

**TOWN OF PITTSBORO  
BOARD OF ZONING APPEALS  
AGENDA**

**Monday, March 25, 2024  
7:00 pm, Town Administration Building  
33 E Main Street  
Pittsboro, Indiana 46167**

1. Call Meeting to Order
2. Pledge of Allegiance
3. Roll Call
4. Determination of Quorum
5. Approval of Minutes
6. Election of Officers
  - a. Motion to nominate one board member to serve as Chairman.
  - b. Vote on motion to elect Chairman. If the motion passes, that individual is elected Chairman. If the motion does not pass, a new motion and vote is needed to elect someone else as Chairman.
  - c. Motion to nominate one board member to serve as Vice-Chairman.
  - d. Vote on motion to elect Vice-Chairman. If the motion passes, that individual is elected Vice-Chairman. If the motion does not pass, a new motion and vote is needed to elect someone else as Vice-Chairman.
7. New Business
  - a. **Public Hearing: 2400 Commerce Way, Pittsboro - Development Standards Variance**
    - i. Guidelines for a public hearing.
      1. Everyone wishing to speak must sign in on the sheets in the entryway.
      2. When called to speak, please state your name and address for the record.
      3. Please be direct with your comments. You are welcome to say you agree with any previous speaker.
    - ii. The public hearing will now begin.

- iii. Public notice was given on March 7, 2024 in The Republican newspaper and sent to neighboring property owners on March 5, 2024.
  - iv. Purpose of the hearing.
    - 1. Development standards variance to landscape standards to reduce amount and number of landscape plants including removing foundation plantings, and parking lot landscaping and add additional landscaping to the pond and front of building.
  - v. Staff introduction.
  - vi. Public comments.
  - vii. Written responses the Town has received (if any).
  - viii. Close of public hearing once the public has finished speaking.
  - ix. Board discussion / feedback.
  - x. Staff to address the concerns that have been raised (if any).
  - xi. Open floor for motion of approval, approval with conditions, or denial. The motion needs to reference the findings of fact and any other conditions of approval. If the findings of fact need to be amended, that language needs to be incorporated into the motion.
  - xii. Note any additional conditions or amendments to the findings of fact.
  - xiii. Sign the findings of fact.
8. Other Comments (if there are no other comments, have the board make a motion for adjournment.)
9. Adjourn

**NEXT REGULAR MEETING: To Be Announced**

**TOWN OF PITTSBORO  
BOARD OF ZONING APPEALS Minutes**

**Monday, July 17, 2023**

**6:00 pm, Administration Building**

**33 East Main Street**

**Members present: Larry Herring, Rob Wilson, Lisa Abbott, Cathy Vandivier (6:07 PM)**

**Members absent: Stan Shepard, Cathy Vandivier (she arrive at 6:07 PM)**

**Bre Love (secretary) was present and Rachel Cardis Zoom**

**Also present: Steve Maple, Jack Swalley, Jay and Linda Thompson**

- 1 Larry Herring called the meeting to order
- 2 Larry lead in the Pledge of Allegiance
- 3 Roll Call : Larry Herring, Rob Wilson, Lisa Abbott, Cathy Vandivier (6:07 PM)
- 4 With 3 of 5 present we have a Quorum
- 5 The minutes of June 19, 2023, were approved
- 6 New Business
  - a. **Public Hearing: Sid Mahant on behalf of MSD, LLC - Request for 2 Development Standards Variances.**
    - i. Guidelines for a public hearing.
      - 1 Everyone wishing to speak must sign in on the sheets in the entryway.
      - 2 When called to speak, please state your name and address for the record.
      - 3 Please be direct with your comments. You are welcome to say you agree with any previous speaker.
    - ii. Staff Report read into record.
    - iii. Public notice was given on June 29, 2023, in The Republican newspaper and sent to neighboring property owners on June 26, 2023.
    - iv. Purpose of the hearing.

Review of 2 Development Standard Variances from the Unified Development Ordinance (UDO) Temporary Use Sectionas follows:  
Variance Request 1-Section 3.5A  
Variance Request 2-Section 3.5B
    - v. Larry then open the Public Hearing.
    - vi. There was no Public Comments.
    - vii. The Town did not receive any written responses.

- viii. Larry closed the public hearing.
- ix. Larry asked Steve why did they need the variances. Steve explained what Mr. Mahant was wanting to do.
- x. Larry asked Rachel Cardis some questions about the variance. Rob Wilson wanted to know what they can do with the time line , Rachel told them that it was up to them, that we suggested 24 months.
- xi. Lisa Abbott move to approve with the 24 months starting today 7.17.23. Larry second it and the vote was 4-0 in favor of the variance.

- 7. There were no other comments .  
Larry adjourned the meeting

**NEXT REGULAR MEETING: To Be Announced**

The July 17<sup>th</sup>, 2023, meeting minutes approved at the March 25<sup>th</sup>, 2024 Meeting

## BOARD OF ZONING APPEALS

Larry Herring

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Stan Shepard

\_\_\_\_\_ **ABSENT** \_\_\_\_\_

Lisa Abbott

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Rob Wilson

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Zach Buchanan

\_\_\_\_\_ **ABSENT** \_\_\_\_\_

BZA

7/7/23

Name/Address

Judy Thompson  
JAY THOMPSON

7722 Quail Creek  
" " "

Find Fact

No Problem From Neighbors  
24 hrs Neighbors Prop  
value

24 Month  
Use of Property



## BOARD OF ZONING APPEALS STAFF REPORT

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Application No:	2024-BZA-01
Meeting Date:	March 25, 2024
Subject:	Development Standards Variance
Action Requested:	The petitioner requests a development standards variance of the Town of Pittsboro Zoning Ordinance to provide for an alternate landscape plan as required by the Interstate Overlay District.
Petitioner:	Jeff Merriman, Brayden Fleece; Fleece Performance
Location:	2400 Commerce Way
Parcel Size:	51.56 acres
Existing Zoning:	I-2 – Light Industrial and Interstate Overlay District
Recommendation:	Approve
Prepared By:	Cynthia Bowen, FAICP <a href="mailto:cbowen@reasite.com">cbowen@reasite.com</a> 317-263-0127

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## Procedure

A board of zoning appeals shall approve or deny variances from the development standards of the zoning ordinance. The board may impose reasonable conditions as a part of the board's approval. A variance may be approved under Section 36-7-4-918.5 of the Indiana Planning and Zoning Laws only upon determination in writing that:

- 1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
- 2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and
- 3) The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. However, the zoning ordinance may establish a stricter standard than the "practical difficulties" standards prescribed by this subdivision.

## Background

The subject site was annexed into the Town on July 18, 2017 via Ordinance 2017-5. The I-2 Light Industrial Zone District was applied to the property at that time. Additionally, the property falls within the Interstate Overlay District, measured 400 feet from the I-74 right-of-way.

The pre-submittal meeting took place on February 29, 2024. The variance application was filed on March 4, 2024. The Technical Advisory Committee met to review the application on March 6, 2024. The notes from that meeting are included as Attachment 4 to this report. At the TAC meeting, the applicant was notified of deficiencies regarding the landscape plan for the project. The landscape plan was resubmitted on March 11, 2024. Notice of the petition was published in the March 14, 2024 Republican Newspaper. Notice was also sent to neighboring property owners on March 12, 2024.

## Correspondence

As of the writing of this staff report, staff has not received any comment from the public.

## Summary

**Technical Advisory Committee:** See attachment.



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## TECHNICAL ADVISORY COMMITTEE REPORT

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**TO:** ADVISORY PLANNING COMMISSION  
**FROM:** TOWN PLANNING STAFF  
**SUBJECT:** SITE DEVELOPMENT PLAN REVIEW – 1400 W. COMMERCE WAY  
**DATE:** MARCH 6, 2024  
**CC:** ERIC WOODMANSEE (ENGINEER), JASON LOVE (TOWN MANAGER), JEFF MERRIMAN, MATTHEW MILLER, BRAYDEN FLEECE

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**APPLICANT:** FLEECE PERFORMANCE ENGINEERING  
**LOCATION:** 1400 W. COMMERCE WAY  
**PARCEL SIZE:** 0.20 ACRES  
**ZONING:** I2 LIGHT INDUSTRIAL DISTRICT AND INTERSTATE OVERLAY ZONE

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### COMMENTS

#### *Town Manager*

- No comments.

#### *Building Comm*

- Need to schedule pre-con meeting before starting construction.
- Erosion control inspection before starting construction.
- Trash compactor was determined that part of the building, therefore screening won't be needed.

#### *Police*

- Not in attendance.

#### *Fire*

- No comments.

#### *Utilities*

- Over 5-acre minimum for need MS4 review
- Chris had comments she will share with Fleece.
- Fleece will need to submit plan to IDEM for review.
- Note, there are new timeline requirements for soil disturbance and site stabilization.
- Once submit plans to IDEM, you will be able to break ground 24 hours after you get a permit number.

#### *Engineering*

- Discussion of whether there was enough fall in the private sewer? Yes, 75 feet with less than 1/2 inch fall, with a 13 inch pipe. There could be an issue if the pipe is laid slightly off the calculations.
- Drainage calculations were approved by County Drainage Board.

#### *School*

- No comments.

#### *Planning*

- Will need a variance for landscape.

- Need to know the sign size for permit.
- Fence approved by Zoning Administrator based on images shown at TAC meeting.
- Need to provide fence spec.
- Number of employees for parking determination?
  - Largest shift has 80 employees.

**OTHER COMMENTS:**

- None.

**Waivers:** None.

**Secondary Plat Standards:** Not Applicable.

**Zoning District Standards:** The petitioner is requesting variances from three development standards of the UDO. The standards, as written in the UDO, are:

**Section 5.3 Interstate Overlay District**

I.1.d. Foundation Plantings. Foundation plantings shall be included along all sides of a building, excluding entryways and loading bays [...]

**Section 8.11 Parking Lot and Loading Area Landscaping and Screening Requirements**

B.1. Interior Landscaping

A minimum of five percent of the gross area of the interior vehicular use area of a parking lot shall be landscaped. Perimeter parking lot landscaping and/or buffering shall not be included toward satisfying this requirement.

- a. Landscaped areas should be distributed throughout the parking lot in the form of landscaped islands in order to reduce the visual impact of long rows of parked cars.
- b. One hundred percent of said landscaping area shall be planted with ground cover.
- c. Appropriate ground cover may include shade trees, ornamental trees, shrubbery, hedges, and grasses. However, at least one shade tree shall be provided for every one hundred and twenty square feet of landscaped area.

**Section 8.17 Trash Receptacles**

A.1. Screening

- a. Outdoor trash receptacles, dumpsters, compactors, or similar containers shall be screened on all sides by a fence or wall that is constructed of wood, brick, or stone and that compliments the primary structure's façade.
- b. Outdoor trash receptacles, dumpsters, compactors, or similar containers shall be accessible by gates.
- c. The screening of outdoor trash receptacles, dumpsters, compactors, or similar containers shall meet the setback requirements for fences and walls.

The petitioner requests new standards to be:

**Section 5.3 Interstate Overlay District**

I.1.d. Landscaping equivalent to the foundation plantings will be relocated to the north yard.

**Section 8.11 Parking Lot and Loading Area Landscaping and Screening Requirements**

B.1. Landscaping equivalent to the interior parking lot landscaping will be relocated to the north yard.

**Section 8.17 Trash Receptacles**

A.1. The trash compactor is below grade and will have an obstructed view. Alternate screening will be provided, including a semi-opaque metal fence and landscaping.

## Findings of Fact

- 1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community;

**Approval of the requested variances will not impact the community. The requested variances do not apply to the building frontage, which is the focus of the Interstate Overlay standards. The alternate landscape plan will provide equivalent landscaping in the north yard. The existing lot width limits the availability of landscape planting areas, buffers, and screening.**

- 2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

**The adjacent properties are agricultural and do not require buffers. The existing lot width limits the availability of landscape planting area. Metal fences are not permitted fence screening types, but the Zoning Administrator has determined that the proposed fence meets the intent of the requirements.**

- 3) The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. However, the zoning ordinance may establish a stricter standard than the “practical difficulties” standards prescribed by this subdivision.

**The existing lot width and existing pond limit the site’s developable area, resulting in practical difficulty. Relocating the landscaping location attempts to meet the intent of the ordinance requirements. The trash compactor is below grade and has an obscured view from the adjacent sites. Staff is not opposed to a variance for alternate screening where the alternative meets the intent of the ordinance.**

## Attachments

1. Staff Report
2. Variance Application
3. Fleece Performance Site Plan Package
4. Fleece Performance Landscape Plan

## Recommendation

Staff recommends that the Board of Zoning Appeals approve the development standards variance to provide for an alternate landscape plan.

## Motions

1. Motion to approve the development standards variance to provide for an alternate landscape plan.
2. Motion to deny the development standards variance to provide for an alternate landscape plan.
3. Motion to continue the development standards variance to provide for an alternate landscape plan.

# Variance Request

Town of Pittsboro, Indiana Board of Zoning Appeals

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*This application is to be used when appealing to the Board of Zoning Appeals to be exempt from specific requirements of the Zoning Ordinance or for a Variance of Use.*

*Attachments Required: A, B, C, D, E, G, H (Note: Not all forms may be applicable to each application)*

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## **STEP ONE: PRE-APPLICATION**

Before filing an petition, the petitioner must meet with the Town Manager at least one week prior to the anticipated submission to discuss the proposed request and to become more familiar with the applicable requirements. Call (317) 892 - 3326 to schedule a meeting. Applicants will be responsible for all fees associated with the review of the petition by the Town's Consultants.

## **STEP TWO: APPLICATION**

1. A completed Variance Petition and all required Attachments are to be submitted by the 4:00 pm 30 days before the desired hearing date. Please submit the petition, attachments, and associated fees to the Town of Pittsboro Board of Zoning Appeals, P.O. Box 185, Pittsboro, Indiana, 46167. The Staff shall determine whether the petition is complete. If incomplete, the applicant will be notified of the deficiencies. Staff will notify an applicant when the petition is considered complete and accepted. Petitions submitted or completed after the posted deadline date will be placed on the next month's application cycle.
2. The items below are required in order to complete your petition and shall be submitted at the time the petition is filed.
  - Application Form**
    - All items must be completed fully and either typewritten or printed in ink.
    - The application must be signed by the applicants and notarized.
  - Application Fee**
    - Application fees can be found in Attachment B. A fee is processed for each petition.
    - Checks are to be made payable to the Town of Pittsboro and submitted to the Clerk-Treasurer.

**Site Plan**

- Drawings must be dimensioned and include property lines, existing facilities, existing structures and proposed improvements to the property.
- Drawings must not exceed 11"x 17" in size.

**Aerial Location Map**

- Aerial maps can be obtained on the internet through internet sites, such as Google, Bing, Yahoo, or Mapquest.
- Aerial maps can also be obtained from the Hendricks County Surveyor's Office, 355 South Washington Street, Danville, Indiana, 46122. (317) 745-9237
- Property lines of the site must be drawn on the map.

**Attachments**

- **Attachment A: Affidavit of Ownership** (*submitted only if the applicant is not the property owner*)
- **Attachment B: Application Fees**
- **Attachment C: Review Fees**
- **Attachment D: Newspaper Notice**
- **Attachment E: Neighbor Notice**
- **Attachment G: Use Variance**
- **Attachment H: Development Standards Variance**

**STEP THREE: PUBLIC NOTICE PROCEDURES:**

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**Newspaper Advertisement**

- Found in Attachment D.
- Failure to submit proof of advertisement after the posted deadline will automatically table the application's hearing until the next meeting of the BZA.

**Surrounding Property Owner Notification**

- Found in Attachment E.
- Failure to submit proof of notice after the posted deadline will automatically table the applicant's hearing until next meeting of the BZA.

**STEP FOUR: TECHNICAL REVIEW COMMITTEE**

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The Technical Review Committee (TRC) has the review authority; if necessary, for the technical aspects of the petition. The TRC or staff will meet to discuss your proposal in the Pittsboro Town Hall. Staff will contact you with an appointment time. The TRC generally includes BZA Staff; Engineer; Public Utility; Town Manager; Street Department, applicable School Superintendent; and applicable Safety Services. You or a designated representative with

technical information regarding your submittal should attend. In some instances, additional information may be required by the TRC in order to make a technical review of your petition. This information must be submitted at least ten (10) days prior to the issuance of the Staff Report.

#### **STEP FIVE: STAFF REPORT AND AGENDA**

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If a petitioner believes the strict application of the Zoning Ordinance creates practical difficulties, they may petition the Board of Zoning Appeals for a Variance. The staff report for the variance will outline the issue at hand and address State Code as it relates to the variance. The report shall be released along with the agenda seven (7) days prior to the hearing. All additional documents to be studied and considered by staff for use in the Staff Report should be submitted no less than ten (10) days prior to the hearing. Any interested party may provide support documentation to be delivered to the BZA members along with the Staff Report. To do so, the party must provide ten (10) copies of each document, which should be submitted no less than fifteen (15) days prior to the hearing.

#### **STEP SIX: BOARD OF ZONING APPEALS HEARING**

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The BZA shall follow their adopted Rules of Procedure for the hearing. Public hearings of the BZA are generally held the first Tuesday of each month at 7:30 p.m. at the Pittsboro Town Hall. Always check with the Town Hall to verify the exact meeting date, place, and time should a conflict occur.

When your request comes up on the agenda, the following procedure is followed:

You are asked to present your request to the Board. You may employ an attorney for this purpose or do it yourself. You may use any maps or graphics that will assist you in the presentation. You are encouraged to address the Standards for Evaluating Use Variances that are listed in your Application in your presentation. If the Board members need additional information, they will ask questions regarding your request.

Per the Pittsboro Zoning Ordinance and Indiana Code 36-7-4-921(a)(5), the BZA may require the owner of the parcel to make written commitments concerning the use or development of that parcel. These commitments must be recorded with the Town of Pittsboro Recorder prior to the issuance of a building permit.

Per Indiana Code 36-7-4-912, the BZA shall make written Findings of Fact, which is the BZA's decision based upon their interpretation of the Conditions for Evaluating Use Variances listed in your Application. Within ten (10) business days of the BZA hearing, Staff will send you a copy of the written Findings of Fact.

**Pittsboro Board of Zoning Appeals  
DEVELOPMENT STANDARDS  
VARIANCE APPLICATION**

**1. Applicant(s)**

Check One:      Owner      Agent      Lessee      Contract Purchaser      Other \_\_\_\_\_

BCFI, LLC

Name:

2400 Commerce Way Pittsboro, IN 46167

Address:

317-286-3573

jeff@fleeceperformance.com

Phone Number:

Fax Number:

Email Address:

**2. Property Owner(s)**

If Applicant is not the Owner, attach completed **Attachment A: Affidavit of Ownership**

Name:

Address: (Number and Street)

Address: (City, Zip Code, State)

Phone Number:

Fax Number:

Email Address:

**3. Applicant's Contact Person or Attorney and Project Engineer (if any)**

Jeff Merriman

Contact Person / Attorney Name:

SAME

Project Engineer:

Address: (Number and Street)

Address: (Number and Street)

Address: (City, Zip Code, State)

317-286-3573 ext 2004

Address: (City, Zip Code, State)

Phone Number:

Phone Number:

Fax Number:

jeff@fleeceperformance.com

Fax Number:

Email Address:

Email Address:

**4. Site Information**

If only part of a parcel is requested for the Zoning Amendment, then write "PART" after the Tax Parcel Identification Number(s).

32-03-25-300-012.000-019 (Part)

Tax Parcel Identification Number(s):

2400 Commerce Way

Address: (Number and Street)

Pittsboro, IN 46167

Address: (City, Zip Code, State)

Four tenths of a mile west of Jeff Gordon Blvd and Commerce Way

General street location from the closest street intersection:



Township: Middle	Section: Twp: Range: 0025-0017-1w
Existing Use of the Property: Light Industrial	Area (acres or square feet) 52
Current Zoning: L2	Current Comprehensive Plan Designation:
Is the site located in an Overlay District? Yes	If the site is located in an overlay district, which one? I74

**5. Development Standards Variance Use Request**

Development Standards Variance Requested:

Landscaping

Description:

We are requesting a variance from the existing Unified Development Ordinance landscaping plan to use the landscaping plan that we have provided with this application.

**6. Attachments to Include With Application**

Application Fee: Attachment B (To be determined by the Town for mineral extraction, sanitary landfill, waste transfer station, hotel, shopping center, mobile home park, or junkyard.)

- Attachment A: Affidavit of Ownership (if applicable)
- Attachment C: Use Variance Request (if applicable)
- Site Plan (include a copy 11" x 17" or smaller)
- Aerial Location Map with property lines drawn

The undersigned states the above information is true and correct as (s)he is informed and believes.

Signature(s) of Applicant(s):

Date:

*[Handwritten Signature]*

3/4/2024

**Notary Statement**

Sworn to and subscribed before me the

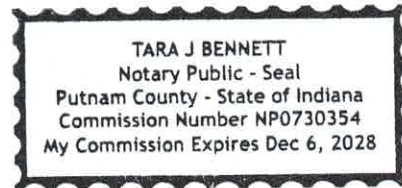
4<sup>th</sup> day of MARCH, 2024

Notary Public in and for the State of Indiana.

*[Handwritten Signature: Tara J. Bennett]*  
Notary Public / Printed  
Seal

Tara J. Bennett

My Commission expires: 12/6/2028




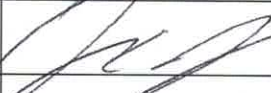

For Office Use Only		
Date Filed:	Public Notice:	Newspaper Ad:
Date of BZA Hearing:		
Decision of BZA	<input type="checkbox"/> Unfavorable	<input type="checkbox"/> Favorable
Conditions:		<input type="checkbox"/> Favorable with Conditions

# Attachment A: Affidavit of Ownership

Town of Pittsboro, Indiana

If the owner(s) of the subject property are giving authorization for someone else to apply for the petition, this Attachment is to be completed and submitted at the time of application.

I (WE), Brayden Fleece, Jonathan Fleece, and Jeff Merriman (Name(s) of owner(s) of subject property), do hereby certify that I (We) am (are) the owner(s) of the property legally described as 32-03-25-300-012.000-019 (Hendricks County Parcel Identification Number), and hereby certify that I (We) have given authorization to Jeff Merriman (Name of Petitioner/Representative), to apply for the variance (application type) for My (Our) property.

Name of Owner(s):	Parcel Identification Number	Signature:	Date:
Brayden Fleece	32-03-25-300-012.000-019		3/11/2024
Jonathan Fleece	32-03-25-300-012.000-019		3/11/2024
Jeff Merriman	32-03-25-300-012.000-019		3/11/2024

## NOTARY STATEMENT

Sworn to and subscribed before me the 11 day of March, 20 24  
Notary Public in and for the State of Indiana

Tara J Bennett  
Notary Public / Printed

My Commission expires: 12/6/2028





# Site Plan Review

Town of Pittsboro, Indiana Advisory Plan Commission

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*This application is to be used to initiate the development review process of non-residential and multi-family development meeting one of the below mentioned criteria.*

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## Application Procedure:

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### STEP ONE: PRE-APPLICATION

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Before filing an application, it is recommended that the applicant meet with the Administrator at least one week prior to the anticipated application submission to discuss the proposed request, and to become more familiar with the applicable requirements. The anticipated agenda date will be used in all public notice requirements. Call (317) 892 - 3326 to schedule a meeting. Applicants will be responsible for all fees associated with the review of the application by the Town's Consultants.

Site development plan review shall be required for any non-residential or multi-family development, prior to the issuance of a building permit for the following development situations:

- Any new principal structures;
- A twenty five (25) percent or greater gross area expansion of the existing structure;
- Any new or modified building and/or site improvements for a zoning lot which has previously received site development plan approval under this ordinance. Re-approval of the plan is required for components of the plan, which depart from the approved site development plan. The extent of required documentation of any proposed changes to be incorporated in the submittal for re-approval shall be determined by the Administrator;
- Any new or modified off-street parking or loading area improvements;
- A change of use that will result in an increase off-street parking requirements that cannot currently be met on the site.
- Any building that has been damaged by fire, explosion, act of God, or the public enemy to the extent of more than 50 percent of its value.

## STEP TWO: APPLICATION

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Applications must be received at least 30 days before the desired hearing of the Plan Commission. At this time the Administrator will decide to either forward the site development plan to the Plan Commission for review and approval or conduct Administrator review and approval as authorized by the Town Council and Indiana Code Section 36-7-4-1402(C). Staff will notify petitioner when an application is considered complete and is accepted. Any deficiencies will be explained to the applicant. Applications submitted or completed after the posted deadline date will be placed on the next month's application cycle.

Applications, fees, and all required documentation must be submitted by 4:00 pm on the deadline date. These documents are to be submitted to the Town of Pittsboro Town Administration Building, 33 East Main Street, Pittsboro, Indiana 46167.

The items below are required to complete your application and shall be submitted when your application is filed.

- Town of Pittsboro Plan Commission Form**
- Application Form**
  - All items must be completed fully and either typewritten or printed in ink.
  - The application must be signed by the applicants and notarized.
- Application Fee**
  - Checks are to be made payable to the Town of Pittsboro and submitted to the Clerk-Treasurer.
- Attachment A: Affidavit of Ownership**
- Attachment E: Neighbor Notice**
- Attachment F: Site Plan Review**
- Covenants and Restrictions** (*if any*)
- Aerial Location Map**
  - Aerial maps can be obtained from the Hendricks County Surveyor's Office, 355 South Washington Street, Danville, Indiana, 46122. (317) 745-9237 or an internet mapping source.
  - Draw property lines of the site plan on the map.
- Landscaping Plan**
- Lighting Plan**
- Site Plan**

Per the Town of Pittsboro Zoning Ordinance, the following shall be required for a Site Plan Review application. For more specific requirements, please refer to Section 11.11 of the Unified Development Ordinance.

- 1) Completed application form provided by the Administrator.
- 2) Each application shall include three (3) copies of all full sized documents and drawings. For all graphic and plan drawings, a scale of not less than one inch equals one hundred feet (1"=100') shall be used. Individual sheets or drawings shall not exceed twenty-four (24) inches by thirty-six (36) inches. If the application is to be reviewed by the Plan Commission the applicant shall provide an additional fifteen (15) sets of drawings not exceeding twenty-four (24) inches by thirty-six (36) inches.
- 3) The names and addresses of persons and/or firm responsible for preparing the plan.
- 4) A site plan drawing including the following:
  - a) Date, north point and scale;
  - b) The dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties and buildings within two hundred (200) feet;
  - c) Boundary lines of adjacent tracts of land, showing owners of record;
  - d) Legal description of the parcel;
  - e) Tax parcel Identification number;
  - f) Existing and proposed topography with contours at two (2) foot intervals;
  - g) Existing and proposed easements;
  - h) The location of existing and/or proposed fire hydrants;
  - i) For a site which includes existing structures or improvements, an indication of those improvements that are to remain and those which will be removed;
  - j) Underground storage tanks, if any;
  - k) General alignment and lengths of all streets and all property lines;
  - l) All building restriction lines, highway setback lines, easements, covenants, reservations and rights-of-way;
  - m) Streets, using the classification in the Subdivision Control Ordinance; alleys; easements and utilities, including street lighting and underground conduits for street lighting;
  - n) Driveways, entrances, exits, parking areas and sidewalks;
  - o) Calculations of the following, as applicable:
    1. Number of dwelling units or square footage of non-residential uses;
    2. Number of parking spaces;
    3. Number of loading spaces; and
    4. Quantities of landscape materials to be provided.
  - p) A lighting plan indicating all exterior building mounted and free-standing lights and structures including overall height, type of lamp, luminaries;
  - q) Preliminary exterior building elevations of all proposed structures and exterior elevations of existing buildings when existing buildings are

- proposed to be structurally altered. Elevations shall indicate the materials to be used in the design of the structure and the proposed color scheme;
- r) Elevations of proposed signs as well as the materials and colors intended for the sign. "Typical" elevations shall be provided for wall mounted signs including renderings of all sign faces; views of supporting members, poles, bases and pedestals; side views which indicate both signage depth and projections; method of illumination, materials indications, and dimensions of all sign elements;
  - s) Include the proposed name by which the project shall be legally or commonly known.
  - t) Location, widths, and type of construction of all existing and proposed streets, street names, alleys, or other public ways and easements, railroad and utility rights-of way or easements, parks, wooded areas, cemeteries, water courses, drainage ditches, swamps, low areas subject to flooding, permanent buildings, bridges, and other data considered pertinent by the commission or the administrator for the subject land, and within three hundred (300) feet of the proposed project;
  - u) Existing and proposed water mains, storm sewers, sanitary sewers, culverts, bridges, and other utility structures or facilities within, adjacent to, or serving the subject land, including pipe sizes, grades, and exact locations, as can best be obtained from public or private records;
  - v) Existing zoning of the land and all adjacent lands;
  - w) Existing contours based on U.S.G.S. datum with intervals of not more than five (5) feet where the slope is greater than ten percent (10%) and not more than two (2) feet where the slope is less than ten percent (10%). Elevations shall be based on sea level datum;
  - x) The water elevation at the date of the survey of lakes, streams, or swamps within the project affecting it, as well as the approximate high and low water elevation of such lakes, streams, or swamps. The plan shall also show the contour line of the regulatory flood (100-year flood) elevation. All elevations shall be based on sea level datum;
  - y) A statement of the proposed uses, stating the type and size of residential and nonresidential buildings, and the type of business, commercial or industry, so as to reveal the effect of the project on traffic, fire hazards, or congestion of population;
  - z) Full description and details, including engineering calculations, for provision of storm water drainage plans and facilities;
  - aa) Statement of proposed starting and completion dates for the project, including any proposed phasing and sequencing;
  - bb) Radii, internal angles, points of curvature, tangent bearings and lengths of all arcs, chords and chord bearings;
  - cc) Proposed covenants, restrictions, by-laws, or articles of incorporation affecting property owners and/or homeowners associations;
  - dd) Accurate location of all survey monuments erected, corners, and other points established in the field in their proper places; and
  - ee) Supplementary explanation of the specific type(s) of activities proposed on the site. Such information shall include, but is not limited to:

1. Estimated number of employees, resident shoppers, residents, etc.;
2. Hours of operation;
3. Any changes anticipated in terms of dust, odor, smoke, fumes, noise, light, hazardous or noxious fumes, wellhead protection, etc.;
4. Modifications to vegetative cover, drainage patterns, earth work, problem areas;
5. Any ancillary improvements that the applicant proposed to remedy or prevent problems created by the development; and
6. Draft version of any covenants and design guidelines, if applicable.

### **STEP THREE: TECHNICAL REVIEW COMMITTEE**

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The Technical Review Committee (TRC) has the review authority; if necessary, for the technical aspects of the application submittal. The TRC or Plan Commission staff will meet to discuss your proposal in the Town Administration Building approximately three (3) weeks before the desired hearing date. Plan Commission Staff will contact you with an appointment time. The TRC generally includes Plan Commission Staff; Engineer; Public Utility; Town Manager; Street Department, applicable School Superintendent; and applicable Safety Services. You or a designated representative with technical information regarding your submittal should attend. In some instances, additional information may be required by the TRC in order to complete a technical review of your application. This information must be submitted by the last day to submit information for the Staff Report.

### **STEP FOUR: STAFF REPORT AND AGENDA**

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After a thorough examination of information in the public record and findings from additional research, staff shall release the Staff Report and Agenda providing analysis of each agenda item. Such report shall be released along with the agenda a minimum of seven (7) days prior to the hearing. All documents, including revisions, to be studied and considered by staff for use in the Staff Report should be submitted no less than ten (10) days prior to the hearing. Any interested party may provide support documentation to be delivered to the Plan Commission members along with the Staff Report. To do so, the party must provide ten (10) copies of each document, which should be submitted no less than ten (10) days prior to the hearing.



## STEP FIVE: PLAN COMMISSION HEARING

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***Site Plan Review applications do not always need to go before the Plan Commission. Please check with Staff to determine the requirements of your particular application.***

The Plan Commission shall follow their adopted Rules of Procedure for the hearing, a copy of which is available at the Town Administration Building. Public hearings of the Plan Commission are generally held the fourth Tuesday of each month at 7:00 p.m. at the Pittsboro Town Administration Building. Always check with the Town Administration Building or Town Staff to verify the exact meeting date, place, and time should a conflict occur.

When your request comes up on the agenda, you will be asked to present your request to the Commission. You may employ a representative for this purpose or do it yourself. You may use any maps or graphics that will assist in the presentation. If the Commission members need additional information, they will ask questions regarding your request. Following any questions, the Commission will take action on your application. They may approve, approve with conditions, or deny the application.

# TOWN OF PITTSBORO

Town of Pittsboro, Indiana Advisory Plan Commission

---

PLAN COMMISSION FORM

PERMIT# \_\_\_\_\_

DATE: \_\_\_\_\_

Name of Petitioner: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Email: \_\_\_\_\_

**Which form are you using?**

Site Plan \_\_\_\_\_  
Plot Plan \_\_\_\_\_  
Primary Plat \_\_\_\_\_  
Secondary Plat \_\_\_\_\_  
Rezoning \_\_\_\_\_  
Subdivision \_\_\_\_\_  
BZA \_\_\_\_\_  
Other \_\_\_\_\_

PLEASE EMAIL FORM TO: [inspections@townofpittsboro.org](mailto:inspections@townofpittsboro.org) or  
drop it off at 33 East Main Street, Pittsboro

ADMINISTRATIVE FEE: Will vary depending on the process/form.

RECEIPT INFORMATION: Cash: \_\_\_\_\_ Check: \_\_\_\_\_ Pay Gov: \_\_\_\_\_  
Date: \_\_\_\_\_

# SITE DEVELOPMENT PLAN REVIEW APPLICATION

## 1. Applicant(s)

Check One: <input type="checkbox"/> Owner <input type="checkbox"/> Agent <input type="checkbox"/> Lessee <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Other: _____		
Name:		
Address:		
Phone:	Fax:	Email:

## 2. Property Owner(s)

If Applicant is not the Owner, attach completed **Attachment A: Affidavit of Ownership**

<input type="checkbox"/> Check if owner and applicant are same party.		
Name:		
Address:		
Phone:	Fax:	Email:

## 3. Applicant's Contact Person, Attorney, and/or Project Engineer/Surveyor (if any)

Any persons identified within this section are authorized to act on behalf of the petitioner.

Check One: <input type="checkbox"/> Attorney <input type="checkbox"/> Agent <input type="checkbox"/> Engineer <input type="checkbox"/> Surveyor <input type="checkbox"/> Other: _____		
Name:		
Address:		
Phone:	Fax:	Email:

Check One: <input type="checkbox"/> Attorney <input type="checkbox"/> Agent <input type="checkbox"/> Engineer <input type="checkbox"/> Surveyor <input type="checkbox"/> Other: _____		
Name:		
Address:		
Phone:	Fax:	Email:

#### 4. Site Information

If only part of a parcel is requested for the Zoning Amendment, then write "PART" after the Tax Parcel Identification Number(s).

Tax Parcel Identification Number(s):
Address: (Number and Street):
Address: (City, Zip Code, State):
If no address, please provide a general street location from the closest street intersection:

Current Use of Property: <input type="checkbox"/> Agriculture <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Other: _____	
Zoning District:	Comprehensive Plan Designation:
Project Area (acres):	Overlay District (if applicable): _____
Public Utility upgrades proposed: <input type="checkbox"/> Yes <input type="checkbox"/> No	

**The undersigned states the above information is true and correct as (s)he is informed and believes.**

Signature(s) of Applicant(s):

Date:


#### Notary Statement

Sworn to and subscribed before me the

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Notary Public in and for the State of Indiana.

\_\_\_\_\_  
Notary Public / Printed

Seal

My Commission expires: \_\_\_\_\_

<b>For Office Use Only</b>			
Date Filed:		Date TAC Review:	
Decision of PC	<input type="checkbox"/> Unfavorable	<input type="checkbox"/> Favorable	<input type="checkbox"/> Favorable with Conditions
Conditions (if any):			

**4. Site Information**

If only part of a parcel is requested for the Zoning Amendment, then write "PART" after the Tax Parcel Identification Number(s).

Tax Parcel Identification Number(s): 32-03-25-300-012.000-019 (Part)
Address: (Number and Street): 2400 Commerce Way
Address: (City, Zip Code, State): Pittsboro, IN 46167
If no address, please provide a general street location from the closest street intersection:

Current Use of Property: <input type="checkbox"/> Agriculture <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Other: _____	
Zoning District: L1 - Light Industrial	Comprehensive Plan Designation:
Project Area (acres): 5	Overlay District (if applicable): Interstate Overlay
Public Utility upgrades proposed: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**The undersigned states the above information is true and correct as (s)he is informed and believes.**

Signature(s) of Applicant(s):

Date:

*[Handwritten Signature]*

2/21/2024

**Notary Statement**

Sworn to and subscribed before me the

21 day of February, 2024

Notary Public in and for the State of Indiana.

My Commission expires: 12/6/2028

*Tara J. Bennett*  
 Notary Public / Printed Tara J. Bennett

Seal    **TARA J BENNETT**  
 Notary Public - Seal  
 Putnam County - State of Indiana  
 Commission Number NP0730354  
 My Commission Expires Dec 6, 2028


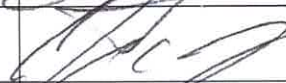
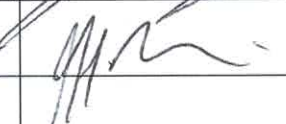
<b>For Office Use Only</b>			
Date Filed:	Date TAC Review:	Date of PC Hearing:	
Decision of PC <input type="checkbox"/> Unfavorable <input type="checkbox"/> Favorable <input type="checkbox"/> Favorable with Conditions			
Conditions (if any):			

# Attachment A: Affidavit of Ownership

Town of Pittsboro, Indiana

If the owner(s) of the subject property are giving authorization for someone else to apply for the petition, this Attachment is to be completed and submitted at the time of application.

I (WE), Brayden Fleece, Jonathan Fleece, and Jeff Merriman (Name(s) of owner(s) of subject property), do hereby certify that I (We) am (are) the owner(s) of the property legally described as 32-03-25-300-012.000-019 (Hendricks County Parcel Identification Number), and hereby certify that I (We) have given authorization to Jeff Merriman (Name of Petitioner/Representative), to apply for the site plan (application type) for My (Our) property.

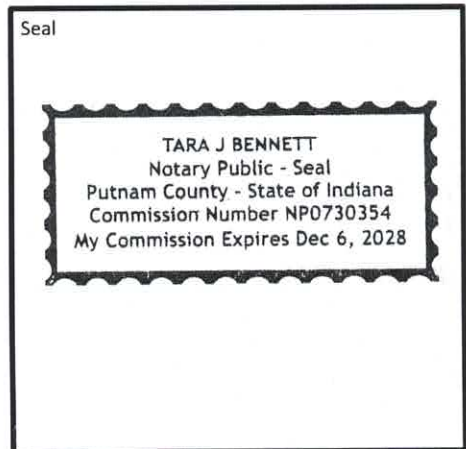
Name of Owner(s):	Parcel Identification Number	Signature:	Date:
Brayden Fleece	32-03-25-300-012.000-019		3/11/2024
Jonathan Fleece	32-03-25-300-012.000-019		3/11/2024
Jeff Merriman	32-03-25-300-012.000-019		3/11/2024

## NOTARY STATEMENT

Sworn to and subscribed before me the 11 day of March, 2024  
Notary Public in and for the State of Indiana

Tara J Bennett  
Notary Public / Printed

My Commission expires: 12/6/2028





# Attachment F: Site Plan Review

Town of Pittsboro, Indiana

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*In accordance with the Pittsboro Unified Development Ordinance, all the following conditions must be met to grant approval of a Site Development Plan Review.*

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- 1. The application shall comply with the provisions of this ordinance and other Ordinances of the Town.

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- 2. The plan shall be in reasonable conformity with the Comprehensive Plan.

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- 3. Reasonable provision shall be made to ensure that development will be served by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, or septic and schools.

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- 4. Any building or structure shall be reasonably accessible to fire, police, emergency and service vehicles. When deemed necessary for access, emergency vehicle easements shall be provided. The access for fire, police and emergency vehicles shall be unobstructed at all times.

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- 5. Adequate provision shall be made to ensure the compatibility of the proposed development, including mass, scale, site layout and site design with the character of the surrounding property and the neighborhood, including:

- a. Relationship(s) of building(s) to site(s)

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b. Building design

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c. Landscape

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d. Signs

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6. Open space provided is configured to make that open space usable, functional, and appropriate to the development proposed.

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7. Streets and sidewalks shall, insofar as reasonably practicable, provide access and good traffic circulation to and from adjacent lands, existing streets and sidewalks.

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8. Provision shall be made to ensure that adequate access roads or entrance or exit drives will be provided and will be designed and improved so as to prevent traffic hazards or problems and to minimize traffic congestion in public streets.

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9. Adequate provision shall be made to ensure that the vehicular circulation elements of the proposed development will not create hazards to the safety of vehicular or pedestrian traffic on or off the site, disjointed vehicular or pedestrian circulation paths on or off the site, or undue interference and inconvenience to vehicular and pedestrian travel.

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10. Adequate water mains and fire hydrants shall be provided in accessible places in accordance with good firefighting and fire prevention practice.

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11. Adequate provision shall be made for the collection and disposition of all on- and off-site storm water and natural water, including but not limited to on-site drainage retention facilities.

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12. Adequate provision shall be made for the collection and disposition of sanitary sewage.

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13. Adequate provision shall be made to avoid an increase in hazard to adjacent property from flood, increased run-off or water damage.

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14. Adequate provision shall be made to clean, control and otherwise alleviate contamination or environmental hazards on land when the site is in an area found by the Administrator to be contaminated by a toxic substance or otherwise to contain environmental hazards which are detrimental to the public health, safety and welfare.

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15. Adequate provision shall be made to avoid glare of vehicular and stationary lights that would affect the established character of the neighborhood, and to the extent such lights will be visible across from any property line, the performance standards for illumination shall be met.

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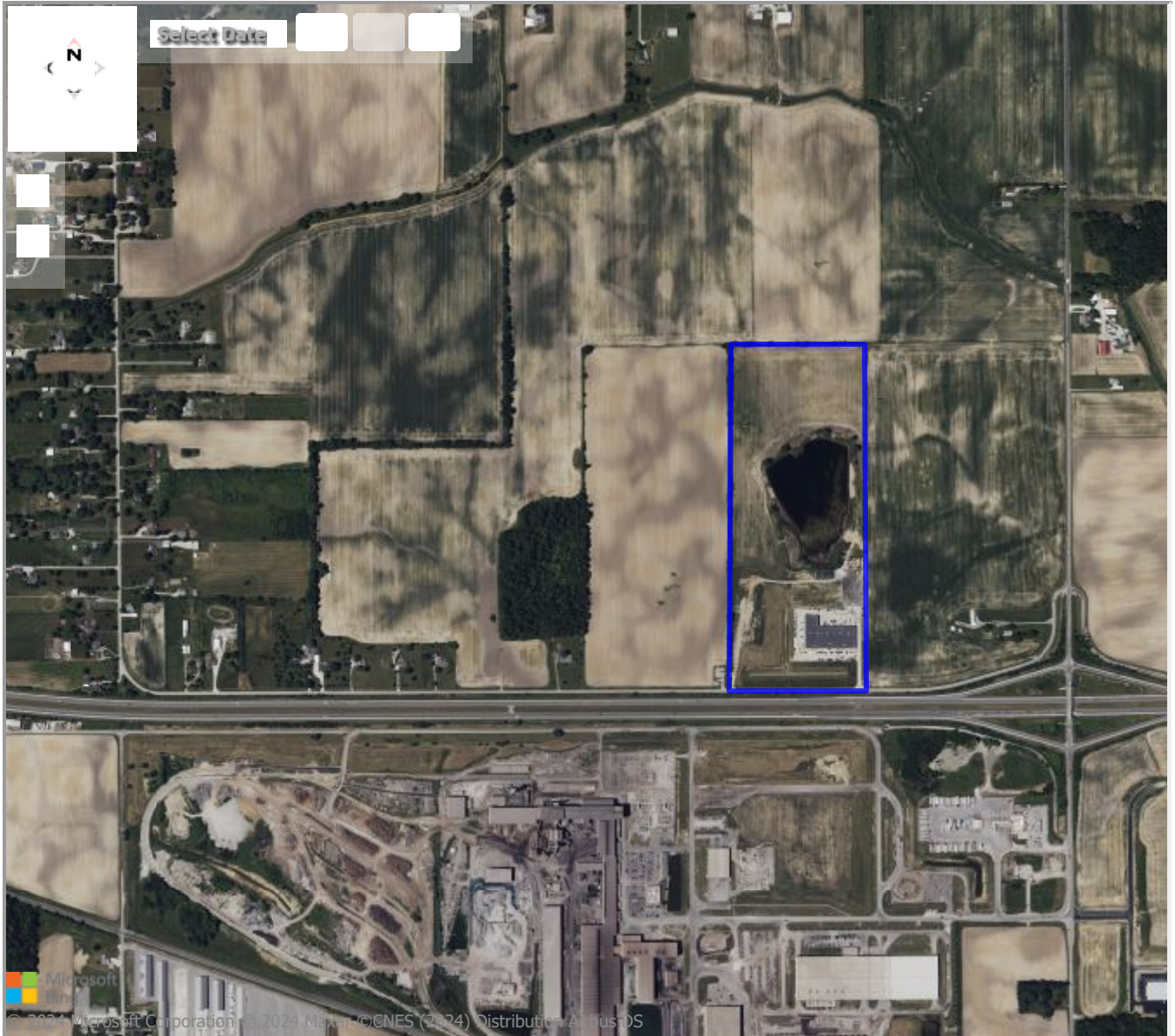
16. Adequate provision shall be made to ensure that the location, lighting and type of signs and the relationship of signs to traffic-control is appropriate for the site and will not have an adverse effect on any adjacent properties.

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# Hendricks County, IN

## Pictometry

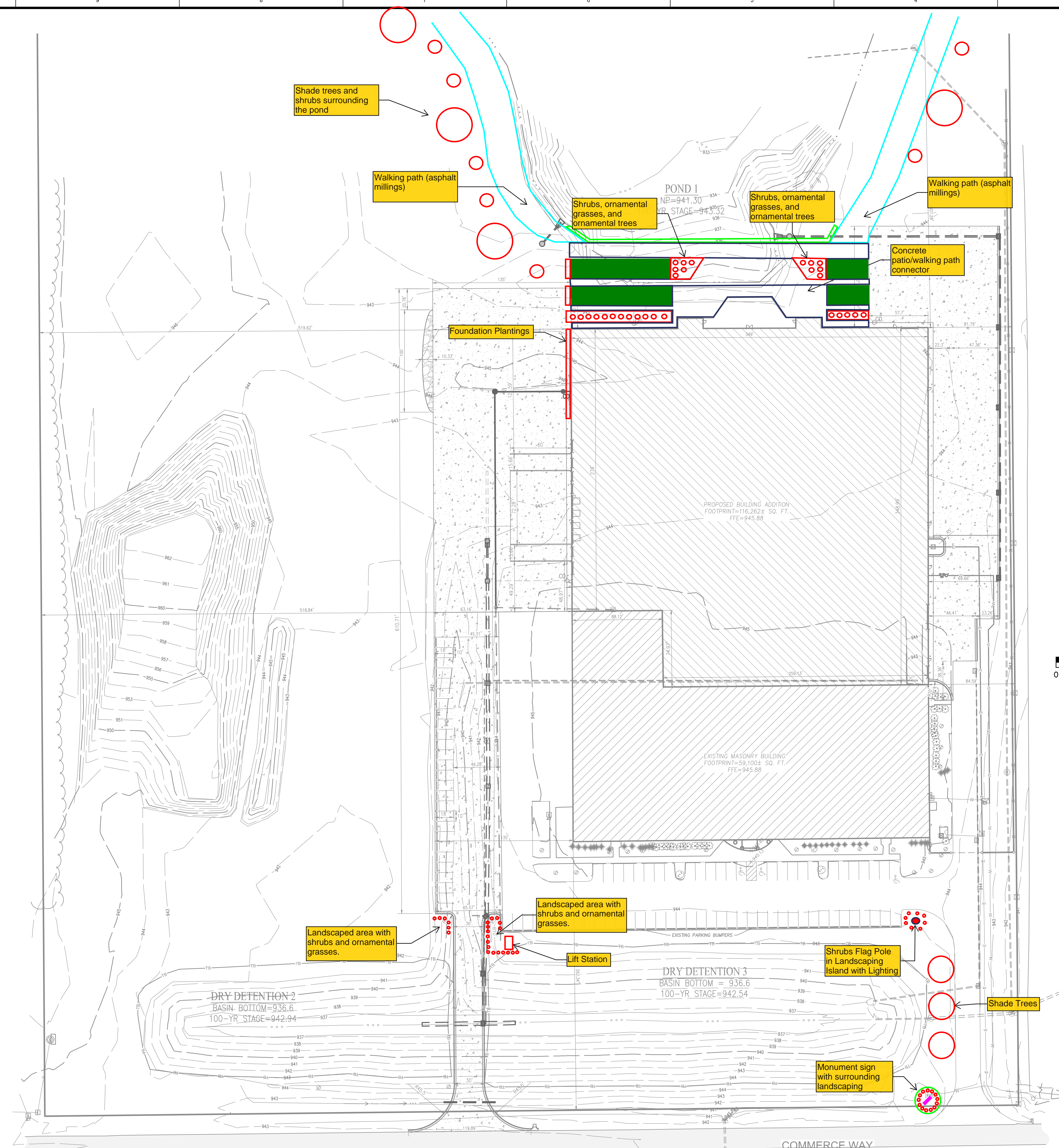


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Last Data Upload: 3/9/2024, 10:42:57 PM

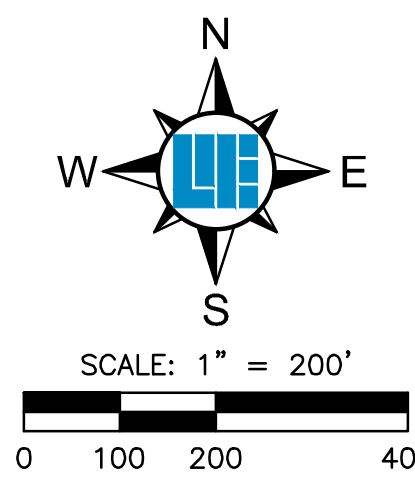
[Contact Us](#)

Developed by  
 Schneider  
GEOSPATIAL





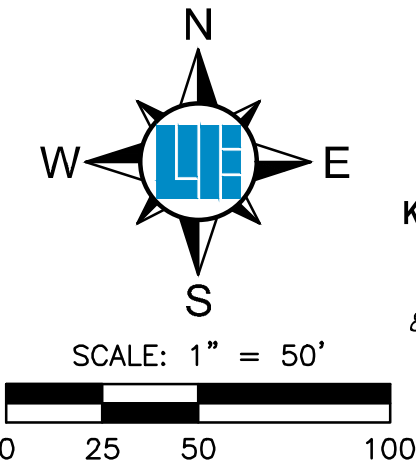
North side landscaping plan  
 - 6 existing mature shade trees  
 - Asphalt milling walking trail around the pond  
 - Assortment of shrubs, flowers, ornamental grasses, ornamental trees, and shade trees



**Current Landscaping Schedule**

LANDSCAPING SUMMARY:  
 59 SHRUBS TOTAL ALONG SOUTH BUILDING FACE  
 25 SHRUBS TOTAL ALONG EAST BUILDING FACE  
 12 ORNAMENTAL TREES ALONG SOUTH BUILDING FACE  
 5 ORNAMENTAL TREES ALONG EAST BUILDING FACE  
 8 INTERIOR SHADE TREES  
 20 PERIMETER SHRUBS  
 5 SHADE TREES LOCATED ON BERM

KEY	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	COND.	REMARKS
<b>SHADE TREES</b>						
AS	<i>Acer saccharum</i> "Green Mountain"	Green Mountain Sugar Maple	2	2.5"	B & B	
CF	<i>Quercus bicolor</i> var. <i>hemisphaerica</i>	White Oak	6	2.5"	B & B	
QR	<i>Quercus rubra</i>	Red Oak	5	2.5"	B & B	
<b>SHRUBS</b>						
CS	<i>Cornus sericea</i> "Isanti"	Red Stem Isanti Dogwood	6	24"	#2 Cont.	
EK	<i>Euonymus alatus</i> "Compacta"	Compact Burning Bush	12	24"	B & B	
IC	<i>Lonicera chrysantha</i> "Sea Green"	Sea Green Juniper	20	24"	B & B	
SP	<i>Syringa patula</i> "Miss Kim"	Miss Kim Lilac	18	24"	#3 Cont.	
TM	<i>Taxus x media</i> "Dark Green Spreader"	Dark Green Spreader Yew	26	24"	B & B	
VJ	<i>Viburnum x juddii</i>	Judd Viburnum	12	24"	B & B	
<b>ORNAMENTAL TREES</b>						
AC	<i>Amelanchier grandiflora</i> "Autumn Brilliance"	Autumn Brilliance Serviceberry	6	1.5"	B & B	Single-Stem
CC	<i>Cercis canadensis</i>	Redbud	6	1.5"	B & B	Single Stem
MR	<i>Malus "Red Jewel"</i>	Red Jewel Crabapple	3	1.5"	B & B	



**811**  
 Know what's below.  
 Call before you dig.  
 Within Indiana Call  
 811 or 800-382-5544  
 24 Hours a Day, 7 Days a Week  
 PER INDIANA STATE LAW IC 8-1-26,  
 IT IS AGAINST THE LAW TO DIG/TAKE  
 WITHOUT NOTIFYING THE UNDERGROUND  
 UTILITY SERVICE TIPS (U) WORKING  
 DAYS BEFORE COMMENCING WORK.

**WEIHE ENGINEERS**  
 Land Surveying | Civil Engineering  
 Landscape Architecture  
*Build with confidence.*

PROJECT NO. W230252  
 DWG NAME W230252-100 Landscape  
 DESIGNED BY JGJ  
 DRAWN BY AMS  
 CHECKED BY KCS  
 DATE 08/02/2023

REVISIONS AND ISSUES  
 DATE BY DESCRIPTION  
 08/02/2023 SJE REVISED PER STORMWATER COMMENT FROM CBRELL 09-21-2023  
 08/02/2023 SJE REVISED PER STORMWATER COMMENT FROM CBRELL 09-21-2023  
 08/02/2023 SJE REVISED PER STORMWATER COMMENT FROM CBRELL 09-21-2023

10505 N. College Avenue  
 Indianapolis, Indiana 46280  
 weihe.net  
 317 | 846 - 6611  
 800 | 452 - 6408  
 317 | 843 - 0546 fax  
 ALLAN H. WEIHE, P.E., L.S. - FOUNDER

**FLEECE PERFORMANCE ENGINEERING**

**FLEECE PERFORMANCE ADDITION**  
 2400 W. COMMERCE WAY  
 PITTSBORO, INDIANA 46167  
 LANDSCAPE PLAN

Part of the Southwest 1/4 of Section 26, Township 17 North, Range 1 West, Middle Township, Hendricks County, Indiana

SHEET NO. **L100**  
 PROJECT NO. W230252

LOCATION: I:\2023\W230252\Engineers\dwg\weihelandscape\landscape\230252-100 Landscape.dwg  
 DATE PLOTTED: March 01, 2024, 2:20pm  
 PLOTTED BY: jg



## Fleece Performance Engineering Addition

04 MARCH 2024

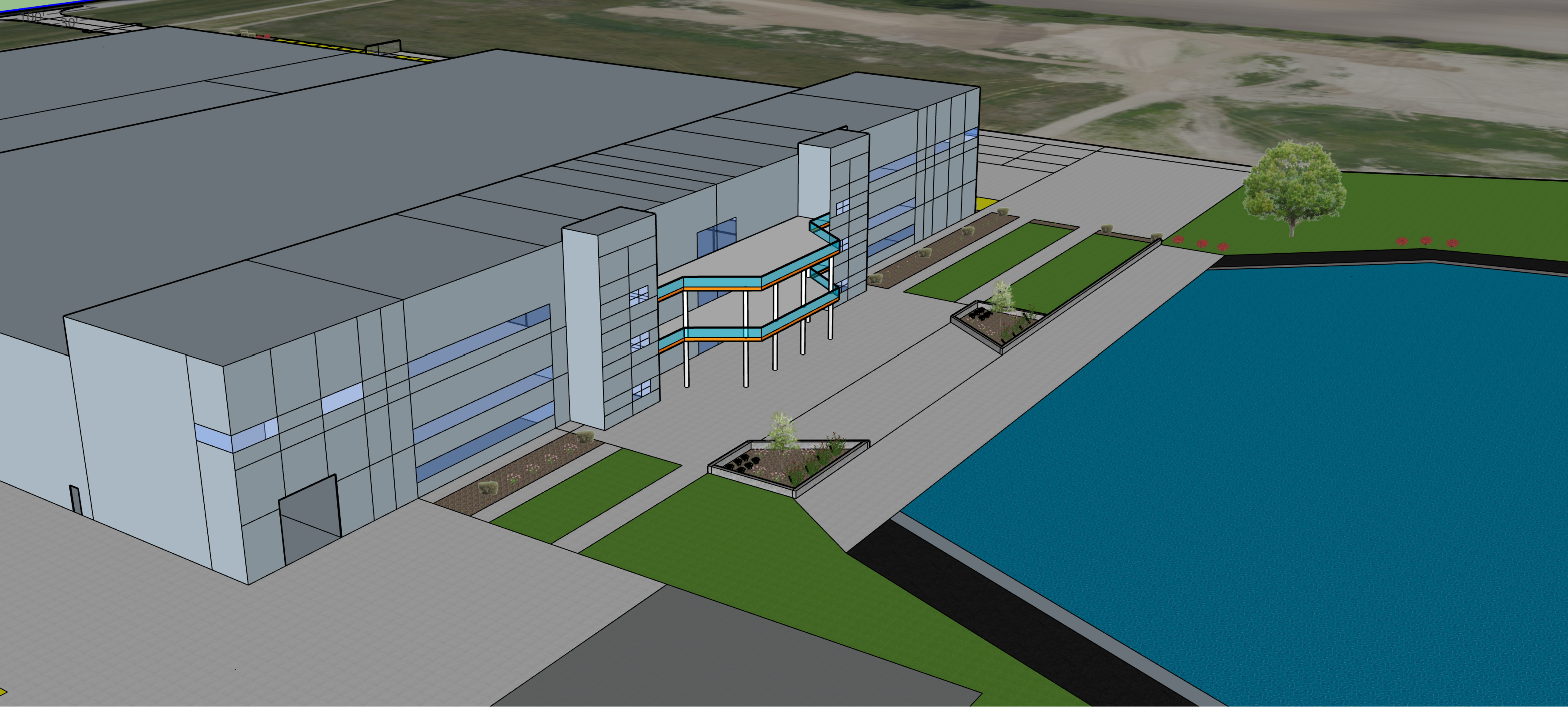
2400 WEST COMMERCE WAY, PITTSBORO, IN 46167

ARCHITECTURE®

7222 North Shadeland Avenue, #200  
Indianapolis, Indiana 46250  
317.806.1060  
FAX 317.806.1061

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## TECHNICAL ADVISORY COMMITTEE REPORT

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**TO:** ADVISORY PLANNING COMMISSION  
**FROM:** TOWN PLANNING STAFF  
**SUBJECT:** SITE DEVELOPMENT PLAN REVIEW – 1400 W. COMMERCE WAY  
**DATE:** MARCH 6, 2024  
**CC:** ERIC WOODMANSEE (ENGINEER), JASON LOVE (TOWN MANAGER), JEFF MERRIMAN, MATTHEW MILLER, BRAYDEN FLEECE

---

**APPLICANT:** FLEECE PERFORMANCE ENGINEERING  
**LOCATION:** 1400 W. COMMERCE WAY  
**PARCEL SIZE:** 0.20 ACRES  
**ZONING:** I2 LIGHT INDUSTRIAL DISTRICT AND INTERSTATE OVERLAY ZONE

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### COMMENTS

#### *Town Manager*

- No comments.

#### *Building Comm*

- Need to schedule pre-con meeting before starting construction.
- Erosion control inspection before starting construction.
- Trash compactor was determined that part of the building, therefore screening won't be needed.

#### *Police*

- Not in attendance.

#### *Fire*

- No comments.

#### *Utilities*

- Over 5-acre minimum for need MS4 review
- Chris had comments she will share with Fleece.
- Fleece will need to submit plan to IDEM for review.
- Note, there are new timeline requirements for soil disturbance and site stabilization.
- Once submit plans to IDEM, you will be able to break ground 24 hours after you get a permit number.

### *Engineering*

- Discussion of whether there was enough fall in the private sewer? Yes, 75 feet with less than 1/2 inch fall, with a 13 inch pipe. There could be an issue if the pipe is laid slightly off the calculations.
- Drainage calculations were approved by County Drainage Board.

### *School*

- No comments.

### *Planning*

- Will need a variance for landscape.
- Need to know the sign size for permit.
- Fence approved by Zoning Administrator based on images shown at TAC meeting.
- Need to provide fence spec.
- Number of employees for parking determination?
  - Largest shift has 80 employees.

### **OTHER COMMENTS:**

- None.