

PUTNAM COUNTY BOARD OF ZONING APPEALS MINUTES

The Putnam County Board of Zoning Appeals met for its regular monthly meeting on April 12, 2021 at 7:00 p.m. in the Putnam County Courthouse, 1 West Washington Street, 1st Floor, Greencastle, IN 46135. Kevin Scobee called the meeting to order at 7:00 p.m. A roll call was taken to determine a quorum. The following members were present: Kevin Scobee, Randy Bee, Ron Sutherlin, and Lora Scott. Also present were Jim Ensley, attorney; and Lisa Zeiner, Plan Director. Raymond McCloud was not present. Audience present see attached sign in sheet.

REVIEW OF MINUTES

Kevin Scobee asked if there were any corrections or additions to the March 8, 2021 meeting minutes.

Randy Bee stated that starting on page 2, Mrs. Clifford needed to be changed to Ms. Clifford.

Kevin Scobee made a motion to approve the minutes contingent upon changing Mrs. Clifford to Ms. Clifford.

Mr. Bee seconded the motion. The March 8, 2021 minutes were approved subject to changing Mrs. Clifford to Ms. Clifford with members present voting in favor except Lora Scott. Mrs. Scott abstained since she was not at the March meeting.

NEW BUSINESS:

2021-BZA-14: REELSVILLE COMMUNITY CENTER – SPECIAL EXCEPTION: Allow an existing building to be used as a community center; Washington Township; 21/13N/5W; Zoned R2 (7840 S CR 625 W – Old Reelsville Elementary School).

Ben Fox, Chair of the Reelsville Community Center, approached the Board as the petitioner. Mr. Fox stated that they would like to use the gym of the Reelsville School as a Community Center. Mr. Fox gave brief history of the existing building. Mr. Fox explained that the building was originally the Reelsville High School, which closed in 1969 and became an elementary school, which in turned closed in 2012. Mr. Fox stated that the fire department and surrounding neighbors are excited to have a community center. Mr. Fox explained that the gym would be painted, electricity updated/repared, and a new floor will be installed in the gym. Mr. Fox stated that the property was zoned R2.

Mr. Bee asked if the building was being leased.

Mr. Fox stated that he purchased the property in 2019 at a public auction.

Mr. Bee asked if the events would be organized or just free opening.

Mr. Fox stated that the events would be organized. He explained that the events would be anything from bingo to sock hops.

Mr. Bee asked if the center would be open to the county or just the Reelsville area.

Mr. Fox stated it would be open for everyone. Mr. Fox explained that they got their 501(c)3 approved from the IRS so operate as a nonprofit. Mr. Fox stated that Buzzi and Crown currently come to the gym to play basketball, especially in the winter. Mr. Fox further stated that the

playground area is used often by the community. Mr. Fox explained that the Fire Department and Sheriff's Department uses the school for training.

Mr. Bee asked how the upkeep would be financed.

Mr. Fox stated that the ball diamonds will be used by the Future Stars of America, a travelling softball league have committed to holding tournaments at the property. Mr. Fox explained that each tournament would bring in about \$1500 not including what will be made through the concession stands. Mr. Fox stated that the center would be self-sustaining. Mr. Fox explained that there are already two high school reunions scheduled for this year. Mr. Fox stated that there are other activities in the area, like a farmers' market, that will be able to utilize the grounds.

Lora Scott asked if there was a lot of people in the community who serve on the board.

Mr. Fox stated that of the members on the board there was a county commissioner, alumni of the school, and various other members of Putnam County for a total of six (6) members. Mr. Fox explained that he has also be in contact with People's Pathways and the Putnam County Visitor's Bureau to talk about People's Pathway going through the site.

Mrs. Scott asked if the intent was to just use the gym or if the kitchen facilities or the classrooms would be used.

Mr. Fox stated that the roof of the school building proper, which is separate from the rest of the school, leaks badly. Mr. Fox explained that he has gotten estimates for the roof repair and that they are still trying to decide what to do with the rest of the building. Mr. Fox stated that one proposed use would be for homeless veterans to get them back on their feet, back into society. Mr. Fox explained that the right now he is trying to keep people out of those areas as much as possible.

Mrs. Scott suggested getting in contact with the Russellville Community Center.

Mr. Bee asked about the plan for future necessary repairs.

Mr. Fox stated that initially work will be on getting the community center, gym area, going. Mr. Fox explained that it would not take a lot of repairs as the building is structurally sound and the roof is good in the gym area. Mr. Fox stated that the rest of the building repairs, planning on getting grants to assist in financing the repairs. Mr. Fox stated that everything in the kitchen is gone for the most part. Mr. Fox explained that there is a place inside the gym for a concession stand. Mr. Fox stated that popcorn, snacks, and drinks would be sold out of the concession stand, no hamburgers or anything like that will be sold out of the gym concession area.

Mr. Scobee asked if any communication with the Board of Health had been done.

Mr. Fox stated that there was a sewage plant onsite. Mr. Fox explained that for past events waivers were signed and everyone had to wear masks. Mr. Fox stated that he would comply with the requirements set by the Health Department for distancing and masks.

Mr. Scobee explained that he was asking if permits were obtained for the concession stand and if the Health Department had been contacted as it relates to food.

Mr. Fox stated the concession stand had a permit and that any permits that are required will be obtained. Mr. Fox explained that the concession stand inside the gym does not have to be used as a vending machine was donated by Crambo's.

Mrs. Scott stated that one of the concerns, give the roof issues, is with mold. Mrs. Scott asked about the situation with the mold in the gym or any other areas where the public as access.

Mr. Fox stated that the gym does not have any mold. Mr. Fox explained that there was one area on the gym floor that was damaged by water leaking from the HVAC system. Mr. Fox stated that the floor in that area has been removed and will be replaced. Mr. Fox explained that everyone that comes into the building must sign a waiver to protect the community center. Mr. Fox stated that masks are offered. Mr. Fox explained that there are some people who want to tour the building, but once the community center opens tours will cease.

Mrs. Scott explained that one of the things to consider when deciding to approve a use like this is that nothing that we approve would be injurious to the health of anyone that is frequently the facility. Mrs. Scott stated that if your group decides later, that with the grants they can take care of the roof and mold issues, at that point if the rest of the building will be used a special exception would have to be obtained. Mrs. Scott asked if restrooms were available.

Mr. Fox stated that part of the remodel would be to more the restrooms that are in the basement of the gym to the area behind the stage. Mr. Fox explained that his self, the Fire Department, and the Sheriff's Department are the only ones that have keys to the school proper. Mr. Fox stated that the front entrance to the community center would be move closer to the playground area.

Mr. Scobee asked what was the currently used as restrooms.

Mr. Fox stated that the outside concession stands have restrooms, one male and one female. Mr. Fox explained those would be used until the bathroom inside is open. Mr. Fox stated that Baker's Septic has been contacted for use of port-a-lets.

Mr. Scobee stated that his concern was if the restrooms inside the school would be used.

Mr. Fox stated that those restrooms would not be used. Mr. Fox explained that the water was shut off when the school closed. Mr. Fox stated that water has not ran through the pipes in years. Mr. Fox explained that a new water line would be ran to the building going just to the gym and concession stands.

Mr. Scobee asked about hours of operations.

Mr. Fox stated that 11 p.m. would be the latest the center would be open on the weekend and 9 p.m. on the weekdays.

Ron Sutherlin asked if the Fire Marshall had been in the building to inspect it.

Mr. Fox stated that there were working fire alarms in the gym. Mr. Fox further stated that he would get with the Fire Department and the Health Department to make sure everything was to code. Mr. Fox explained that a new HVAC system would be installed, and the big air return units would be removed.

Mr. Fox showed on a map where the location of the parking lot, playground, ball diamonds, and new entrance would be located.

Mrs. Scott state that this was an outstanding request as a special exception, but that the motion needed to be limited to the gym and the grounds.

Mr. Scobee explained that the petitioner could come back for the rest of the building.

Mr. Ensley stated that he was the attorney for the Fire Department when the purchase was made. Mr. Ensley explained that Mr. Fox was very generous with the things that was going on. Mr. Ensley stated that Mr. Fox has proven to be a good neighbor.

Mr. Scobee asked how many people the concession restrooms would hold.

Mr. Fox stated that the restrooms would only hold one person at a time. Mr. Fox explained that was why they were looking at adding port-a-lets.

Mrs. Scott made a motion to approve the special exception with the following conditions:

1. Use of school building will involve the gym and restrooms, and grounds but not the classrooms.
2. Repair of any water damage areas of the gym floor
3. Mold must be removed especially in the basement restrooms as the remodeling occurs from the gym area
4. Work with the Putnam County Health Department to make sure all standards are met for any improvements that are made.

Mr. Scobee asked if the board wanted to any stipulations on hours of operation.

Mrs. Scott stated that she did not think that would be necessary given the location of the property just off US 40 and the logging business across the road.

Mr. Scobee asked if the ball diamonds had lighting.

Mr. Fox stated that the diamonds were lit.

Mr. Scobee stated that baseball could be played in the evening.

Mr. Fox stated that the games do not go pass 10 p.m.

Scott Zimmerman, Secretary of the Reelsville Community Center, asked what the board would define as sufficient documentation for mold removal.

Mrs. Scott stated that she did not want the center to go through mold remediation as that can get pricey.

Mr. Zimmerman asked if the Health Department could do an inspection.

Lisa Zeiner stated that the State Department of Health has the capability to take mold spore samples to determine if there is mold in a structure. Mrs. Zeiner explained that typically the State Health Department and the County Health Department would visit site together at no cost to the owner. Mrs. Zeiner suggested getting in contact with the County Health Department.

Mr. Sutherlin asked if the motion could be amended to state all Health Department regulations need to be met.

Mrs. Scott stated that working with the County Health Department and the State Health Department should/needed to be done.

Mr. Fox stated that he knows some mold people.

Mr. Scobee stated that since this is a public place the Board of Health would be involved especially with the concession stand. Mr. Scobee explained he was concerned with the number of restrooms available for larger events.

Mrs. Scott stated that there is state code for large gatherings and number of restrooms. Mrs. Scott amended the motion to state: approval of the special exception with the following conditions:

1. The Community Center will include the gym and restrooms, and grounds but not the classrooms.
2. Repair of any water damage areas of the gym floor
3. Mold must be removed especially in the basement restrooms as the remodeling occurs from the gym area
4. Work with the Putnam County Health Department to make sure all standards are met.
5. For large events requiring additional restroom capacity that port-a-lets and hand washing stations be supplied that meet the requirements of Indiana Code for large gatherings.

Mr. Bee seconded the motion.

The special exception was approved with the following stipulations:

1. The Community Center will include the gym and restrooms, and grounds but not the classrooms.
2. Repair of any water damage areas of the gym floor
3. Mold must be removed especially in the basement restrooms as the remodeling occurs from the gym area
4. Work with the Putnam County Health Department to make sure all standards are met.
5. For large events requiring additional restroom capacity that port-a-lets and hand washing stations be supplied that meet the requirements of Indiana Code for large gatherings.

OLD BUSINESS:

UPDATE UNSAFE BUILDING CODE: CEDAR CREST MOTEL – parcel located at 3936 E US 40 Greencastle, Indiana and 4518 S CR 400 E Greencastle Indiana.

Jennifer Rewerts, Owner of property, approached the board. Ms. Rewerts stated that they have been working on the property and that on the 24th additional dumpster will be brought on to the property to remove the rest of the debris.

Mr. Scobee stated that he had gone by the property and could see that progress was being made.

Ms. Rewerts stated that if the work is not completed by May 12th, a contract will be drawn up showing what the cost will be and when it will be finished. Ms. Rewerts explained that they are using Jack Trash service for the dumpsters.

Mr. Scobee suggested revisiting this in May.

Mr. Bee asked about the bids.

Mr. Ensley stated that the County Commissioner's opened the bid that was received. Mr. Ensley explained that the next step was drafting a contract to have something in place. Mr. Ensley stated that the board could do the contract and give the owner an extension of time.

Mr. Scobee stated that progress has been made.

Lisa Zeiner stated that the bid from D & D Property Management out of Brazil was for \$38,900.

Mr. Ensley stated that he has not been out to the property but has seen pictures.

Mrs. Zeiner stated that she was unable to go to the property prior to the meeting.

Mr. Bee stated that he did not oppose giving an extension to the May meeting with the Planning Department going to the site to get pictures prior to the Meeting.

Mr. Sutherlin stated that he would also like to have Mr. Ensley start the contract process.

Mr. Ensley stated that if there is not \$38,000 worth of work then the bid could be revised.

Mr. Bee made a motion to give the owner an extension to the May 10, 2021 meeting to have the property in compliance.

Mr. Sutherlin seconded the motion.

The extension of time to bring the property into compliance by the May 10th meeting was approved with all in favor.

Mr. Bee made a motion to ask the County Attorney to begin the contract process.

Mrs. Scott seconded the motion.

The motion to have the County Attorney begin the contract process with all in favor.

Mr. Ensley stated that he would have the contractor ready on May 10th. Mr. Ensley further stated that the Commissioners have a meeting set for the Monday after the BZA May meeting.

Dakota Stevenson, with D & D Property Management, asked what the board wanted picked up, all trash, all foundations, slabs, to bear dirt. Mr. Stevenson stated that the bid could be revised if the slabs remain.

Mr. Scobee stated that the slabs can stay, but all the trash and foundations need to be cleaned up and/or removed.

Mr. Ensley stated that the bid was broken down hourly, so it would be easy to amend.

Mrs. Zeiner stated that the May meeting could be a lengthy meeting as there are already six new cases and one of them is for a satellite dish for internet services.

GENERAL DISCUSSION ON CONSERVATION SUBDIVISION

Mrs. Zeiner stated that a question arose with conservation subdivisions in that when a case comes before the BZA for a development standard variance and it is denied, the petitioner makes present it to the Plan Commission as a conservation subdivision. Mrs. Zeiner explains that they just have a driveway back to the buildable lot with no road frontage.

Mr. Scobee explained that if there was ten acres and the buildable lot is an acre and a half and then build a ten-bedroom dwelling and not have enough room for a septic system on that buildable lot.

Mr. Scobee stated that a survey needs to be presented showing where the lot is and where the house is going. Mr. Scobee explained that there was not control over driveways.

Mrs. Zeiner stated that the Highway Department is working on a driveway ordinance. Mrs. Zeiner explained that there is a process for the ordinance to be passed, but it was in the planning stages.

Mrs. Scott asked if people were going to the conservation subdivision to escape the development standards that are out of touch with the county.

Mrs. Zeiner stated that Mrs. Scott was correct.

Mrs. Scott stated that the bottom line was that the ordinances need to be revised and not bandaged. Mr. Scott explained that the Comprehensive Plan was outdated, and the Ordinances were really outdated compared to the Comprehensive Plan.

Mr. Scobee agreed with Mrs. Scott. Mr. Scobee voiced concerns with not knowing when the funding would be available for the updates to these documents.

Mrs. Scott explained that the petitioner is being told to take it to the Plan Commission to do a conservation subdivision. Mrs. Scott stated that she did not believe that was a good use of the land that we want to put houses on in Putnam County.

Mrs. Zeiner explained that ground is being conserved as only part of the property can be built on the remainder cannot be built on unless it is removed from the conservation or the conservation subdivision if vacated. Mrs. Zeiner stated that a conservation subdivision conserves ground, but also hinders further development of the ground.

Mrs. Scott stated that if a petitioner wants to place houses in an area that does not have the best soils for farming, or the best soil or topography for forest land, we are not doing that.

Mr. Scobee stated a conservation subdivision is a way for someone to get around the development standards. Mrs. Scobee stated that the BZA does not have any control. Mr. Scobee explained that he would like something presented to the Plan Commission on how to proceed in the future with conservation subdivisions. Mr. Scobee stated that when the Plan Commission grants these subdivisions, we do not know what kind of house will be built or how long the driveway will be. Mr. Scobee explained that a twenty-five-foot strip that goes back to the buildable lot is not acceptable.

Mr. Sutherlin asked what the biggest issues are to get around the BZA.

Mr. Scobee stated the driveway and not knowing where the lot or building will be on the property.

Mrs. Zeiner explained that a plat is recorded that shows where the buildable lots are on the property. Mrs. Zeiner stated that a building permit is not issued unless a septic permit has been issued and the dwelling or building is within the area described as the buildable lot.

Mr. Ensley stated that the Plan Commission is advisory only final approval is up to the Commissioners. Mr. Ensley explained that Conservation Subdivision was not part of the original ordinance. Mr. Ensley stated that the conservation subdivision was passed in April of 1999. Mr. Ensley explained that it appears that the conservation subdivision was a fix for the issues that were coming up with road frontage. Mr. Ensley stated that it is a combination of more people wanting to build houses in areas where they can not split the property.

Mr. Scobee stated that a twenty-five-foot driveway is not enough for fire trucks or anything.

Mrs. Zeiner explained that when there is not enough road frontage, they apply for a conservation subdivision to avoid getting denied a development standards variance. Mrs. Zeiner stated that road frontage is the biggest reason conservation subdivisions are presented to the Plan Commission, because a conservation subdivision does not require road frontage.

Mr. Sutherlin stated that he agreed with Mrs. Scott that ordinances needed to be revised.

Mrs. Zeiner explained that the zoning ordinance, in an A1 or A2 district, does not allow for a minor or major subdivision. Mrs. Zeiner stated that unless the lots meet the requirements for lot size and road frontage. Mrs. Zeiner explained that lots could be split off without approval from the BZA or Plan Commission provide that they met the development standards of the ordinance.

Mr. Ensley explained that a question was brought up on how a property can be allowed to be subdivided in an agricultural district. Mr. Ensley stated in A1 and A2 mentions conservation subdivision, only in R1 and R2 are any other subdivisions mentioned.

Mrs. Scott asked about the status of grants for planning and revising the comprehensive plan.

Mr. Ensley stated that meetings have been conducted to get price quotes for updating these documents as grants will not be available until 2022.

Mrs. Scott stated that the reason for the additional information in the reports was to get an idea of what the actual cost to the county would unsafe buildings be able to stand alone.

Mrs. Zeiner explained that her salary and the office manager's salary comes from the County General Fund. Mrs. Zeiner stated that supplies, inspector salary, mileage, maintenance, those types of items come from the fees that are received for building permits and BZA/Plan Commission applications. Mrs. Zeiner explained that for next budget cycle there will be a review of what line items are not being used or that have more money than is needed and if those items can be eliminated with the funds, then moving the funds to the unsafe building fund.

Mrs. Scott was concerned with not being able to approve a bid when there is only \$30,000 in the budget for demolition.

Mr. Ensley stated that the fund needs to be a non-revolving fund. Mr. Ensley explained that the funds would not go back into County General if they are not used.

Mrs. Zeiner explained that the bid that was received for the Cedar Crest property was based on taking it back to bare ground where everything was removed, slabs, foundations, trash, etc.

Mr. Ensley stated that since it was bid hourly, more than likely it would not be as much.

Mr. Scobee explained that if the county had to pay for the clean up and the property owner could not pay it, the property would go into tax sale and the county would then recoup their investment. Mr. Scobee stated that the money would come back.

Mrs. Scott explained that New Maysville is still sitting there.

Mr. Scobee asked what the status of the New Maysville properties were.

Mr. Ensley stated that the county submitted the order for tax lien asking the judge to sign over one of the properties to the county. Mr. Ensley explained that once that is completed the county highway department could then demolish the buildings.

Mr. Scobee asked if the highway could clean up the cedar crest property.

Mr. Ensley explained that the county could not because the county does not own the property.

Mr. Scobee asked if there was any other business to be brought before the board.

Mr. Ensley stated that wind farms are coming. Mr. Ensley explained that he and Rick Woodall met with Duke Energy two weeks ago. Mr. Ensley stated that there was property over by Russellville, Parke County line that could be coming before the board. Mr. Ensley explained that Duke with be bringing in less turbines that are more efficient. Mr. Ensley stated that most of the property is in Parke County. Mr. Ensley explained that this is not like the cell towers where they are bringing it before the board as a curtesy. Mr. Ensley stated that they had to get anchor tenants and if they do not get those then this will not happen. Mr. Ensley explained that this will not have an effect on anyone's energy bill.

Mrs. Scott asked about the bill in the legislature of wind and solar farms.

Mr. Ensley stated that it is still there but does not move out until the summer. Mr. Ensley further stated that he was not sure where in the process the bill was.

Mrs. Scott stated that the county was not prepared with ordinances to deal will something like this.

Mr. Ensley stated that an ordinance was approved for wind farms and solar farms as a special exception so that it would have to come before this board. Mr. Ensley explained that the zoning ordinance that was not passed did have contingencies in place and those could be used as guidelines for this project if it comes before the board.

Mrs. Scott asked for the ordinances that were adopted by the commissioners on solar energy and wind farms.

Mrs. Zeiner stated that she would send the ordinances that were adopted via email to the board members.

Mrs. Scott also asked for any other ordinances that were adopted that are not on the website.

Mrs. Zeiner stated that the Rules of Procedures for the BZA was done back in 1999. Mrs. Zeiner passed out proposed Rules of Procedures for the board to review and adopt at a later meeting.

Mrs. Scott stated that she would like to read them first but asked that they not be placed on the May meeting.

There being no other business, Mr. Bee made a motion to adjourn the meeting.

Mr. Scott seconded the motion.

Meeting adjourned at 8:45 p.m.

Minutes approved on the 14th day of June 2021.



Kevin Scobee, Vice-President

PUTNAM COUNTY BOARD OF ZONING APPEALS
1 Courthouse Square Room 46
GREENCASTLE, IN 46135
(765) 301-9108

DATE: APRIL 12, 2021

TIME: 7:00 P.M.

PLACE: 1 W. WASHINGTON ST., 1ST FLOOR, GREENCASTLE

NEXT MEETING DATE: MAY 10, 2021

AGENDA

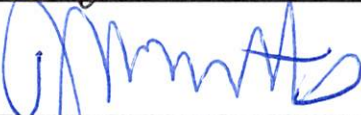
- 1) CALL TO ORDER**
- 2) ROLL CALL DETERMINATION OF QUORUM**
- 3) REVIEW OF MINUTES – March 8, 2021 Meeting**
- 4) OLD BUSINESS**
- 5) NEW BUSINESS**
 - a. 2021-BZA-14: REELSVILLE COMMUNITY CENTER – SPECIAL EXCEPTION:** to allow the existing building to be used as a community center; Washington Township; 21/13N/5W; Zoned R2 (7840 S CR 625 W – Old Reelsville Elementary School).
 - b. GENERAL DISCUSSION ON CONSERVATION SUBDIVISIONS**
- 6) COMMUNICATION REPORT**
 - a. Monthly Report**
- 7) ADJOURNMENT**

PUTNAM COUNTY BOARD OF ZONING APPEALS

April 12, 2021

SIGN IN SHEET

PLEASE PRINT CLEARLY

NAME	ADDRESS
Benjamin Fox, Interim Chair; Reelsville Community Center	7840 S CR 625 W. Reelsville, IN 46771
Scott Zimmerman, Reelsville Comm. Center	115 N. Bloomington Greencastle, IN 46135
	2209 W US Hwy 40 #14 Clayton, IN 46118
Catherine B	Same As Above
Dakota Stevenson D: D Property Management	4758 E CR 1500 N Brazil, IN 47834
Tera Stevenson	SAME AS ABOVE

D & D Property Management LLC

Dustin Stevenson 812-239-8520
 Dakota Stevenson 812-236-2028

Date: 4/4/2021

4758 E Co Rd 1500 N Brazil, IN 47834

Bill To:
 Putnam County Board of Commissioners

For:
 Demolition / removal of any and all structures
 at 3936 E U.S. Hwy 40, Greencastle, IN 46135 and
 4518 South County Road 400 East, Greencastle...

Description	Man Hours	Rate	Amount
Material Removal			
20 30 cubic yard dumpsters (\$600 base 6t+4t @\$60 ton)			\$ 16,800.00
Equipment			
10,000 lb excavator w/ thumb	40	125	\$ 5,000.00
35,000 lb excavator w/ thumb	30	160	\$ 4,800.00
8500 lb track skid loader	40	90	\$ 3,600.00
Labor			
Machine Operator	110	70	\$ 7,700.00
Unskilled Laborer	40	25	\$ 1,000.00
Subtotal			\$ 38,900.00
Delinquent			
Other			
Total For Above			\$ 38,900.00

THANK YOU FOR YOUR BUISNESS