

**BZA MINUTES**

**MAY 21, 2007**

Members present: Mike Blankley, Dale Clevenger, James Trautman, Charles Addington, Bill Davis.

Members absent: Gary Moore, Christy Starbuck.

Staff present: Cathy Flatter, Executive Director, Jamie Stump, Recording Secretary.

Legal representation: Jason Welch.

Others present: Kevin Cook, Shawn & Pauletta Hummel.

The meeting was called to order by Chairman, Mike Blankley at 7:00 PM.

Chr. Blankley: The first thing on the agenda is to approve the minutes of the April 16<sup>th</sup> meeting. I would entertain a motion to do so without reading.

B. Davis: So moved.

D. Clevenger: Second.

Chr. Blankley: It has been moved and second that we approve the minutes of April 16<sup>th</sup> without reading. All those in favor signify by saying aye. "Ayes". Opposed (none). Next item on the agenda is BZA 2007-16-V. That is Shawn and Paulette Hummel.

C. Flatter: We need to skip that for right now. Turn that around because Hummel's are not here yet.

Chr. Blankley: Okay. We will go to the next one.

**BZA 2007-17-V (Randolph Hospitality LLC, Winchester)**

Chr. Blankley: BZA 2007-17-V Randolph Hospitality LLC. Do we have a representative here?

K. Cook: That is me.

Chr. Blankley: Please come forward and sit at the table. Before we get started I will tell you how this meeting kind of works. We will ask you what you want to do and then you will respond and tell us what you want and then the committee will ask you questions if there are any and you can answer them and then if anybody in the audience will have the same right and then you can answer them. First of all, did you receive the Article V, Conduct of Hearing when you applied?

K. Cook: Yes.

Chr. Blankley: Jamie were all the notices sent out and received?

J. Stump: Yes.

Chr. Blankley: Was that for both of them in case Hummel's get here?

J. Stump: Yes.

Chr. Blankley: Okay. Will you speak your name and everything into the microphone?  
This is a recorded meeting.

K. Cook: Kevin Cook with Randolph County Hospitality LLC.

Chr. Blankley: Okay, then tell us what you would like to do.

K. Cook: Basically the hotel there, right now the zoning only allows a 25' foot tall sign and with the new hotel we are building we would like to put in a 40' sign. The peak of the new hotel we are building, the peak is over 40' right now so in comparison to the new motel, a 25' sign wouldn't look in place.

Chr. Blankley: I have a question to ask and maybe somebody from the board can tell me. Does Winchester have any ordinance against heights on signs?

C. Flatter: No that is all regulated through the Planning Department.

Chr. Blankley: Is it? Okay. Any board members have any questions to ask?

C. Addington: I was wondering how big the sign is going to be? I know you want 40' high?

K. Cook: Yes, the top of the sign is going to be a lit panel sign and the top of the sign is going to be about 8' x 16'. The hospital, the only call I have had from anybody was from the hospital and they just wanted to make sure the sign was going to be on the north side of the building, which it is, and the only reason he had a questions was because of the flight path of their helicopters coming in. That was the only thing he wanted to make sure of.

C. Addington: It is going to be directly north of the building then right?

K. Cook: Yes, it will be north of the building. If you have driven by the site, there is a small detention pond right in the front and it will be between the detention pond and the new motel.

J. Trautman: Back off the highway?

K. Cook: Yes back off the highway.

D. Clevenger: How far off the highway?

K. Cook: We will probably be from the State right-of-way fence probably about 15 to 20 feet west of the State Highway fence.

C. Flatter: Which it is required to be 15 feet so we know it won't be any closer than 15.

K. Cook: I have a utility easement right there that, I believe is 14 feet is the utility easement so we can't be any closer than 15 feet any way with the foundation.

J. Trautman: The top of the building is already 40 feet?

K. Cook: Yes. It is a 3 story building and each floor takes up about 11 ½ feet and then you have the peak of the roof.

J. Trautman: But if it is sitting out away from the building, a 40 foot sign, that is awful high up there isn't it?

C. Flatter: Well we've got other ones out there that are probably over that, simply because of the height of the over pass.

K. Cook: If you look at the existing Over-Pass sign that is right there, believe it or not, that is almost 30 feet.

Chr. Blankley: I was going to say Arby's has one that is up there.

K. Cook: Yes, the Arby's and McDonald's signs are going to be taller than our 40 foot sign. Once it is erected it is not going to look out of place, especially with the height of the building.

Chr. Blankley: There is a billboard that is double isn't it?

K. Cook: Yes, the billboard, that is a double billboard and I am not quite sure if that one reaches 40 feet or not.

C. Addington: I doubt if it does.

C. Flatter: But the billboards can be higher. They can be 40 feet high.

Chr. Blankley: Can they?

C. Flatter: Yes. So it really won't look out of place out there.

K. Cook: I think if we were to put a 25 foot sign up the 25 foot sign would be dwarfed compared to the size of the building.

C. Flatter: And then it could be missed by .....

K. Cook: That could be missed and it would look out of place.

C. Flatter: By people that are trying to find it. You know, they are going to see the building but you know if they don't know what the building is, the sign could be missed...

K. Cook: The sign is kind of a catch all for traffic.

C. Addington: You said 8' x 16'?

K. Cook: Yes, which compared to that billboard, it is small. Once it is up in the air it is going to be small.

C. Addington: It will be lighted then?

K. Cook: Yes it will be lighted.

Chr. Blankley: Any other questions from the board? Any questions from anybody in the audience? Hearing none, I would entertain a motion to take action.

D. Clevenger: So moved.

B. Davis: Second.

Chr. Blankley: It has been moved and second that we take action on BZA 2007-17-V. All in favor of the motion signify by saying aye. "Ayes". Opposed (none). Now I would entertain a motion for a roll call vote.

J. Trautman: So moved.

B. Davis: Second.

Chr. Blankley: It has been moved and second that we take a roll call vote. All in favor say aye. "Ayes". Opposed (none). Jamie we are ready for a roll call vote.

A roll call vote was taken: Charles Addington, yes; Mike Blankley, yes; Dale Clevenger, yes; Bill Davis, yes; Gary Moore, absent; Christy Starbuck, absent; James Trautman, yes.

Chr. Blankley: That is a positive vote.

C. Flatter: You just need to come in and get the permits for the sign now.

K. Cook: The sign company, actually the name of it is The Sign Company, they will be in to pull the permits on that. I appreciate it.

C. Flatter: Okay.

K. Cook: Thank you sir.

C. Flatter: What is the target date now Kevin?

K. Cook: Probably first week of July. End of June, first of July some time. I have some granite tops that are coming that are being shipped that is kind of.....

C. Flatter: Do you have some reservations in July probably that you are.....

K. Cook: We are not accepting reservations until the 1<sup>st</sup> of August. A firm reservation. We have some weekends sold out already this summer so it should be good. You are invited when we get it done to come through and take a walk through. Thanks.

C. Flatter: We will do that.

Chr. Blankley: Thanks. Bye.

#### BZA 2007-16-V (Shawn Hummel, Winchester)

Chr. Blankley: We are ready for BZA 2007-16-V. That is Shawn & Paulette Hummel. Are they here? Will you please come forward. First of all I will ask you if you got an Article V, Conduct of Hearing when you applied for this?

S. Hummel: Yes as far as I know.

Chr. Blankley: Now I will explain what will happen. We will ask, this is a recorded meeting so before you talk, introduce yourselves, in a minute. What we will do is ask you what you want to do and you respond. Board members will have the right to ask questions and you respond to the questions. You don't really need to but we would appreciate it if you would and then anybody in the audience, and I don't see anyone out there, so this shouldn't take us very long. If you would, you already said that the notices had been sent and received.

J. Stump: Yes.

Chr. Blankley: So If you would please state your names into the microphone and tell us what you want to do.

S. Hummel: My name is Shawn Hummel. This is my wife Pauletta. I am getting ready to build an addition onto my house down on 532 W. North Street and I am going to come straight with the existing house but I am wanting to come out 8 foot with a porch and that is what the variance will be for. It is going to be, my house is 39 feet off the edge of the road now, 55 feet from the center of the road.

C. Flatter: I have 49 feet Shawn from the center line on my paper work.

S. Hummel: Well from the front of the house to the edge of the road is exactly 39 feet and the road is about 30 feet wide.

C. Flatter: On the application you had 31 feet.

S. Hummel: Yes, that is the porch. I am talking about.....

C. Flatter: Okay, sorry.

S. Hummel: It will be 31 feet with the porch. I am sorry.

C. Flatter: That is okay. The required setback is 25 feet from the right-of-way so he is wanting to build an 8 foot porch. Come out 8 feet from the house, it would currently be 49 feet from the center of the road. The road is 66 foot wide so that makes him only 16 feet from the right-of-way rather than 25 feet.

Chr. Blankley: Okay. I have a question. Is this going to block any view from the traffic down the street?

C. Flatter: No, actually if you look at the aerial that we gave you, there are some other people that are in that same area that their houses are probably, they are about the same distance that their front porch is going to be from the right-of-way. If you go down 2<sup>nd</sup> house from, east, it is a little bit closer. The 4<sup>th</sup> house east is closer. The 5<sup>th</sup> house east is closer.

C. Addington: There is one way down here towards the end that is really close.

C. Flatter: In the prior ordinance we had provision in there that I could take an average of the front yards of the properties within 100 feet going both directions. Had I still had that in place in this current ordinance, I probably would have been able to issue the permit based on the average but that is not in the ordinance now. That is something that I wanted to add to the amendments that we are talking about putting through.

D. Clevenger: It is going to be an enclosed porch?

S. Hummel: No, it is going to be open with wrought iron hand rails around it.

C. Addington: Are you going to do that after you do the addition?

S. Hummel: Well I would like to do it all at once and just be done with it.

C. Addington: I was looking there yesterday and I was wondering if I was looking at the right place because.....

S. Hummel: I thought I saw someone.... There used to be a house there and I tore it down and we're going to build on right there where the house used to sit.

C. Addington: I thought maybe the addition was already there and it wasn't.

S. Hummel: I wish.

C. Flatter: They've actually made a lot of improvements on their property. Shawn built a garage several years ago that is across the alley on the north and you are the one who put the brick up on the house aren't you?

S. Hummel: Well my dad did about 20 years ago.

C. Flatter: I am sure that any thing they are going to be doing is going to be an improvement on the property.

S. Hummel: I am going to brick the whole addition and everything. It is going to be nice.

Chr. Blankley: Any other questions from any of the board members? For the sake of the record I will ask if anyone in the audience.... There is no one in the audience, but it is on the record. I would entertain a motion to take action on BZA 2007-16-V.

B. Davis: So moved.

C. Addington: Second.

Chr. Blankley: It has been moved and second that we take action on this petition. All in favor say aye. "Ayes". Opposed (none). I would entertain a motion for a roll call vote.

D. Clevenger: So moved.

C. Addington: Second.

Chr. Blankley: It has been moved and second that we have a roll call vote. All in favor say aye. "Ayes". Opposed (none). Jamie we are ready for a roll call vote.

A roll call vote was taken: James Trautman, yes; Charles Addington, yes; Dale Clevenger, yes; Bill Davis, yes; Gary Moore, absent; Mike Blankley, yes; Christy Starbuck, absent.

Chr. Blankley: Your petition has been granted. You are through with us.

S. Hummel: Alright, thank you. I appreciate it.

C. Flatter: You can just stop in the office and just pick up your permit cards. I have ours here but you are going to have to have the building permit so just stop in.

S. Hummel: Okay, I'll come by tomorrow. Thank you.

C. Flatter: Your welcome.

Chr. Blankley: I would like to thank Mr. Welch for showing up tonight.

The meeting adjourned at 7:15 PM.

THE NEXT REGULARLY SCHEDULED MEETING IS JUNE 18, 2007 AT 7:00 PM IN THE COMMISSIONERS CONFERENCE ROOM OF THE RANDOLPH CENTER FOR FAMILY OPPORTUNITY, WINCHESTER, INDIANA.

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Mike Blankley, Chairman

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Dale Clevenger, Vice Chairman

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Jamie Stump, Recording Secretary