBGRADES. THIS WOULD INCLUDE BUT NOT LIMITED TO SUBGRADES FOR BUILDING SLAB, CONCRETE PAVEMENT AND ASPHALT PAVEMENT. (SEE SPECS)
21	PROPOSED ASPHALT PAVING TO MEET EXISTING GRADE



1 SITE LAYOUT PLAN  
1" = 20'-0"

**SCHMIDT ASSOCIATES**  
415 Moschuserts Avenue  
Indianapolis, IN 46204  
www.schmidt-arch.com

Project No. 2019-025-NFH  
Project Date 12.20.2019  
Produced AR

Thank You for your inquiry and consideration. We will gladly respond to your questions and provide you with the information you need to make a decision. We will also be happy to provide you with a proposal and contract documents for your review. We look forward to working with you on your project.

#	Revision	Date
A2	Addendum 2	01.23.2020
S11	S11	04/15/2020

3406 W 600 S  
Shelbyville, IN 46176

**Southwestern Shelby Schools**  
New Field House Addition  
SITE LAYOUT PLAN  
CL101



Property Details

Location: 8565 N 600 W,  
 Fountaintown, Moral Township.

Property Size: 5.271 acres.

Current Land Use: Agricultural.

Zoning Classification:

RE (Residential Estate)

*Intent: This district is established for single-family detached dwellings in a rural or country setting.*

*Development Standards: Promote low-impact development in harmony with a natural setting.*

Future Land Use per Comp Plan

Suburban Residential

*This purpose of this category is for the transition of land use from agricultural and estate residential uses to low to medium-density, single-family residential subdivisions as water and sewer facilities become available.*

Surrounding Development

	Zoning	Land Use
North	A1	Agricultural
South	R1	Single-Family Residential
East	RE/R1	Single-Family Residential
West	A1	Agricultural

# Staff Report

Case Number: BZA 20-15  
 Case Name: Daniel Miller & Dean Garwood – Use & Development Standards Variances

## Request

**Variance of Use** for to allow for a commercial salt storage and delivery operation in the RE (Residential Estate) District.

**Variances of Development Standards** to allow:

1. Three accessory structures: barn & two silos (maximum of two accessory structures permitted).
2. Silos having a maximum height of 45-feet (maximum height of 20-feet permitted).
3. Less than the required number of parking spaces.
4. Gravel parking/maneuvering area (pavement required).

## Code Requirement

**UDO Section 5.06 C – Maximum Number:** *Up to two (2) enclosed accessory structures (not including pools, decks and open-sided gazebos) shall be permitted on a lot.*

**UDO Section 2.12 – RE District Development Standards:** *Maximum Structure Height – 20 feet for accessory structures.*

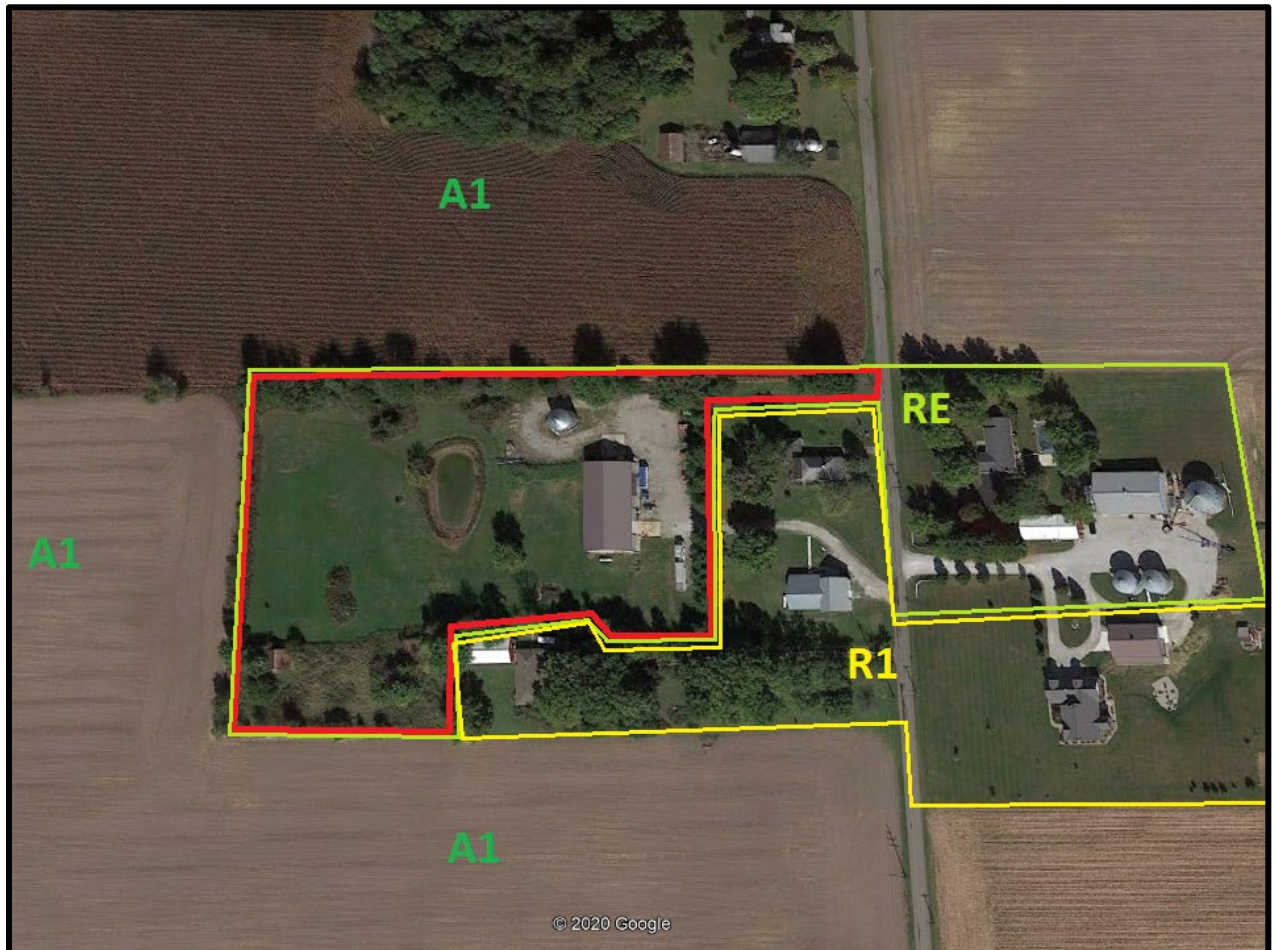
**UDO Table PK-A – Minimum Number of Parking Spaces Per Use:** *Distribution Facility – 1.1 spaces per employee on the largest shift + 1 visitor space per 10 employees.*

**UDO Section 5.60 A – Surface:** *All ingress/egress onto a driveway or parking area and required parking lots shall utilize a paved surface of concrete, asphalt, brick pavers, or the like. Gravel, stone, rock, dirt, sand, or grass shall not be permitted as parking surfaces, except the A4 zoning district which may use gravel. Parking of vehicles shall not be permitted on lawns or other pervious-surfaced areas of a lot.*

**Purpose of Requirements –** Accessory structure design standards encourage consistent structure design to maintain property values and the character of the district. Minimum parking space requirements ensure adequate parking area for customers and employees. Parking area surface standards are intended to eliminate potential nuisances such as dust and noise and allow for safe and efficient movement of vehicles.

## Property Map

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## Case Description

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- The petitioners intend to use the existing 20' x 60' building and a new building similar in size and color as the existing building for the storage of salt. They also plan to install two silos and augers with elevators to move salt into the silos from the buildings. They plan to remove the existing silo.
- The petitioners indicated that the business would not include any outdoor storage.
- The business would serve as the 'middleman' between regional salt producers and local customers. Semi-trucks would deliver salt to the site for storage until needed by local customers, such as Triton Central Schools and Major Hospital.
- Semi-trailer trucks would bring salt to the site three to six times a week. Delivery trucks would transfer salt from the site to customers no more than four times a day and return to the site no more than four times a day. Traffic would also include daily employee trips.
- The petitioners plan to hire four employees initially and may hire additional employees in the future.

- The petitioners would not install any signage.
- The petitioners plan to install a bathroom in one of the buildings. The Health Department will require approval from the State of a commercial septic system.
- The property includes a pond and drainage swale that diverts drainage to the south. The owner of the property to the south expressed concerns regarding flooding due to possible ineffective drainage.
- The petitioners do not currently own the property. The plan to purchase the property if the Board approves the variance.
- The immediate area includes five residential properties. The seller of the subject property resides at one of these residential properties and does not plan to relocate after the sale.
- The property is located 1.8-miles from the I-74 / London Road interchange. Business within a ½-mile radius from the property include an excavation company (M & C Excavation), a manufacturing company (TLK Precision), and event equipment storage and maintenance (Jonas Enterprises, LLC).
- The Planning Director recommended that the petitioners apply for a variance rather than a rezoning because a variance allows for more governmental oversight of commercial use of property that has primarily residential neighbors. Approval of a variance would only allow for the specific use proposed and would terminate at the time the property changes ownership. A rezoning would prohibit future residential use of the property, allow for a variety of commercial uses, and would allow the commercial use to change without Plan Commission review of approval.

### Primary Considerations – Traffic & Environmental Impacts

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The Planning Director recommends that the Board particularly consider the impacts of traffic generated by the business and the environmental impacts associated with the storage of salt when making their decision.

#### Traffic

- Expected traffic is six semi-trucks per week, four delivery trucks per day (arriving and departing), and up to four employee trips per day (arriving and departing). This traffic pattern could generate up to **17 trips per day**.
- Currently, the immediate area includes agricultural and residential traffic. Traffic generated by the business significantly exceeding existing traffic patterns in the area would result in alteration of the character of the area.
- Impacts on nearby residential properties could include noise, dust, and truck traffic blocking nearby driveways.
- The petitioner stated that the business must generate the proposed amount of traffic to function effectively.

#### Environmental Impacts

- Improper storage of salt can cause groundwater contamination impacting water wells and soil.
- The Planning Director researched environmental impacts associated with salt storage for another variance petition in 2013. Per the Indiana Department of Environmental Management (IDEM) and the Health Department in Johnson County, IN, salt stored in a permanent covered structure should protect the salt from being washed away by rainwater and contaminating groundwater.
- The petitioners plan to store all salt indoors within permanent structures.

## Staff Analysis of Findings of Fact

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### Use Variance

- 1. State Requirement: The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

Staff Analysis: Proper indoor storage of salt should not cause environmental impacts harmful to the public. The business would provide a needed service to the public.

- 2. State Requirement: The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**

Staff Analysis: The proposed amount of traffic generated by the business would adversely impact adjacent residential properties. Impacts on nearby residential properties could include noise, dust, and truck traffic blocking nearby driveways.

- 3. State Requirement: The need for the variance arises from some condition peculiar to the property involved.**

Staff Analysis: No condition particular to the property prohibits use of the property for agricultural or residential purposes.

- 4. State Requirement: The strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship if applied to the property for which variance is sought.**

Staff Analysis: No condition particular to the property prohibits sale of the property for agricultural or residential uses.

- 5. State Requirement: The approval does not interfere substantially with the Comprehensive Plan.**

Staff Analysis: The Suburban Residential future land use category does not recommend commercial uses.

**Development Standards Variances** – not applicable due to recommendation of denial of the use variance.

### Staff Recommendation

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**DENIAL** primarily because the proposed amount of traffic generated by the business would adversely impact adjacent residential properties.

**If the Board chooses to approve the variance, Staff recommends stipulations prohibiting outdoor storage and limiting the hours of operation.**

### *Applicant/Owner Information*

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Applicant	Daniel Miller & Dean Garwood 5382 Stonehaven Ln. New Palestine, IN 46163	Owner:	Jeffery W & Patsy M Maurice 8553 N 600 W Fountaintown, IN 46130
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**STATEMENT OF INTENT (ONLY REQUIRED FOR VARIANCE OF USE & SPECIAL EXCEPTION)**

Please answer the following questions (when applicable) pertaining to your request. If approved, the use would be limited to the information provided and expansion of the use would require new approval from the Board. The Board may also approve the use conditional on one or more amendments to the statement of intent.

1. Summary of Proposed Use and/or Business Activity: warehouse/trucking of solar salt.  
Store and distribute Salt to various business and schools.  
example of our customers- Triton schools and Major hospital

2. Days & Hours of Operation: 8 am to 3 pm Monday through Friday but it varies alittle

3. Maximum Number of Customers per Day/Week/Month: 0 coming to the property

4. Type and Frequency of Deliveries: semis to delivery salt to the silos and our box trucks

5. Description of any Outdoor Storage: outside of the warehouse is overhead silo to store salt

6. Description, Size, and Placement of any Signage: no signage on property since no customers will be coming to property

7. Description of Waste Disposal: We will have a dumpster for any trash.

8. Existing and/or Proposed Building and Site Improvements Pertaining to Proposed Use (ex. parking lot, landscaping, commercial upgrades to building, etc.): Put overhead silo up where existing one was taken down.  
We also be building salt storage building behind existing one

**USE VARIANCE  
FINDINGS OF FACT**

Applicant: Daniel Miller and Dean Garwood

Case #: \_\_\_\_\_

Location: 8573 North 600 West Fountaintown Indiana 46130

The Shelby County Board of Zoning Appeals must determine that the following criteria have been met in order to approve an application for a Use Variance. Using the lines provided, please explain how your request meets each of these criteria.

1. **General Welfare:** The approval will not be injurious to the public health, safety, and general welfare of the community.  
We will be using the property similar to the current agricultural zoning in place.  
We will be storing and transporting salt in and out of the property from silos  
and the building. We will use Semis and our delivery trucks.

2. **Adjacent Property:** The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.  
The properties will not see anything different then the farming season as in  
semis and trucks are collecting and moving the crops or our salt.

3. **Practical Difficulty:** The need for the variance arises from some condition particular to the property involved.  
I don't think this applies to this situation

4. **Unnecessary Hardship:** The strict application of the terms of the Shelby County Unified Development Ordinance will constitute an unnecessary hardship as they are applied to the property for which the variance is sought.  
Yes, it would cause an hardship since this property is perfect for what we do  
and would not change the property ascetically.

5. **Comprehensive Plan:** The granting of the variance does not interfere substantially with the Comprehensive Plan.  
We will be adding silos and augers with elevators to move salt into silos and  
to our building. We will be adding a building behind the existing one.



**DEVELOPMENT STANDARDS VARIANCE  
FINDINGS OF FACT**

Applicant: Daniel Miller and Dean Garwood

Case #: \_\_\_\_\_

Location: 8573 North 600 west fountaintown Indiana 46130

The Shelby County Board of Zoning Appeals must determine that the following criteria have been met in order to approve an application for a Development Standards Variance. Using the lines provided, please explain how your request meets each of these criteria.

1. **General Welfare:** The approval will not be injurious to the public health, safety, and general welfare of the community.  
We have no hazardous waste and our product is grown in ponds just Like the corn  
or wheat in the fields. We will house it and delivery it from the property.

2. **Adjacent Property:** The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.  
The adjacent properties will not see anything different except for we will be  
adding another warehouse behind existing one.

3. **Practical Difficulty:** The strict application of the terms of the Shelby County Zoning Ordinance will result in a practical difficulty in the use of the property.  
Our variance will not be adding any difficulty on Shelby county. We will be  
a well and septic to the back property.

# North 600 West LLC

8573 North 600 West, Fountaintown IN 46130

# Deed Drawing of the Lands Owned by Jeffery & Patsy Maurice

## Driveway and Parking

Gravel Driveway - 11 feet wide

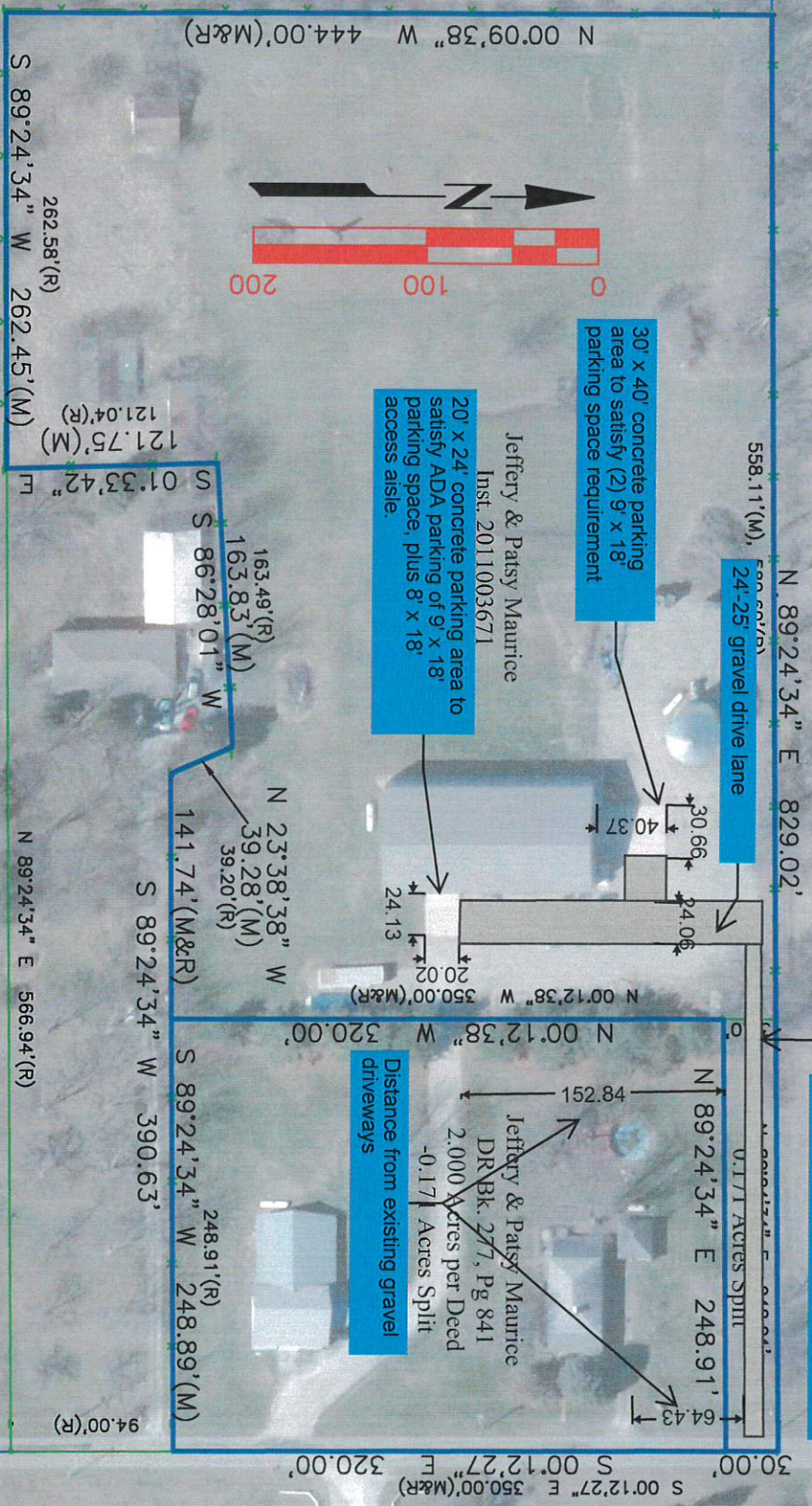
30' x 40' concrete parking area to satisfy (2) 9' x 18' parking space requirement

20' x 24' concrete parking area to satisfy ADA parking of 9' x 18' parking space, plus 8' x 18' access aisle.

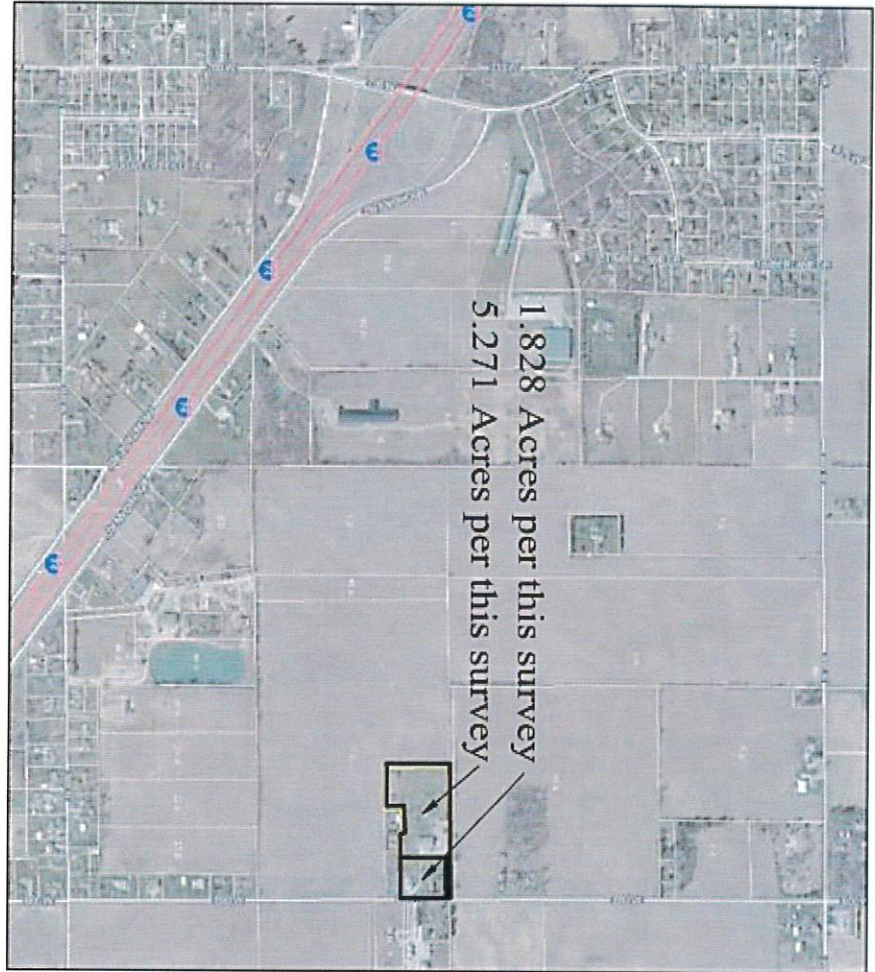
Distance from existing gravel driveways

Jeffery & Patsy Maurice  
Inst. 20111003671

Jeffery & Patsy Maurice  
DR Bk. 277, Pg 841  
2.000 Acres per Deed  
-0.171 Acres Split



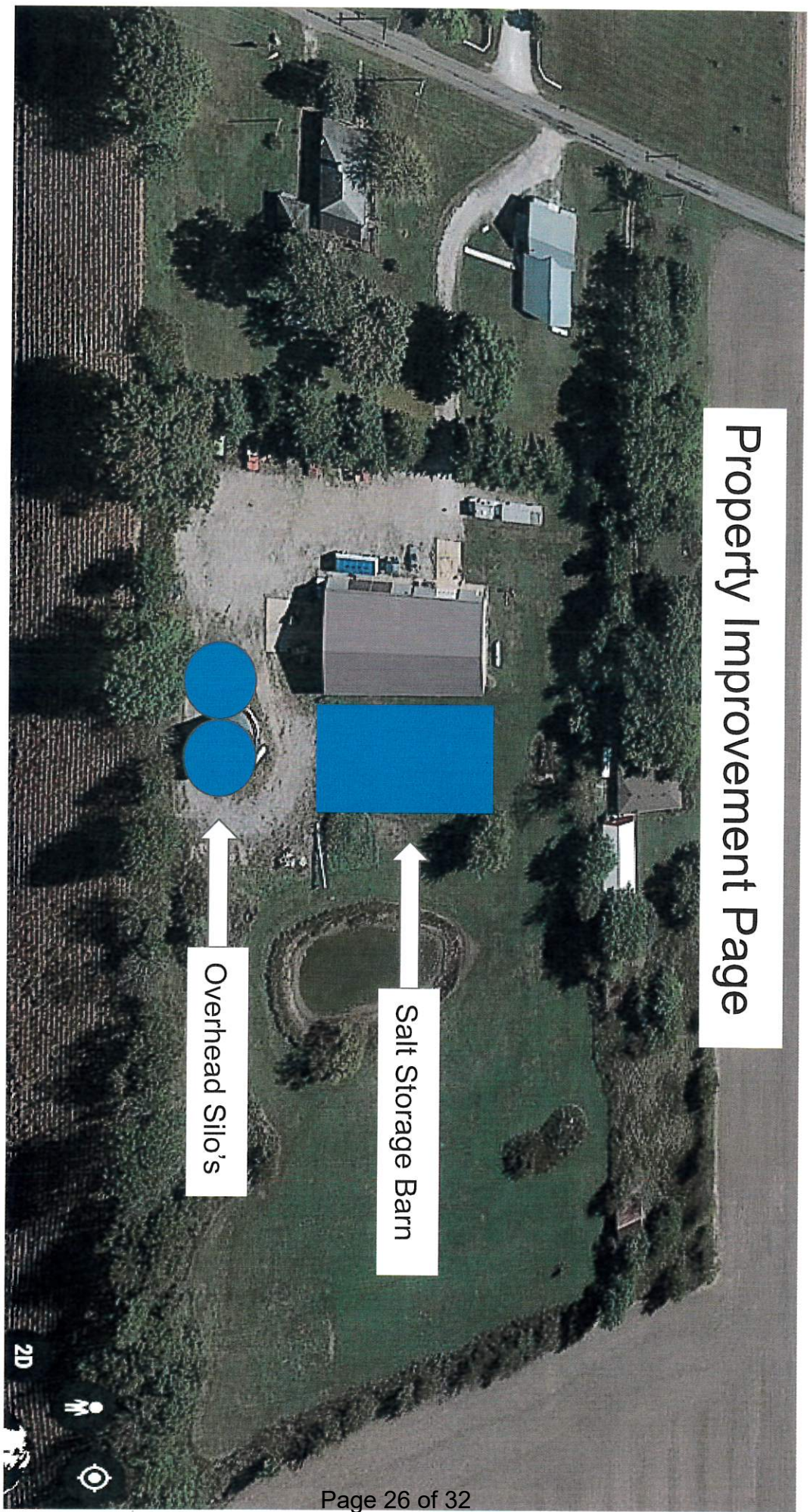








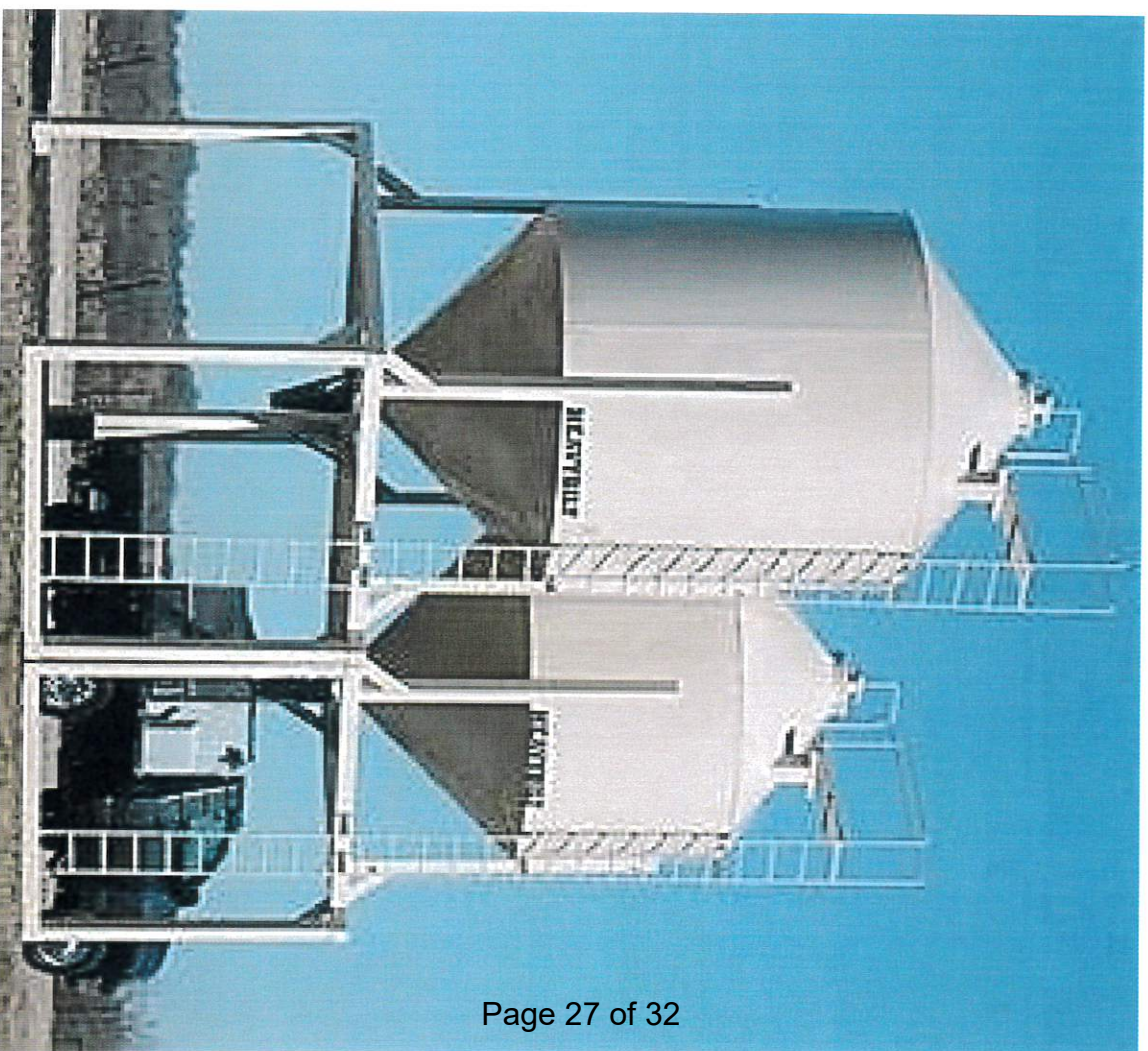
# Property Improvement Page





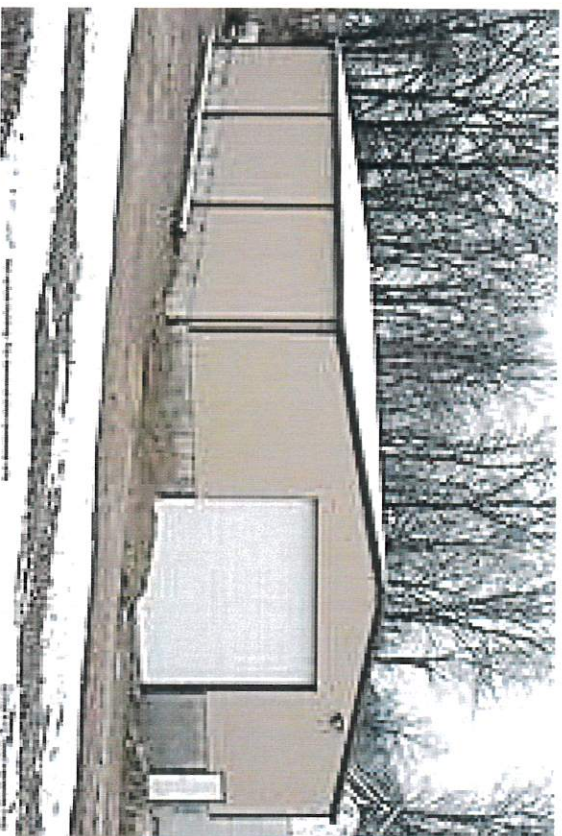
# Proposed Silo's

Silo's not to scale, but for reference only.  
Proposed silo's will have a 14' foot drive  
though.



# Proposed Salt Storage

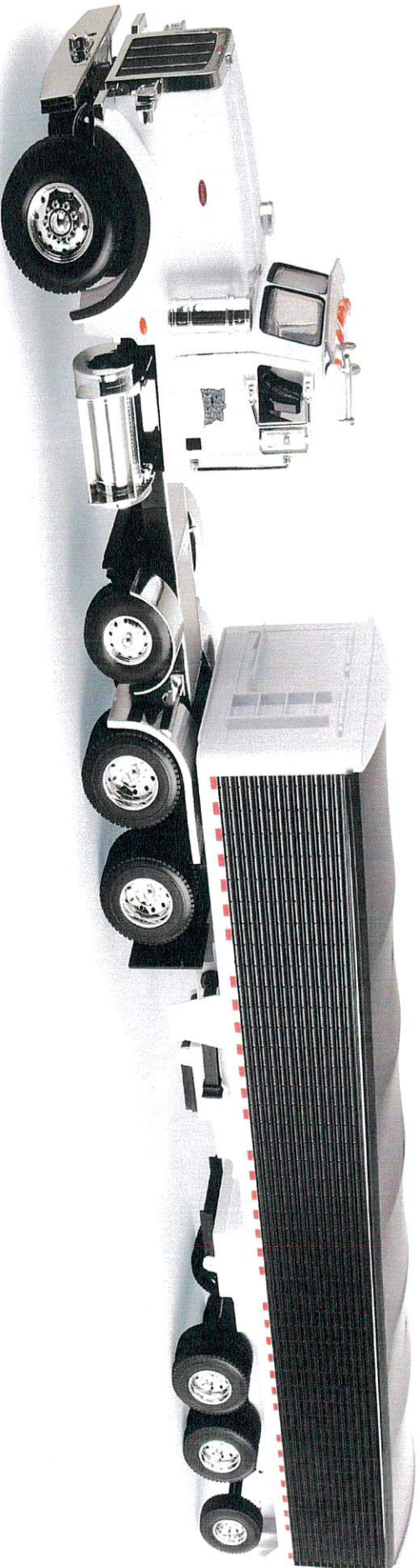
Buildings may not be exact but is for reference only. Would try to match same color as existing building.





# Proposed Trucking for Salt Storage

Deliveries would be made three to six times a week using a similar truck as show in the picture below.



# Step Savers Delivery Trucks

Step Savers has four delivery trucks.  
All will leave in the morning and  
return in the evening. Equaling no  
more than four departures and  
arrivals each day. \*

\*This does not include personal vehicles.



## Business Information Page

We are a water treatment and salt delivery company. We are very similar to agriculture where the salt is grown and harvested. It is cleaned and dried just like most crops and is then shipped the same way through barge, train, or truck. It is housed like crops as well in storage buildings or silos. The look of the property will not change much other than an overhead silo or 2 instead of a ground silo and another building to the west of existing building for salt storage. We provide services to the Shelby County area including Triton Central Schools, Major Hospital, and plan on growing more in the area. As an owner Daniel Miller was born and raised in Shelby county and now resides in New Palestine with his wife and two kids. Most of his family still lives in the Shelby county area. There are four employees now with the opportunity to hire a few more in the upcoming years.

# **Thank you for your consideration**

**We look forward to the opportunity to grow our  
business while being great neighbors and a positive  
impact on the community.**

**If there are any questions please contact:**

**Daniel Miller at 317-690-2257**

**Dean Garwood at 317-645-7283**