

TOWN OF MONROVIA
BZA MEETING
Monday April 17th, 2023

The meeting was called to order by **President Ed Olleman** followed by the Pledge of Allegiance and prayer by **Ed Olleman**

Meeting was held at Town Hall 140 E. Main St. Monrovia, IN and began at 6:30 p.m.

Roll Call Present: President Ed Olleman, V.P. Michael Conner, Kenneth Meier, Jason Inglert, Brad Dove (Town Engineer), and Maryanne Taylor (Plan Administrator)

Did Not Attend: Norieta Sighting, Jim Wisco (Town Attorney)

Public Hearing: UV 23-01

Ed Olleman opened the public hearing. Ross Holloway stood to speak on behalf of Robin Pierce, Bryan Phillips, and Dollar Tree. He said there are six variance requests, one of which is a use variance. Ross Holloway stated that the Dollar Tree sells an assortment of merchandise, including grocery items. The current zoning does not allow grocery sales. He stated that the Dollar Tree would like to sell general items and groceries. Michael Conner asked if this would just be a Dollar Tree instead of their earlier request to have Dollar Tree and Family Dollar in one store. Ross Holloway said it is only the Dollar Tree. Michael Conner wants it on record that this is only for the Dollar Tree, not Family Dollar. Michael Conner asked if they would have liquor, Ross Holloway said they will not sell any alcohol. Ed Olleman called on the guest who signed to comment. Brenda Stanley spoke out against selling groceries because it would hurt the local grocery mart, Fraberg's. Philip Fowler stated that we do not need a Dollar Tree, we already have a Dollar General and several other places to buy groceries. Ross Holloway stated that the consumer always benefits from competition. Philip Fowler said he wants diverse businesses for the town. Michael Conner read a letter from Melissa Yohe saying that the plan for this site is not consistent with the broader intent of what we as Monrovia residents want to see in our community. Her opposition is based on the negative effects it will have on the town.

Motion to close the public hearing:

- **1st Michael Conner**
- **2nd Jason Inglert**
- **All in Favor**

Discussions continued: Ed Olleman said his opinion is that there are times that he has gone to the local stores, and they were out of what he needed. He said the Dollar General is not stocked and things are everywhere in the aisles. He agrees with Ross that the competition will be good. Michael Conner said that Fraberg's is doing an awesome job at making this a community store. They have a great staff, and the store is clean. However, we need to give choices to our residents. He shops around for the best prices and sometimes finds the best price at Dollar Tree. He stated that he had asked residents of Monrovia while he has been out around town and the majority want a Dollar Tree. We have a lot of homes coming and we need businesses to help for tax purposes. He said that he speaks for all the surrounding people who visit our town to shop. Jason Inglert said that from his experience that when Dollar Tree comes in, they undercut Dollar General and put them out of business. He stated that he is all about

business but wishes it was another business. Kenneth Meier agrees that these two stores two to three hundred feet apart is not a good idea. Michael Conner said that the Dollar Tree and Dollar General are not the same and do not have the same merchandise. Ed Olleman reminded the board that we are voting whether to allow them to sell groceries.

Motion to approve:

- 1st Michael Conner
- 2nd Kenneth Meier
- Jason Inglert, NO
- Ed Olleman, Yes

Motion Carries

President Ed Olleman read the findings of facts.

Public Hearing: VDS 23-01

Ross Holloway said the next five cases refer to the drawing since they are all related to development standards. He said the first is to allow direct access to the site from Chestnut Street. The Unified Development Ordinance requires a frontage road along SR 39 corridors. Ed Olleman opened the discussions to the public. Philip Fowler stated there was going to be a lot of semi traffic and no turn lanes. The drawing shows the trucks pulling into the parking lot and then backing up to the loading area. Lori Choate asked if this was already approved to go into this location. Ross said this is the first step in the process. They would need to go to the Planning Commission. A citizen guest mentioned a potential blind spot. Michael Conner said they would have to go to INDOT to apply for the cut in and they will decide where the entrance would be best.

Motion to close the public hearing:

- 1st Michael Conner
- 2nd Kenneth Meier
- All in Favor

Discussions continued: Michael Conner stated that he has concerns with the semi traffic coming in and out of the site. He asked if the parking lot was full, would that have an impact on the semis coming in and backing into the loading area. Ross said they would only pull in and then back up and it would not be a problem. Michael Conner asked the Plan Administrator if we had heard from the property owner directly in front of the site. We have not heard from them, but it was pointed out that a person directly to the North was present. Doug Hornberger said he is more concerned with the ditch and water runoff. Brad Dove from DLZ Engineering asked Ross Holloway how he would put in a frontage road if he had to. Ross said it would not be possible and the parcel predates the Unified Development Ordinance. Michael Conner said the frontage road was intended for SR 39 North in front of the housing additions. A frontage road would not be inapplicable for this site.

Motion to approve:

- 1st Michael Conner
- 2nd Kenneth Meier
- All in favor

Motion Carries

Ed Olleman read the finding of facts.

Public Hearing: VDS 23-02

Ross Holloway said the next hearing will be on building materials. They are asking for a variance to use metal on the back and sides of the building. The expense of the lot and development will not allow for anything but metal siding. Other buildings on the corridor have metal siding in the town. The front of the building would be nice materials. Jason Inglert asked if the panels would be structural, Ross Holloway said they would not be. Lori Choate said if our Unified Development Ordinance does not allow steel then why would we allow them. Philip Fowler pointed out that no one signed for the plan, everyone was against it.

Motion to close the public hearing:

- **1st Michael Conner**
- **2nd Kenneth Meier**
- **All in favor**

Discussions continue: Michael Conner said that it's not acceptable that they do not want to meet our code requirements. We are trying to better the look of our town and our citizens have asked for building standards and code standards to prevent the lower standard of building materials. He said he has been to many towns that require a brick façade, not aluminum. We did a lot to make sure of the dentist office and we are proud of that look. If Dollar Tree wants to build in our town, they need to build to our standards. Kenneth Meier said that they are being built between two residential homes, and it should not be an industrial type building. Jason Inglert said we should not give in to the first business that we hear after passing the Unified Development Ordinance.

Motion to deny:

- **1st Michael Conner**
- **2nd Kenneth Meier**
- **All in favor**

Motion Carries

Ed Olleman read the finding of facts.

Public Hearing: VDS 23-03

Ross Holloway said the next two cases go hand in hand. They are asking for the parking to be between the building and Chestnut Street. The Unified Development Ordinance requires that the building be no more than 25' from the right of way line with parking in the back. Michael Conner said the plan makes sense since we don't know what INDOT has planned. The board and engineers talked more about drainage and the position of the driveway. Ed Olleman asked if the public had any comments. Philip Fowler reminded them that no one had signed up for this development.

Motion to close the public hearing:

- **1st Michael Conner**
- **2nd Jason Inglert**
- **All in favor**

Discussions continued: Jason Inglert said he sees no way around the plan. Michael Conner said the 75' setback is going to be needed since we do not know what INDOT needs for any expansions along SR 39.

Motion to approve:

- 1st Michael Conner
- 2nd Kenneth Meier
- All in favor

Motion Carries

Ed Olleman read the finding of facts.

Public Hearing VDS 23-04

Ross Holloway is asking that the setback be between 140'-150' instead of what the Unified Development Ordinance requires. If the parking lot is in front the building must be more than 20' from the right of way. Ed Olleman asked if citizens had any comments. Philip Fowler said no one signed up for the development.

Motion to close the public hearing:

- 1st Michael Conner
- 2nd Jason Inglert
- All in favor

Discussion continued: Michael Conner said this would be important to the development to allow the setback.

Motion to approve:

- 1st Michael Conner
- 2nd Kenneth Meier
- All in favor

Motion Carries

Ed Olleman read the finding of facts.

Public Hearing: VDS 23-05

Ross Holloway said the next variance is for landscaping. The current standards require there to be plantings right up against the building. We would like the variance to reflect the landscaping that we will do, except we understand that the retention basin will need to have landscaping around it. The plans show a tree line on the North side of the building. Doug Hornberger asked if there would be a fence on the property line. Ross Holloway said he does not believe there are plans for a fence. Doug Hornberger said that is within 20 feet of his house. Discussions continued about drainage and Doug Hornberger asked if they planned to do piping along the perimeter. Ed Olleman said the concern with piping is that it will get clogged.

Motion to close the public hearing:

- 1st Michael Conner
- 2nd Jason Inglert
- All in favor

Ed Olleman said that a lot of the conversation would be addressed by the plan commission. Michael Conner somewhat agreed but said there should be a mound hill with plantings to offer a buffer between the business and the residents. Michael Conner feels like there should be more information before he can approve the request. Ross Holloway said the request is just for the landscaping and the Site Plan Review would have a lot of input on a variety of things. Ross Holloway asked for the board to approve withdrawing the request.

Motion to allow to withdraw request:

- 1st Michael Conner
- 2nd Jason Inglert
- All in favor

Motion Carries

Ed Olleman read the finding of facts.

Motion to accept the November 21st minutes as presented:

- 1st Michael Conner
- 2nd Kenneth Meier
- All in favor

New Business: Phyllis Mead resigned from the Board of Zoning Appeals affective March 3rd, 2023. Jason Inglert replaced Phyllis and Kenneth Meier replaced Stan Graves after the buffer zone was dissolved.

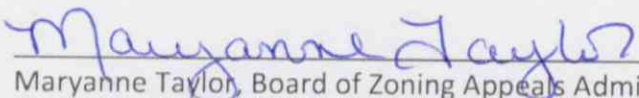
Motion to adjourn the meeting:

- 1st Michael Conner
- 2nd Ed Olleman
- All in favor

Meeting adjourned at 8:25



Ed Olleman, President Board of Zoning Appeals



Maryanne Taylor, Board of Zoning Appeals Administrator