



ANDERSON TOWNSHIP PLANNING AND ZONING - STAFF REPORT

CASE NUMBER 18-2024 BZA

2650 BARTELS ROAD

FOR CONSIDERATION BY THE BOARD OF ZONING APPEALS ON AUGUST 1, 2024.

APPLICANT: Joe Wesche, Band Director, on behalf of the Forest Hills Board of Education, property owner.

LOCATION & ZONING: 2650 Bartels Road
(Book 500, Page 290, Parcels 7 & 8) – “A” Residence

REQUEST: A conditional use request for an accessory structure, size 24’ x 50’, 12’ high, at Turpin High School, located in an “A” residence zoning district. Per Article 5.4, J, 1, a structure that is accessory to a conditional use shall be processed in the same manner as prescribed in the article for conditional uses.

SITE DESCRIPTION:
Tract Size: 48.651 acres
Frontage: Approximately 1283’ on Bartels.
Topography: Varies, area where the proposed structure is located is mostly flat
Existing Use: Mercer Elementary and Turpin High Schools

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	“A” Residence	Heritage Universalist Unitarian Church
South:	“A-CUP” Residence	Single Family Residences
	“A” Residence	Urban Farm
East:	“A” Residence	Single Family Residences and Five Mile Trail
West:	“A” Residence	Single Family Residences / Knights of Columbus

PROPOSED DEVELOPMENT: The applicant is proposing the construction of a new 24’ x 50’ “L” shaped shed for the band program. The shed will be metal construction with pewter grey siding and a black roof. The shed will be located at the southeastern end of the football field area next to an existing 30’ x 50’ shed constructed of a cinderblock foundation and sheet metal sidings. The shed will be used as storage for band equipment for Turpin High School.

HISTORY: Turpin High School and Mercer Elementary School were constructed in 1976. The most recent zoning certificates for Turpin High School were in 2015 for a 25,000 square foot addition approved through 30-2015 BZA, 2018 for a 50’ x 30’ shed and an 8’ x 40’ shed, 2021 for a face change to a freestanding sign, and in 2022 for a patio in the courtyard area of the building. The most recent zoning certificates for Mercer Elementary School were in 2015 for a 297 square foot entrance addition approved though 27-2015 BZA and a new playground in 2017.

FINDINGS: To authorize by the grant of a special zoning certificate after public hearing, the Board of Zoning Appeals shall make a finding that the proposed conditional use is appropriate in the location proposed. The finding shall be based upon the general considerations set

forth in Article 2.12, D, 8 and as well as the designated specific criteria for specific uses contained in Article 5.4, I, 10.

Specific Criteria

Schools, public and private, having a curriculum equivalent to that ordinarily given in public elementary and high schools, provided no rooms are regularly used for housekeeping or sleeping rooms – (h), (l), (o,i), (p,iii), (s);

- (h) The vehicular use area shall be located and designed so as to minimize impact on the neighborhood. – In compliance, no changes to the existing parking area are proposed.*
- (l) Measures shall be taken to minimize the impact of potential nuisances such as noise, odor, vibration, and dust on adjacent properties. – In compliance, the shed will be located at least 350 feet from neighboring non-school district properties and is only being used for storage of band equipment. The shed will not create noise, odor, vibration, and dust.*
- (o) Landscaping shall be installed in accordance with one of the following buffers:
(i) Boundary Buffer of 10 feet with 3.3 canopy trees and 10 shrubs per 100 l.f. – In compliance due to existing vegetation on the site.*
- (p) Signage shall be regulated as follows:
(iii) Subject to sign standards in Article 5.5,F,4 – In compliance, the applicant is not altering any existing signage.*
- (s) All exterior lighting shall be directed away from adjacent residential properties. – In compliance, the applicant indicated that no additional lighting will be installed with this accessory structure.*

Article 2.12, D, 8, a

Spirit and Intent: The proposed use and development will comply with the spirit and intention of the Zoning Resolution and with District purposes by meeting the conditional use standards.

No Adverse Effect: The shed will not have an adverse effect on the neighboring properties. The shed will be located in the interior of the lots, far away from any neighboring properties not owned by Forest Hills School District.

Protection of Public Services: The proposed accessory structure will not impact public services in any detrimental way.

Consistent with Adopted Township Plans: The conditional use is in accordance with the Township’s Comprehensive Plan and Zoning Resolution:

The project is consistent with the following goal in the “Quality of Place” section of the 2022 Anderson Township Comprehensive Plan:

“The community will maintain a high quality of life that includes quality schools, entertainment, cultural activities, health care, religious offerings and diverse parks, open space, and recreation system.”

“Promote a variety of arts and cultural programs as well as the venues to encourage performances. Expand partnerships with park districts, Senior Center, visual arts organizations, schools, and other organizations.” (6.2.1)

**STANDARDS TO
BE CONSIDERED:**

The aforementioned conditional use request should be evaluated on the following criteria from Article 5.4 of the Zoning Resolution:

Schools, public and private, having a curriculum equivalent to that ordinarily given in public elementary and high schools, provided no rooms are regularly used for housekeeping or sleeping rooms – (h), (l), (o,i), (p,iii), (s);

- (h) The vehicular use area shall be located and designed so as to minimize impact on the neighborhood.*
- (l) Measures shall be taken to minimize the impact of potential nuisances such as noise, odor, vibration, and dust on adjacent properties.*
- (o) Landscaping shall be installed in accordance with one of the following buffers:
(i) Boundary Buffer of 10 feet with 3.3 canopy trees and 10 shrubs per 100 l.f.*
- (p) Signage shall be regulated as follows:
(iii) Subject to sign standards in Article 5.5,F,4*
- (s) All exterior lighting shall be directed away from adjacent residential properties.*

In determining whether to grant a special zoning certificate, the Board shall consider and apply the following standards:

- (1) Spirit and intent. The proposed use and development shall comply with the spirit and intention of the Zoning Resolution and with purposes.
- (2) No adverse effect: the proposed use and development shall not have an adverse effect upon adjacent property, or the public health, safety and general welfare.
- (3) Protection of public services: the proposed used and development should respect, to the greatest extent practicable, any natural, scenic and historic features of significant public interest.
- (4) Consistent with adopted plans; the proposed use and development shall, as applicable, be harmonious with and in accordance with the general objective of the Township’s comprehensive plan and/or Zoning Resolution.

Disclaimer: This staff recommendation is based on the facts known to the author at the time the recommendation was made. Staff attempted to use those known facts to analyze the relationship of those facts to the standards set forth in the Zoning Resolution for the particular issue and property before the BZA, and in keeping with past decisions of the BZA. The BZA members have an obligation to consider all of the evidence that is entered into this case during the BZA hearing through the sworn testimony of the witnesses, as well as the documents submitted as part of the witnesses’ testimony. The staff recommendation should be considered as part of the evidence before you. The Zoning Resolution empowers the BZA to make reasonable interpretations of the Zoning Resolution, to judge the credibility and reliability of the witnesses, and to decide each case based on the evidence presented during the BZA hearing process.