



**City of Rushville
Neighborhood Development
330 North Main Street, Suite 200
Rushville, Indiana 46173
Charles R. Jenkins
Code & Building Compliance**

**MINUTES FOR THE MEETING OF THE RUSHVILLE ADVISORY PLAN
COMMISSION
July 20, 2022**

Call to Order: President Adkins called the meeting to order

Roll Call: Shawn Adkins, Joe Rathz, Brad Berkemeier, Thomasina McGowan, Jeff Houser, Doug Corn, Kim Mahan

Code/Building Compliance Director Jenkins and Consultant Shelly Wakefield were also in attendance. Attorney Grant Reeves was also present.

Director Jenkins arrived at 6:25 pm

Minutes: Mr. Houser moved to pass the minutes of June 15, 2022 as presented and seconded by Mr. Rathz. Motion passed.

Old Business

There was no old business

New Business

Resolution 2022-04: 1. A resolution to amend and add to Article II, Definitions, Section B., 2. Amend Article VIII, Off-Street Parking Requirements, Section B. Plan Review. Amend Article VIII, Off-Street Parking Requirements, Section C. Regulations and Requirements. Amend Article VIII, Off-Street Parking Requirements, Section C. Regulations and Requirements.

Mr. Houser asked Mrs. Wakefield and Mr. Rathz for a 30 second summary. Mrs. Wakefield stated this is a draft about adding to accommodate heavy trucks because asphalt is expensive in maintaining and heavy trucks tear them up easily. A lot of these lots are behind the structures, and this would help reduce maintenance cost for the businesses. She is asking that the

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Resolution be tabled to add further definitions. If gravel or crushed stone were to be used then it would be covered by recycled asphalt or millings. This would allow to keep the dust down and not allow the sludge and dust to enter on City streets. Houser asked where this is at, and Mrs. Wakefield stated that this will add a definition of recycle asphalt and stated that later in the Resolution that they will see where they are permitted to use such products. Mrs. Wakefield stated that her and Mr. Rathz has discussed some other changes such as the parking islands in parking lots. Discussion followed on these islands. Mrs. Wakefield stated that Part II section f is where there will be the new definitions and the gravel will be taken out and replaced with recycled asphalt/millings. Further discussion continued on recycled asphalt/millings. Mrs. McGowan asked if this was for residential, and Mrs. Wakefield stated no. The base could be gravel or crushed stone but deferred to Mr. Rathz on the depth of that material before adding the recycle asphalt. Discussion continued on the thickness and other items about millings. Mr. Houser asked about rental facilities, Mrs. Wakefield stated that you could get some businesses such Sun Belt and Tweedys has some but not many. Mr. Houser asked if it should be changed, and Mr. Rathz stated that it would be more for construction equipment rental. Mr. Rathz stated that he was not pleased with the language for rental area because it leaves a large area of interpretation. Mrs. Wakefield suggested that the Board could define what rental equipment is, Mr. Berkemeir stated that they would need better definitions. There was discussion on approaches and the depths that should be required for parking lots. Mrs. Wakefield said that it only says that ingress/egress shall be a paved surface there is no distance. Mrs. Wakefield requested a distance and that she was thinking 4'-6' and Mr. Rathz stated he was thinking 30'-40'. Mr. Rathz stated that he three problems with gravel in the city. First it was the look, second part was from health stand point as far as the dust and people breathing in the dust. The third one is an environmental issue that the City would have to deal with which is the sludge and dust getting into the city storm sewers. Further discussion continued about millings, President Adkins asked if it was logical to have a 6'-10' area for the ingress/egress area, the majority of the board stated yes that would be okay. Discussion began on whether to address having the millings type of lot within 150' of residential area at which point Mr. Rathz suggesting saying within a residential use which Mrs. Wakefield said that we will do that. Further discussion continued on changes to the Resolution and the maintenance of those lots. President Adkins asked we needed to define how the lots are treated to reduce dust. Discussion continued on different types of methods with Mr. Rathz suggested that maybe you should state the end results need to be here and you decide on how to get there, everybody has different way of controlling dust. Discussion moved to bicycle parking area and Mrs. Wakefield deferred to the board on what they wanted. It was suggested that the bicycle requirement be left in, and several board members agreed. This was posted as a public hearing at which time President Adkins opened the public hearing for Resolution 2022-04; with no public comment being heard a motion was made to close the public hearing by Mr. Houser and seconded by Mr. Corn. Motion carried. Motion made to table Resolution 2022-04 by Mr. Houser and seconded by Mr. Corn. Motion carried.

Resolution 2022-05: Amend Article II, Definitions, Section B. Amend Article V, Developmental Standards, Section C. Accessory Uses and Structures, item #3. Amend Article IX Landscaping and

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Screening Requirements, Section C. Fences, Hedges and Walls, Subsection 4. Location; item b. Yard- Sides and Rear.

Mrs. Wakefield discussed several items pertaining to the Resolution to include practical difficulties in the use of property however, the zoning ordinance could be stricter and require a hardship. It was suggested we add a definition for hard ship and practical difficulty. This way we can add these to our applications and allow people to describe what the practical difficulty could be. Mr. Rathz stated that we are trying not to hurt the home owner who has a real concern but to not allow other homeowners to use the practical difficulty because its an easy excuse. Discussion also about self-imposed condition that would be used as a practical difficulty. Discussion continued with examples of other uses of practical difficulties. President Adkins asked what the volume would be for these type of instances. Mr. Rathz explained that it could be with every variance. Mr. Rathz discussed that for the next Director that we need to get better at helping residents with the applications. Mrs. Wakefield described certain instances in which we can help residents with filling out our applications. Further discussion continued on helping the residents. Mrs. McGowan asked a question about Fences, Hedges and Walls, So we are not going to worry about line-of-sight issues and things like that? Mrs. Wakefield answered that all of the other requirements of the ordinance is in effect. Mr. Houser asked to confirm that the removal of the boundary survey and that the fence can be placed on the property line at which point Mrs. Wakefield confirmed that a fence can be placed on the property line, and it will be an issue for the neighbors and the city will be removed from liability. President Adkins opened the public hearing for Resolution 2022-05; with no public comment Mr. Houser moved to close the public hearing and seconded by Mr. Berkemeir. Motion carried. Resolution 2022-05 was tabled with a motion by Mr. Houser and seconded by Mr. Berkemeir. Motion Carried.

Resolution 2022-06: Amend Article I General Provisions, Section M. Administration, Subsection 4 Advisory Plan Commission. This amendment is to appoint a Hearing Officer for the Board of Zoning Appeals

President Adkins opened up public hearing on Resolution 2022-06; being no public comment Mr. Houser moved to close the public hearing and seconded by Mr. Berkemeir. Resolution 2022-06 was tabled.

Reports:

Attorney: No Report

Consultant: Spoke with the Mayor about the Corridor Overlay and she had suggested some ideals that she thinks the Mayor liked and the Board should see something upcoming but not next meeting but the September meeting. The one size fits all does not work but the changes would be much more user friendly.

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Motion made by Mr. Houser to adjourn and seconded by Mrs. McGowan

Joe Rathz
Joe Rathz

17 Aug 22
Date

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