

Bruce & Juli Bartells
6130 W. 930 South
Columbus, Indiana 47201
(812)524-1564

April 7, 2014

Ms. Melissa Begley, AICP
Assistant Planning Director
City of Columbus – Bartholomew County
123 Washington Street
Columbus, Indiana 47201

Dear Melissa,

We are currently addressing staff's concerns over our White Creek Acres application. We have hired Mr. Ted Darnell with Crowder & Darnell Land Surveying. We are working with Mr. Darnell on a location for our new driveway that will comply with AASHTO standards.

As we discussed, the April BZA meeting is the third week of this month rather than the standard fourth week. This shorter time schedule will not allow Mr. Darnell to complete his survey and accompanying report in time for us to submit this additional evidence for staff to review. Due to the shorter meeting schedule this month we respectfully request a continuance to the May 28, 2014 meeting.

Sincerely,



Juli Bartells



**BARTHOLOMEW COUNTY
BOARD OF ZONING APPEALS
(Updated - March 25, 2014 Meeting)**

STAFF REPORT

Docket No. / Project Title: B/CU-14-01 (White Creek Acres)
Staff: Melissa Begley
Applicant: Bruce & Juli Bartells
Property Size: 42.33 Acres
Zoning: AG (Agriculture: General)
Location: 6130 W. 930 S., in Jackson Township

Those items underlined represent new information added to this updated staff report. This information is based on the applicant's revised application and items submitted to staff after the February 25, 2014 meeting.

Background Summary:

The applicant has indicated that the proposed conditional use will allow a home based business (a wedding reception venue) in the AG (Agriculture: General) zoning district.

Preliminary Staff Recommendation:

Denial, criteria 1, 3 and 4 have not been met.

Zoning District Intent:

The intent of the AG (Agriculture: General Rural) zoning district is as follows: The AG zoning district is intended to provide areas for a mixture of agricultural and residential land uses. This mixture is intended to support the long-term viability of agricultural operations, while also allowing increased non-agricultural development in areas adjacent to developed infrastructure. This district should be used to provide unique, rural housing options and the future ability to extend urban infrastructure.

Current Property Information:	
Land Use:	Large lot single family residential
Site Features:	2 single family residences, barn, detached garage, cultivated field, pond
Flood Hazards:	There is an area of 100-year floodway fringe located on the north side of the property.
Vehicle Access:	930 South (Collector)

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	AG (Agriculture: General)	Woods, farm fields
South:	AG (Agriculture: General)	Farm fields
East:	AG (Agriculture: General)	Single family residential, farm fields
West:	AG (Agriculture: General)	Large lot single family residential

Interdepartmental Review:	
County Highway:	<p>Yes there are sight visibility issues. Assuming that all exiting traffic is using the west fork in the drive, which is how they have it signed, because the east fork is terrible.</p> <p>The west drive has issues as well. Stopping where an exiting driver can make a left turn, the drive is situated just east of the crest of the hill creating a blind area where approaching vehicles disappear briefly. An oncoming vehicle is visible for approximately 100 feet then disappears for 310' then reappears again 160' before reaching the drive. This probably isn't a problem for people familiar with it, since they know to wait a second to make sure no one is in the blind area, but for this type of business, where most of the traffic will be guests and not familiar with the situation, it could create problems.</p> <p>If the exiting vehicle moves all the way to the west side of the drive, the visibility improves tremendously, but the angle to the road makes it impossible to turn left for most vehicles. If the drive could be realigned, so that drivers could exit at the west edge of the drive, but be square with the road it would be ok. I realize that there may be property line and terrain issues with this solution.</p> <p>As far as the volume of traffic, I don't see this business creating enough traffic to create any traffic issues</p>
Code Enforcement:	<p>Gene will need to be contacted to do an inspection of the barn. There will be building and fire code issues that need to be addressed. Some of the issues Gene will look at include construction type and size of the building, occupant load which he can determine, required number and location of exits, lighted exit signs and emergency lighting, fire extinguishers and etc. All issues will need to be resolved before approval can be given from Gene for this use.</p> <p><u>Update: Gene Weaver has performed a site inspection of the barn and made several recommendations to meet fire code.</u></p>

<p>Health Department:</p>	<p>The health department has on file the records of on-site sewage system installed for the house located at 6130 W 930 S. However, this department does not have record of the on-site sewage system for the structure labeled "Bride's Cottage". Since this would be for commercial use, the Indiana State Department of Health would be responsible for sizing and siting the on-site sewage system. This department does not regulate port-o-lets, including how many would be needed, how many would be needed for each sex, and handicap accessibility. There are no local health regulations against the use of port-o-lets in this situation.</p> <p>Upon review of the documents, this department's biggest concern is the on-site sewage system serving the "Bride's Cottage" for which we have no records. The on-site sewage system installed for the house is not large enough to accommodate 225 people.</p>
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Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The applicants have indicated that they would like to operate a wedding reception event venue on the property. The property would be available from May 15 to October 31 and the hours of operation would be 7 am to 12 am. The maximum number of guests is 225.
2. The Zoning Ordinance requires 1 parking space for every 3 persons by seating capacity in the largest assembly area. With 225 guests, this would require 75 on-site parking spaces.
3. Guests would be able to rent a 4,600 square foot barn, the upper barn, near the front of the property. They would also be able to rent a 1,200 square foot single family dwelling, also known as the bride's cottage. The other single family dwelling is the owner's private residence and would not be available for rent.
4. The closest residential property is located west of the subject property and the house sits approximately 230 feet from the barn on the applicant's property. This same neighbor also shares part of the drive with the applicant. The drive entrance is approximately 65 feet from the house of the adjoining property owner. The applicants have stated that they would install a privacy fence on their property along the length of the adjoining property owner's house to mitigate headlights from cars exiting the property. They would additionally add sound proofing materials to the west side of the barn to mitigate noise. The applicants have noted that music played in the barn will be on the east end of the barn.
5. The property is accessed from 930 South, where there is a forked entrance, partly shared with an adjoining property owner. Guests would enter the site using the east fork and guests would exit the site, according to the signage, on the west fork. The County Highway Department has indicated that there are sight visibility issues with both drives, the east fork being worse. The applicants have stated that they will provide a "flag man" at the exit for every event. The "flag man" would have unobstructed views and would be able to signal cars to exit the site safely.
6. The guests would have access to the "bride's cottage" for restroom use. Two port-o-lets and a wash station would also be on site for the guests. The "bride's cottage" and private residence share a residential septic system.
7. The applicant has used the definition of an agri-tourism business to describe their operation. An Agri-tourism industry is defined as: An accessory use to a farm that provides entertainment, education, and/or recreation for the public. An agri-tourism facility shall involve primarily those events and activities that directly relate to the on-site agricultural operations. Examples of agri-tourism facilities include a crop maze, farm tours, a petting zoo of farm animals, hay rides, harvest festivals, ranch vacation facility, etc. In no instance shall an agri-tourism facility be interpreted as including camping, ATV or dirt bike facilities, archery or gun clubs, or any other facilities that make commercial use of rural property that is unrelated to the on-site agricultural production. In the AG (Agriculture; General) zoning district, an agri-tourism facility is permitted through the Conditional Use process. Based on the information provided by the applicant, a wedding reception event venue would not be directly related to the agricultural operations of the site, therefore is not an agri-tourism business.

8. The applicant has stated that the White Creek Acres wedding reception venue is similar to nearby churches and clubs. Businesses such as churches and private clubs, are places of assembly and would be permitted (without any special permissions) to hold wedding events. The events are related to the primary business and would be considered an accessory use to the property. Churches and private clubs are permitted through the conditional use process in the AG (Agriculture: General) zoning districts. Through this process these locations were vetted as to impacts on surrounding property owners, traffic safety, etc.
9. Section 6.6(Part 2)(B) of the Zoning Ordinance lists 9 requirements for a home-based business. If one or more of those requirements is not met, conditional use approval is required to operate the business. Five of the requirements for a home-based business have been met. The petitioners will not meet the 4 following requirements:
 - a) Effects of Operations: There shall be no equipment or process used in the home-based business that creates noise, vibration, glare, smoke, fumes, odors, or electrical interference that is detectable, without the aid of instruments, at the property line. The barn will be used for wedding receptions that will have music that could create noise beyond the property line.
 - b) Employees: The home based business may not involve the onsite employment of any persons, or regular (on a weekly basis) on-site gathering of any employees, other than those residing at the location of the home occupation. The petitioners will have a parking attendant and uniformed security guard. In addition, although not employed by the applicant, employees for caterers, flowers, music, photographers, party supplies, etc., will be on-site for many of the events.
 - c) Parking & Business Vehicles: The home based business shall not involve regular (on a weekly basis) on-site customers, employees, meetings, or other events that necessitate the installation of any off-street parking spaces in addition to those required by this Ordinance for the dwelling unit. The petitioners are required to provide 75 parking spaces on-site, which will require the petitioners to install a gravel parking area to accommodate the required parking
 - d) Business Area: The home-based business shall be located within the dwelling and/or an accessory building, but shall not exceed a total area equal to 500 square feet or 20% of the total floor area of the dwelling, whichever is less. The petitioners will be utilizing both the barn and the "bride's cottage" for their home based business. These accessory structures exceed 500 square feet.

Comprehensive Plan Consideration(s):

The Future Land Use Map indicates the future use of this property as General Rural District.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. **Goal 3:** Maintain rural neighborhoods, establish appropriate new neighborhoods, and revitalize existing rural towns and villages.
2. **Goal 4:** Create stable residential neighborhoods that are safe, healthy, socially satisfying and retain their economic value.
3. **Policy 5-A:** Establish criteria for location of recreational, public and institutional uses such as churches, schools, cemeteries, community centers, fire stations, campgrounds, and private recreational facilities in Bartholomew County. These criteria should take into account the potential impact of each use on traffic patterns, utilities, infrastructure, and the enjoyment of surrounding properties.
4. **Policy 18-O:** Encourage rural-related businesses of a scale appropriate to their surroundings, such as agriculture products and services stores, seasonal produce markets, hobby and craft stores, wineries, greenhouses, small engine repair. Where these types of businesses are of a suitable scale and in appropriate rural locations, encourage them as home-based businesses.

Provisional Findings of Fact/Decision Criteria

Section 12.4(D) of the Zoning Ordinance permits the Board of Zoning Appeals to allow conditional uses that meet the criteria listed below. The Board may impose reasonable conditions as part of an approval.

1. The proposal will not be injurious to the public health, safety, and general welfare of the community.

Provisional Findings: The subject property has access onto 930 South which is classified as a collector and can accommodate the increased traffic from the proposed use. The location of the forked entrance drive does have visibility issues. The east fork is located just past the crest of a hill and drivers cannot see oncoming traffic from the west. The west fork has visibility issues as well, although slightly less than the east fork. In addition, the west fork creates an awkward angle for drivers turning left onto 930 South, creating a public safety issue. The use of a “flag man” could help mitigate these issues but would not be enforceable. With the venue being available between 7 a.m. and 12 a.m. it is unlikely that the “flag man” would be present on site to direct traffic during that entire time, particularly during set-up for events. The effectiveness of a “flag man” would also likely decline after dark. *This criterion **has not** been met.*

2. The development of the property will be consistent with the intent of the development standards established by the Zoning Ordinance for similar uses.

Provisional Findings: The property is zoned AG (Agriculture: General) and the applicant will be utilizing the existing buildings on the property. The existing drive on the property is paved and an additional gravel parking area will be created to meet the parking lot requirement. Gravel parking is permitted in agricultural zoning districts. *This criterion has been met.*

3. Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance, and will not permanently injure other property or uses in the same zoning district and vicinity.

Provisional Findings: This area is rural in nature with farm fields and scattered residential dwellings. The barn to be utilized for events is located less than 250 feet from the adjoining property owner. Music and other noise would create nuisance noise for the adjoining property owner. The adjoining property owner’s house is approximately 65 feet from the drive that is shared with the applicant. There will be increased noise as cars enter and exit the site and car headlights will be shining onto the adjoining property at night. The applicants have proposed fencing along the residence of the adjoining property and sound proofing to the barn to help mitigate noise and car lights from events being held onsite, however the overall impact of the increased traffic, people onsite, utilization and location of the barn, particularly when maximized with 225 guests, will negatively impact the adjoining property. *This criterion **has not** been met.*

4. The proposed use will be consistent with the character of the zoning district in which it is located and the recommendations of the Comprehensive Plan.

Provisional Findings: This property is 42 acres in size and is zoned AG (Agriculture: General) which allows for single family residential and agriculture types of uses. The property will continue to be utilized as a single family residence and the remaining property will still continue to be agriculture. The wedding reception venue will not change the character of the property, however Policy 18-O of the Comprehensive Plan encourages rural-related businesses of a scale appropriate to their surroundings and where these types of businesses are of a suitable scale and in appropriate rural locations, encourage them as home-based businesses. Due to the close proximity of the barn to the adjoining property owner’s house and the shared drive, this is not an appropriate location. *This criterion **has not** been met.*

Board of Zoning Appeals Options:

In reviewing a request for conditional use the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum or lack of a positive vote on a motion results in an automatic continuance to the next regularly scheduled meeting.

**Columbus – Bartholomew County
Planning Department
Conditional Use Application**

For

**Bruce & Juli Bartells
White Creek Acres
6130 W. 930 South
Columbus, Indiana 47201**

REVISED

Conditional Use Requested:

I am requesting a conditional use as listed by Section 6.6 (Part 2) of the Zoning Ordinance to allow the following:

Agri-tourism business that will include a wedding reception/event venue.

Please see attached sheet.

Conditional Use Criteria:

The Columbus & Bartholomew County Zoning Ordinance establishes specific criteria that must be met in order for a conditional use to be approved. Describe how the conditional use requested meets each of the following criteria.

The approval of the conditional use will not be injurious to the public health, safety, and general welfare of the community.

Please see attached sheet.

The development of the property will be consistent with the intent of the development standards established by the Zoning Ordinance for similar uses.

Please see attached sheet.

Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance, and will not permanently injure other property or uses in the same zoning district and vicinity.

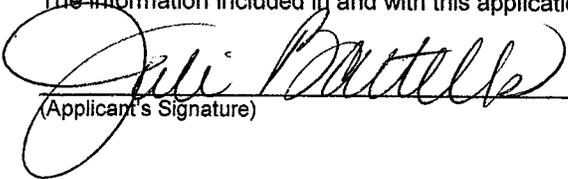
Please see attached sheet.

The conditional use will be consistent with the character of the zoning district in which it is located and the recommendations of the Comprehensive Plan.

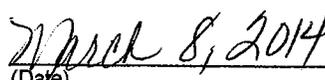
Please see attached sheet.

Applicant's Signature:

The information included in and with this application is completely true and correct to the best of my knowledge and belief.



(Applicant's Signature)



(Date)

Owner's Signature (the "owner" does not include tenants or contract buyers):

I authorize the filing of this application and will allow the Planning Department staff to enter this property for the purpose of analyzing this request. Further, I will allow a public notice sign to be placed and remain on the property until the processing of the request is complete.



(Owner's Signature)



(Date)



(Owner's Signature)



(Date)

I am requesting a conditional use as listed by Section 6.6 (Part 2) of the Zoning Ordinance to allow the following:

Agri-tourism business that includes a wedding/reception event venue.

White Creek Acres is a family owned and operated seasonal venue. We are only open during our season which runs from May 15th to October 31st. We are a venue for weddings and small parties including bridal and baby showers. We are strictly a venue. Our guests are responsible for their own service providers such as caterers and furniture rental. Guests at White Creek Acres visit specifically because we are a farm venue. We have a barn that we provide as shelter for our guests and it may be used for some events. The barn is secondary in use as our guests want an outdoor venue.

The wedding reception venue is an accessory use to our farm. Our land has been continuously used for various farming operations since the early 1800s. We are currently farming corn and soybeans. We have a growing collection of antique farm equipment located on our property for our guests to tour and learn about. In addition, we are in the process of incorporating test gardens for native vegetation giving our guests an opportunity to view and tour an actual operating farm and to learn about indigenous vegetation. A petting zoo of farm animals and hay rides is also available for our guests at their request.

Typically we book only 10 events per season. We do not book events during July and August. Depending on how many weekends fall in each month our maximum number of bookings could be 17 events for the entire year.

Events on our farm can range from as small as 10 guests to our maximum capacity of 225 guests (although we have never had that number of guests on our farm). The average number of guests attending our events is approximately 125. We book only one event per weekend. Events on our farm are almost always held on Saturdays. The average event runs anywhere from 2 to 6 hours. Our farm is rented from 7:00 a.m. to 12:00 a.m. for the day of their event with events beginning after 8:00 a.m. All noise must end by 11:00 p.m. and everyone must be off of the property by midnight.

White Creek Acres is comparable in overall use to Breeding Farm, also located in Bartholomew County, although we are a smaller venue. Our barn is comparable in use to assembly halls that have wedding receptions in our area such as the Southwest Fire Department Station 1, Bartholomew County Shriner's Club, Sand Creek Conservation Club and the halls of our local churches, St. John's White Creek Lutheran Church,

White Creek United Methodist Church and St. Peter's Lutheran Church in Waymansville.

The proposal will not be injurious to the public health, safety and general welfare of the community.

Overview of the Conditions of Our Property

Our property is located on 42+ acres that sit at the corners of the 400 West and the 930 South in the Jackson Township. The east fork for our driveway is used as the entrance to our farm and it is located more than 2/10 of a mile from this intersection. We sit between the White Creek Methodist Church and White Creek Lutheran Church and School. The 930 South is a thoroughfare for both of these churches and it is the west entrance into Waymansville and to Lutheran Lake. The 400 West is the back entrance into Seymour via Cortland and is used heavily by Rose Acre Farms. Both roads are used heavily by semi-trucks and heavy farm equipment. Relative to existing uses, our venue will not add a substantial amount of traffic to the 930 South; therefore, the proposed use will not be injurious to the public health, safety and general welfare of the community.

Please see attached picture #1.

East Fork of Driveway

The east fork of our driveway is located just past the crest of a hill when traveling east on the 930 South. This fork is used strictly as an entrance onto our property due to the visibility issues. We have signs on our property clearly directing drivers to use the west fork exit when leaving our property. In addition to the signs, we have a flagman located at the top of the driveway to ensure that drivers exit only by the west fork. This makes the east fork of the driveway safe and not injurious to the public health, safety and general welfare of the community.

Please see attached pictures #2 & #3, #15 & #16.

West Fork of Driveway

The west fork of our driveway has some visibility issues when exiting to turn left (east) on the 930 south. There are no issues when exiting to go west on the 930 South. The west fork sits just slightly to the east of the crest of the hill allowing drivers to see to the west with some visibility issues. We have been in contact with Danny Hollander, P.E., County Engineer regarding these issues on the 930 South. The County does not have any plans to correct the issues on the 930 South. To ensure the safety of our guests exiting our property, we place a flagman at that exit for every event. Our flagman has complete and unobstructed views both east and west on the 930 South.

It is at his direction that our guests exit the property onto the 930 South.

Please see attached pictures #2, #4 & #5.

Providing a flagman cures the visibility issues pertaining to exiting the west fork of the driveway and makes the west fork of the driveway safe and not injurious to the public health, safety and general welfare of the community.

There is currently a county sign that sits in the grassy area on the east side of the west fork of the driveway. We have requested that the County move this sign so that we can pour additional asphalt for those guests turning left. This resolves any potential issues with awkward angles for drivers turning left making the west fork of the driveway safe and not injurious to the public health, safety and general welfare of the community.

Please see attached picture #6 & #7.

The development of the property will be consistent with the intent of the development standards established by the Zoning Ordinance for similar uses.

White Creek Acres has adequate space on our property for 75 parking spaces. Our driveway and much of our parking area is asphalt. The remaining parking area will be covered with crushed rock as per County regulations once we have received approval of our permit. We have an agreement with local businesses to accommodate overflow parking should that need arise.

Please see attached pictures #8, #9 & 10.

We have a parking attendant on site for all of our events ensuring that our guests know where to park and park appropriately in designated areas.

Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance, and will not permanently injure other property or uses in the same zoning district and vicinity.

We believe there are four primary issues of interest and would like to address these individually:

Traffic: As mentioned above, both the 930 South and 400 West easily accommodate a sizeable amount of traffic on a daily basis. Our neighbors, the White Creek Methodist Church is home to many events seven days a week including a large pancake breakfast and a hog roast. These events will usually have 300+ people in attendance.

White Creek Lutheran also hosts many large events for both their church and school including sporting events. Some of these events may have 300+ in attendance.

Our maximum number of guests is 225. Using the County's parking requirement for assembly use of 1 parking space for every 3 persons by seating capacity we could potentially generate an additional 75 cars on these two roads. This is well below the additional traffic generated by our neighboring churches, which has no demonstrated negative impact in our community. Due to how far our driveway is from the 400 West, traffic entering our property would not impact the flow of traffic on the 400 West.

Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance and will not permanently injure other property or uses in the same zoning district and vicinity regarding traffic.

Please see attached picture #1.

Noise We are very sensitive to the noise comforts of our neighbors. Many of our events end early in the day or evening and some of our events do not have music or any type of noise associated with them. There are no noise ordinances for our area. In order to be good and considerate neighbors we have voluntarily chosen to implement the city's noise ordinance in our contract. No one may begin setting up before 7:00 a.m. and all noise must be ended at 11:00 p.m. We strictly enforce our contract.

We book approximately 10 events per year. The average time music is played at an event is 4 hours. If every event played music (which they may not) this makes the potential maximum amount of time for music played on our property 40 hours **per year**. Most of our events are held outdoors and any noise created is absorbed by our grass and woods.

We are adding additional sound proofing materials to the west end of our barn that is closest to our neighbor for the occasions when the barn may be used. In addition to this, any music played in the barn will be at the far east end of the barn putting another 100 feet between the music and our property line.

Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance and will not permanently injure other property or uses in the same zoning district and vicinity.

Lights: Our closest neighbor lives at the top of the crest of the hill mentioned in the driveway discussion on page 2. The headlights of cars entering our property are not an issue as guests arrive during daylight hours. We have contracted Indiana Agricultural

Fencing to install a privacy fence at the property line providing additional privacy for our neighbor's windows from any headlights on our property. This fence will be located on our property and will run the length of their house providing them with additional privacy.

With the installation of the privacy screen we do not add any additional light nuisances. Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance, and will not permanently injure other property or uses in the same zoning district and vicinity.

Please see attached picture #13 & #14.

Security: Being courteous to our neighbors and respectful of their privacy is very important to us. To ensure this we have a security guard at the entrance to our property for the duration of every event to direct guests onto and off of our property. It is this security guard that acts as our flagman. This is an extra precaution we take to be good neighbors and ensure that our guests remain on our property. Both my husband and I are present and visible for every event ensuring complete compliance with our contract and rules.

Due to our comprehensive security measures, our venue will not place other properties in our vicinity at risk for permanent injury. Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance, and will not permanently injure other property or uses in the same zoning district and vicinity.

Please see attached picture #8.

The conditional use will be consistent with the character of the zoning district in which it is located and the recommendations of the Comprehensive Plan.

Guests that visit White Creek Acres specifically want an agricultural farm environment. Our wedding reception venue will not change the character of our property and we are compliant with the County's definition of an agri-tourism business. We have not nor do we plan to make any changes to our farm that would alter our agricultural character.

GOALS AND POLICIES AN ELEMENT OF THE BARTHOLOMEW COUNTY COMPREHENSIVE PLAN

Goal 1: Preserve productive farmland and maintain the productive capacity for a strong county agricultural industry.

Policy 1-Q: Promote development of businesses such as value-added agricultural industries that enhance agriculture and agribusiness while protecting the character and environmental quality of the county.

White Creek Acres provides an opportunity for our guests to visit a working farm thereby promoting an understanding of the importance of agriculture in our county.

Bartholomew County has a distinctive character and style. White Creek Acres is a high end, elegant event venue that is in keeping with the character and environmental quality of Bartholomew County.

Goal 13: Preserve and enhance the beauty of Bartholomew County.

Policy 13-A: Encourage proper maintenance of buildings and grounds, to promote economic stability, health, and safety.

White Creek Acres is a stunning piece of farmland in Bartholomew County. We are an exceptionally well maintained farm due to the nature of our wedding reception business. We have implemented improvements on our property that have enhanced the beauty of our property contributing to the overall beauty of Jackson Township and Bartholomew County. White Creek Acres brings business to Bartholomew County and the city of Columbus thereby promoting economic stability.

Goal 18 of the Comprehensive Plan is to "Promote economic growth in the county by encouraging the location and expansion of businesses and industries that are compatible with their surroundings and provided with adequate services."

18-O of the Comprehensive Plan encourages rural-related businesses of a scale appropriate to their surroundings and where these types of businesses are of a suitable scale and in appropriate rural locations, encourage them as home-based businesses."

We are not a home-based business as defined by the county. We are aligned with the County's definition of an agri-tourism business. We are compatible with our surroundings as it is our agricultural surroundings that make our venue desirable to our guests. White Creek Acres is good for business and promotes economic growth in the county. White Creek Acres is an expansion of business in Bartholomew County.

White Creek Acres is appropriate for our surroundings and of a suitable scale in an appropriate rural location.

Regarding our driveway: The east entrance to my neighbor's driveway is fully located within the County's 35' right of way. We share the entire west fork of our driveway with Bartholomew County. We have always allowed our neighbor full use of our driveway to access her driveway via the right of way (the right of way does not extend to our property). Our neighbor also has full access to her property through the west end of her driveway as well. There has been no demonstrated impact on my neighbor's access to her driveway with our business. Due to my neighbor's unlimited access through the west end of their driveway, our guests will continue to have no impact on access to their driveway. We are compatible with our surroundings.

Please see attached pictures #5, #11 & #12.

Regarding our barn: The primary purpose of our barn is to provide shelter for our guests during inclement weather. From time to time there may be events in this barn but its primary purpose is shelter for our guests during inclement weather.

Our barn is compliant with county zoning regulations. Our barn is located well past the required 20 feet from the side property line. There are several other assembly and church reception halls used for wedding receptions and private parties in Bartholomew County that are as close or even closer to their neighbors than our barn is to our neighbor. These are the South West Fire Department Station 1, St. Peter's Lutheran Church in Waymansville, White Creek Methodist Church, Sand Creek Conservation Club, the Bartholomew County Shriner's Club. These facilities all host wedding receptions and private parties.

Goal 27: Encourage voluntary compliance with county policies and regulations.
Policy 27-B: Whenever possible, use incentives rather than penalties to encourage compliance with county policies and regulations.

We have established productive communications and relationships with the County. We have voluntarily complied with all county policies and regulations.

The conditional use will be consistent with the character of the zoning district in which it is located and the recommendations of the Comprehensive plan.

**White Creek Acres
Rental Agreement**

White Creek Acres, LLC

6120 W. 930 South, Columbus Indiana 47201

812-524-9999 cell 714-269-6372

Email: julibartells@yahoo.com Website: www.whitecreekacres.com Facebook: White Creek Acres

EVENT RENTAL AGREEMENT CONTRACT

PLEASE PRINT

Renter _____

Address _____

City _____ State _____ Zip _____

Home Phone _____ Cell _____ Work _____

Date Requested _____

Type of Activity _____

May we post your pictures on our website, Facebook and Pinterest pages? Yes _____ No _____

Will alcohol be served? (Yes/No) _____ If yes, see "Liquor License" page 3 item number 5.

Name of licensed and insured bartender or a licensed alcoholic beverage caterer:
_____ Phone Number _____

CHARGES

Rental Fee (7:00 a.m. to midnight day of event)..... \$1,400.00
Rental Fee for Half Day Event, maximum 4 hours.....\$ 700.00
Additional Day(s) before or after event (per day)..... \$ 600.00
(There is no charge for your rehearsal the night before your wedding.)
Maximum attendance is 225 guests.

SECURITY DEPOSITS

Security Deposit for Cottage & Grounds Rental\$500.00

Deposit should be mailed or delivered to White Creek Acres, 6120 W. 930 South, Columbus IN 47201.
Personal check, cash or cashiers check are accepted forms of payment for all charges. Please make personal checks payable to Juli Bartells. A credit card must be on file for any charges for cleaning or damages that exceed your security deposit.

Your rental of White Creek Acres, LLC is guaranteed upon receipt of your deposit.

Deposit Received _____	Proof of Insurance Received _____	Security Deposit Refunded _____
Date Received _____	Proof of Bartender's License Received _____	Amount & Date _____
Space Confirmed _____		

For office use only

Renter's Initials _____

Release and Indemnification Agreement

This agreement is entered into by and between White Creek Acres, LLC and the undersigned Renter(s). In consideration of the mutual promises contained herein and other valuable consideration, the parties agree as follows:

1. Rental Deposit

The total rental fee (facility rental and security deposit) is due at the time of signing this agreement, payable in cash or cashiers' check. A date is not reserved until the above rental deposit and a signed Rental Agreement Contract are received. Any changes to this agreement must be received in writing. Upon reservation, you will be provided with a copy of your Rental Agreement Contract signed by both parties which will include the date and time of your event reservation. *Please carefully review that document as only the listed date(s) will be reserved.* We cannot guarantee you the availability of a different date. If a change of date is agreed to, it will be reflected in a new Rental Agreement Contract signed by both parties reflecting the new date. **All reservations will be made in writing and signed by both parties. Absolutely no telephone or verbal reservations or changes are accepted or guaranteed.** A valid credit card must be on file should your cleaning/repair charges exceed your security deposit. Your credit card will be verified 24 hours prior to your event. Should your card be invalid, a new valid card must be provided or your event will be cancelled with your rental deposit forfeited. Your security deposit will be refunded.

The full security deposit will be refunded within 30 days after your event if:

No damages are assessed to The Cottage or the contents of The Cottage, grounds or gazebo.

All materials, trash and debris have been properly removed from the premises after your event.

The amount of any damages or cost for additional clean-up, trash removal, etc., will be deducted from your security deposit. You will be responsible for any costs in excess of this security deposit. Your security deposit will be forfeited to White Creek Acres, LLC if any of the conditions of this Agreement are breached by the Renters, their guests or agents.

2. Hours of Availability

With your rental fee, White Creek Acres is available to you from:

Full Day Event Rental: 7:00 a.m. until midnight the day of your event. Events may not begin until after 8:00 a.m. Staying past midnight will result in the loss of your deposit and an additional hourly charge \$200.00 per hour until you have vacated the premises. If your clean up time will exceed midnight, we you will need to book the day after your event as well. ***D.J.s or bands must quit at 11:00 p.m. This time is strictly enforced.*** Please let us know if you need to make arrangements for your rental equipment pick-up. We do not charge for extra days for rental equipment pick-up.

Half-Day Event Rental: This is a maximum of 4 hours that can occur anytime between 8:00 a.m. and 7:00 p.m.

3. Included in Rental

Included in your rental is:

Use of The Cottage and the restrooms, gazebo, water fountain, flower gardens, paved driveway area, electrical outlets, parking in designated parking areas, parking attendant and uniformed security guard at the entrance of the property. Use of The Stables Barn , 2-10' X 10' white pop-up awnings, and 1- 20X10 white awning, 4-30" fans and use of our wedding props.

YOUR RENTAL OF WHITE CREEK ACRES DOES NOT INCLUDE THE LOG CABIN OR THE PORCH OF THE LOG CABIN.

Renter's Initials _____

4. Cancellation Policy

100% of your security and rental deposit will be refunded if your event is cancelled more than 180 days prior to your event. 50% of your rental deposit plus 100% of the security deposit will be refunded up to 90 days prior to your event date. Any cancellation within 90 days of the event date will result in forfeiture of your rental deposit, we will refund your security deposit. We are more than happy to reschedule your event for another date at no extra charge.

5. Responsibilities of Renters

- A. Smoking is only allowed outside. In order to protect our wildlife, we ask that all cigarette butts be disposed of in the containers provided. No smoking is allowed in The Cottage or restroom areas. If there is any sign of smoking in these areas, 100% of your security deposit will be forfeited.
- B. **NO BONFIRES OR FIREWORKS ARE ALLOWED.** No open flames or lighted candles are allowed in The Cottage or The Barn. Failure to adhere to these rules will result in the loss of your entire deposit.
- C. Renter is responsible for set-up and clean-up. Renter is responsible for leaving the grounds and The Cottage clean and in the condition you found them. Please make sure all trash containers are empty of trash before leaving and place sealed trash bags in the Groom's Room in The Cottage. Any expenses incurred to return the property to its original condition will be deducted from your deposit.
- D. Renter(s) will be required to provide White Creek Acres a copy of your Homeowners or Renters Certificate of Insurance with Bruce & Juli Bartells and White Creek Acres, LLC named as additional insureds for your event. Your policy will need to provide an Event Liability Coverage Rider for each day your Party is on the premises (you can contact your agent for this). Limit of liability to be a minimum of \$1,000,000.00. **Said proof of insurance must be provided no later than two (2) weeks prior to the event date. Failure to provide proof of insurance will result in cancellation of your event and forfeiture of your entire deposit.**
- E. Deliveries for your event can be made to White Creek Acres, LLC. No one from White Creek Acres will sign for your deliveries nor are we responsible for anything that is delivered on your behalf. Any items requiring a signature must be met and signed for by you or your agent. White Creek Acres, LLC is not responsible or liable for any lost, damage or theft of any of your items.
- F. Beer trucks are not allowed on the property.
- G. White Creek Acres, LLC, its owners and agents are not responsible for lost, stolen or damaged articles before during or after your event.
- H. The use of illegal substances anywhere on White Creek Acres is prohibited. Any use of such substances will result in the immediate termination of your event. Should law enforcement be required at your event, your event will be immediately terminated.
- I. It is expected that your guests will conduct themselves in an appropriate manner. Guests not behaving in an appropriate manner will need to leave the property.

6. Catering

White Creek Acres does not provide catering services. Our guests will need to provide their own caterer.

7. Rental Equipment

White Creek Acres does not provide rental equipment. Our guests will need to provide their own tables, chairs, etc.

8. Proof of Bartender's License

You must use a licensed and insured bartender or a licensed alcoholic beverage caterer if you plan to serve alcoholic beverages. The Renter is responsible for obtaining and providing to White Creek Acres, LLC a copy of the bartender's /caterer's Standard Bartender's License. ***This must be on file 2 weeks prior to your event or alcohol cannot be served.***

Indiana state law forbids anyone under 21 years of age to consume alcoholic beverages. White Creek Acres is not responsible for guests who are known or thought to be intoxicated.

White Creek Acres can provide you with a licensed bartender for an additional fee.

There are no beer trucks allowed on the property.

9. Water Feature Exclusions

WHITE CREEK ACRES, LLC DOES NOT PROVIDE ANY TYPE OF SUPERVISION, LIFE GUARD OR CHILD CARE FOR ANY EVENTS. It is the Renter's sole and complete responsibility to supply adequate qualified supervision for their guests. Renter agrees to hold White Creek Acres, LLC and its agents harmless for any injuries sustained in the water features, water fountains and/or pond or anywhere on the grounds. It is understood that Renters are entirely responsible for the supervision of their guests. ***The use of the pond, water fountains and all other water features is strictly prohibited.*** Renter's initials _____

10. Inclement Weather

No refunds will be made for inclement weather. Should a weather event be so significant that your event cannot be held, we will gladly apply your deposit to another date at no extra charge.

11. Indemnification and Release

The renter agrees to indemnify and hold harmless White Creek Acres, LLC, its agents and employees from and against any and all claims, losses, damages, injuries demands and other expenses, including all costs and legal fees, which White Creek Acres, LLC may in any manner sustain. White Creek Acres, LLC shall not be held liable for failure to perform to this agreement due to fire, electrical outage, terrorism, an act of God, or any other conditions that are beyond our control. Furthermore, the Renter releases White Creek Acres, LLC, their agents and employees, from any and all manner of actions, claims and demands whatsoever.

12. Governing Law.

This Agreement and all transactions contemplated by this Agreement shall be governed by, and construed and enforced in accordance with the laws of the State of Indiana. Any civil action or legal proceeding arising out of or relating to this Agreement shall be brought in the courts of record of the State of Indiana in Bartholomew County.

This is a legal, binding agreement. The undersigned certifies that they are at least 18 years old. The undersigned acknowledges that they are financially responsible for this agreement.

I agree to abide by the rules and conditions as set forth in this agreement and understand that White Creek Acres, LLC, is not responsible for any accidents and/or injuries during the duration of this agreement.

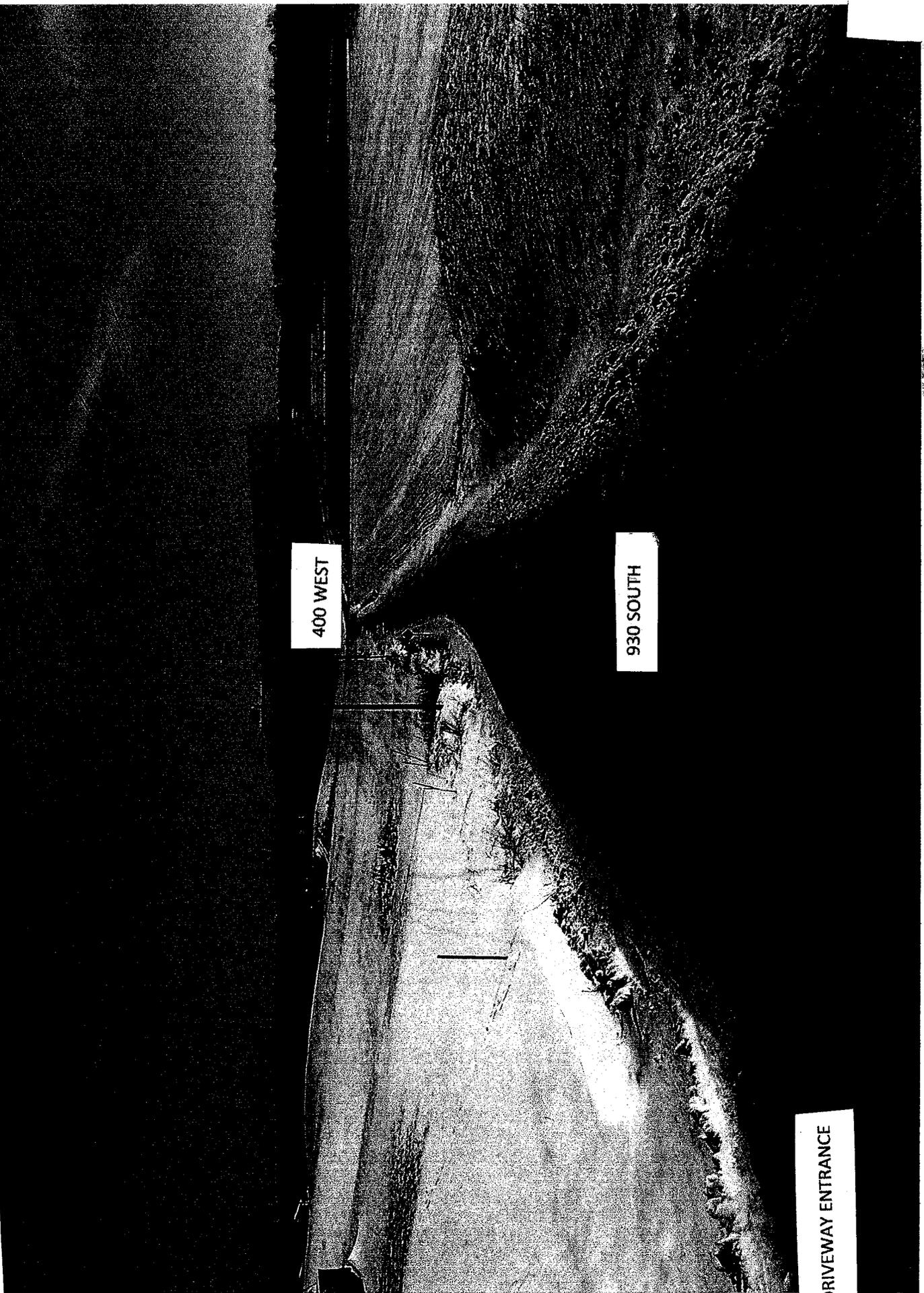
Date _____ Signed _____
(Renter)

Date _____ Signed _____
(White Creek Acres, LLC)

White Creek Acres

Pictures

Picture #1
Standing on the 930 South facing east
400 West in distance
East fork of driveway is to the left

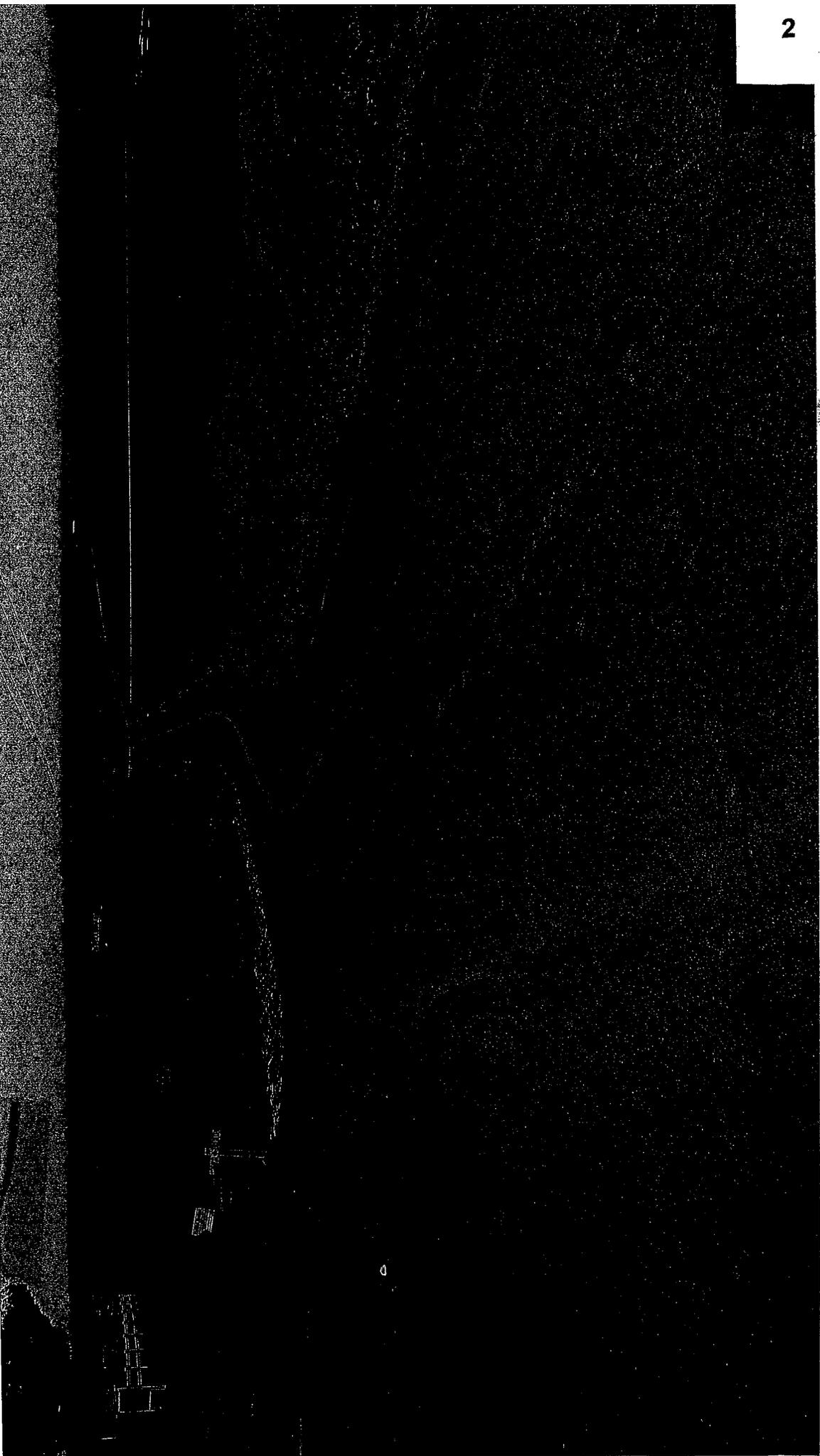


400 WEST

930 SOUTH

DRIVEWAY ENTRANCE

Picture #2
Standing at top of west fork of driveway
Flagman's view to the east
This shows the east fork of the driveway which is used solely as an entrance
Shows county sign that needs to be moved.



Picture #3

East fork used for entrance only



Picture #4

Where flagman is located

Orange line is property line on the right of way that we share with Bartholomew County



Picture #5

Flagman's view to the west fork of the driveway.

This is the 930 South.

The east entrance to my neighbor's driveway.

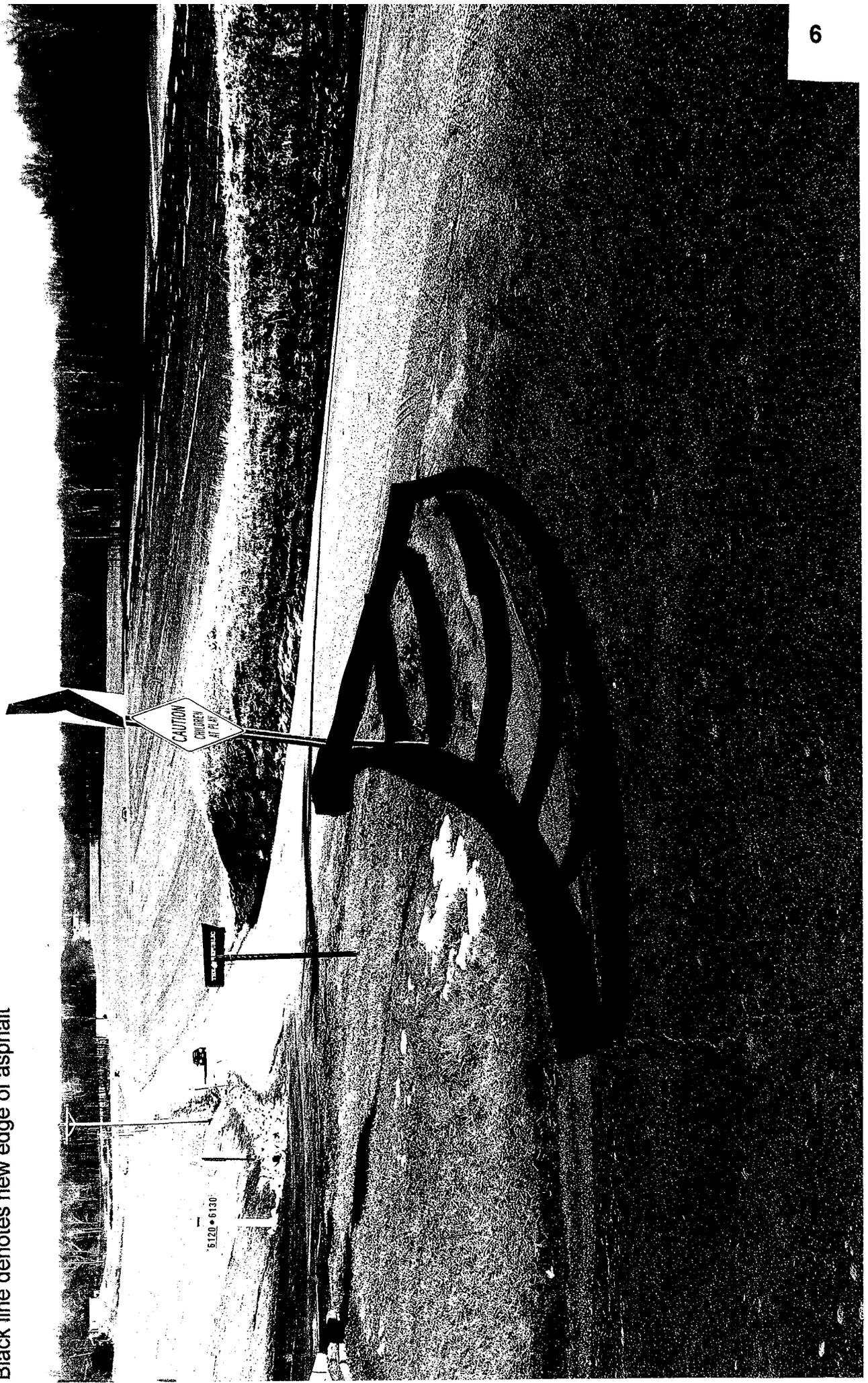


Picture #6

West fork of driveway used for exit only

Sign that County needs to moved and more asphalt will be laid

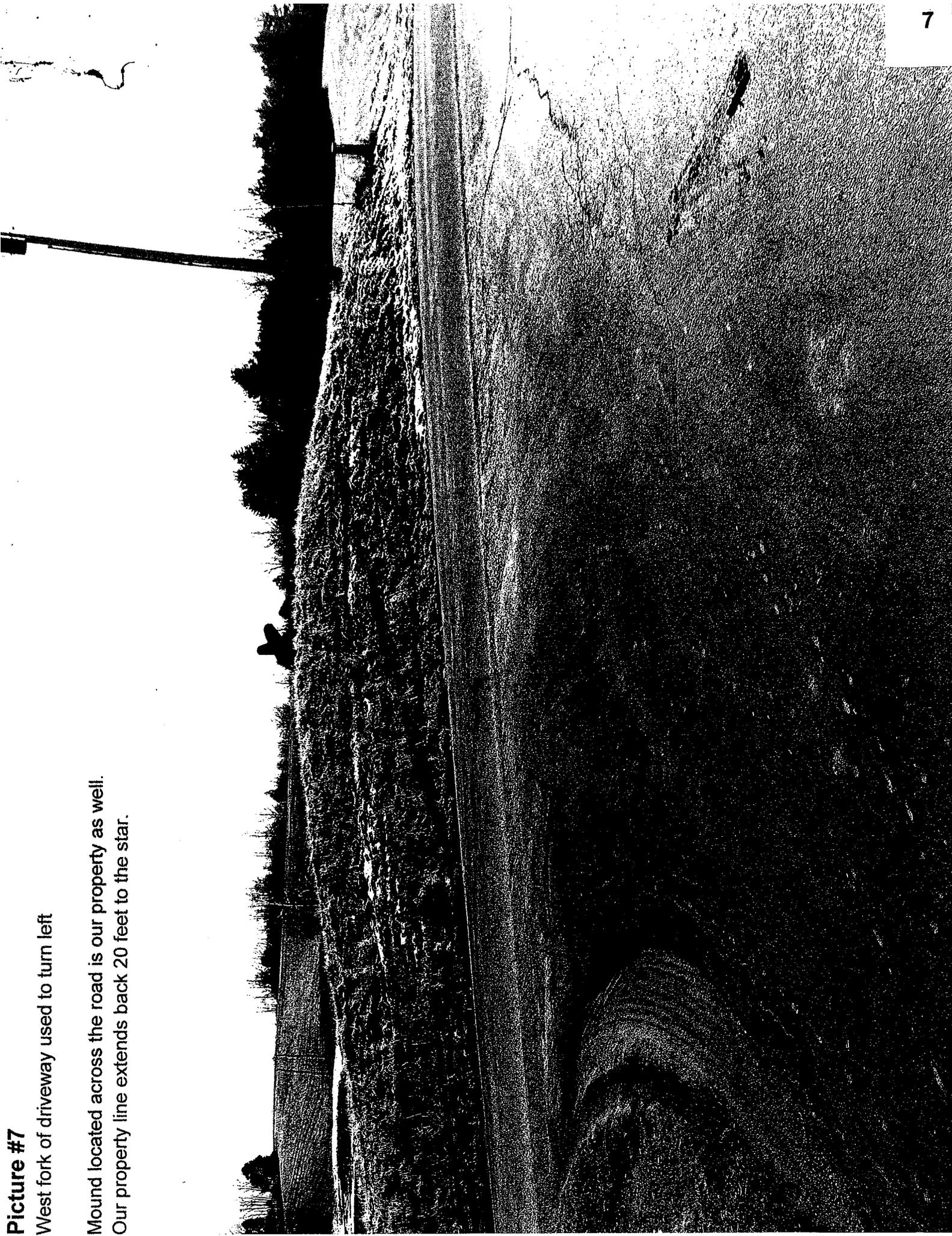
Black line denotes new edge of asphalt



Picture #7

West fork of driveway used to turn left

Mound located across the road is our property as well.
Our property line extends back 20 feet to the star.



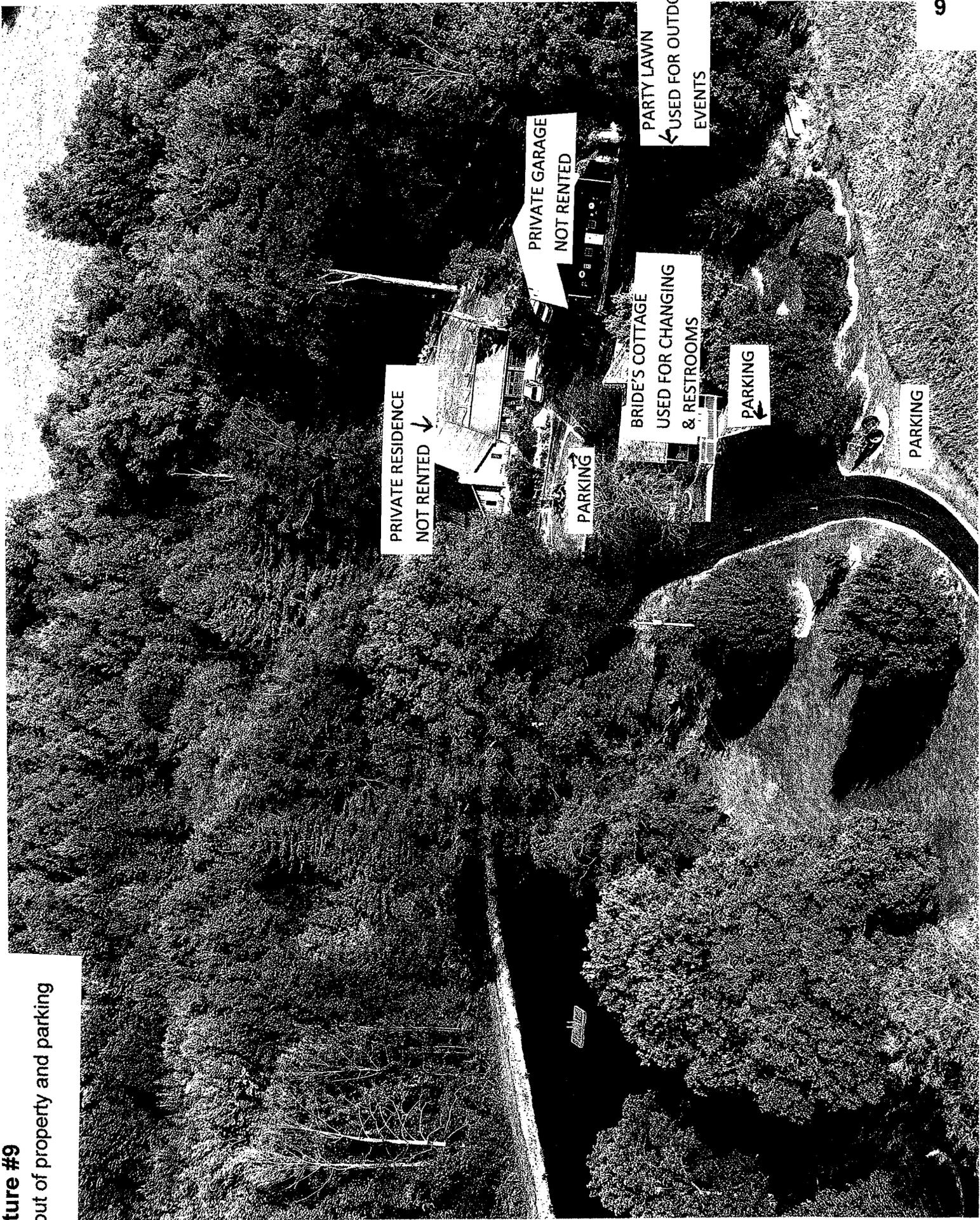
Picture #8

Layout of property showing parking and location of security guard.



Picture #9

Layout of property and parking

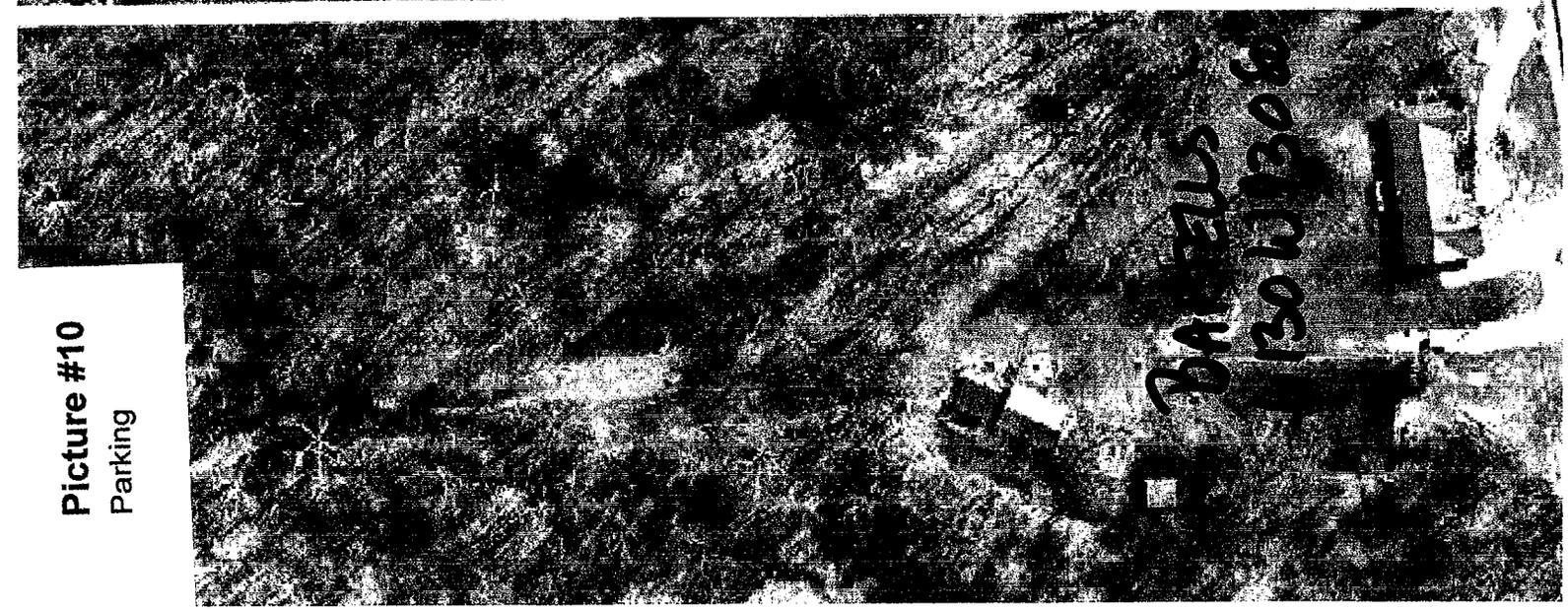


5100 sq ft
22
22
97 Spaces



Picture #10
Parking

BARRELLS
130 W 130 E



Picture #11

Property line of County right of way
Neighbor's driveway entrance in fully within the right of way



Picture #12

East entrance of neighbor's driveway
This is a 'u' shaped driveway with access on both ends

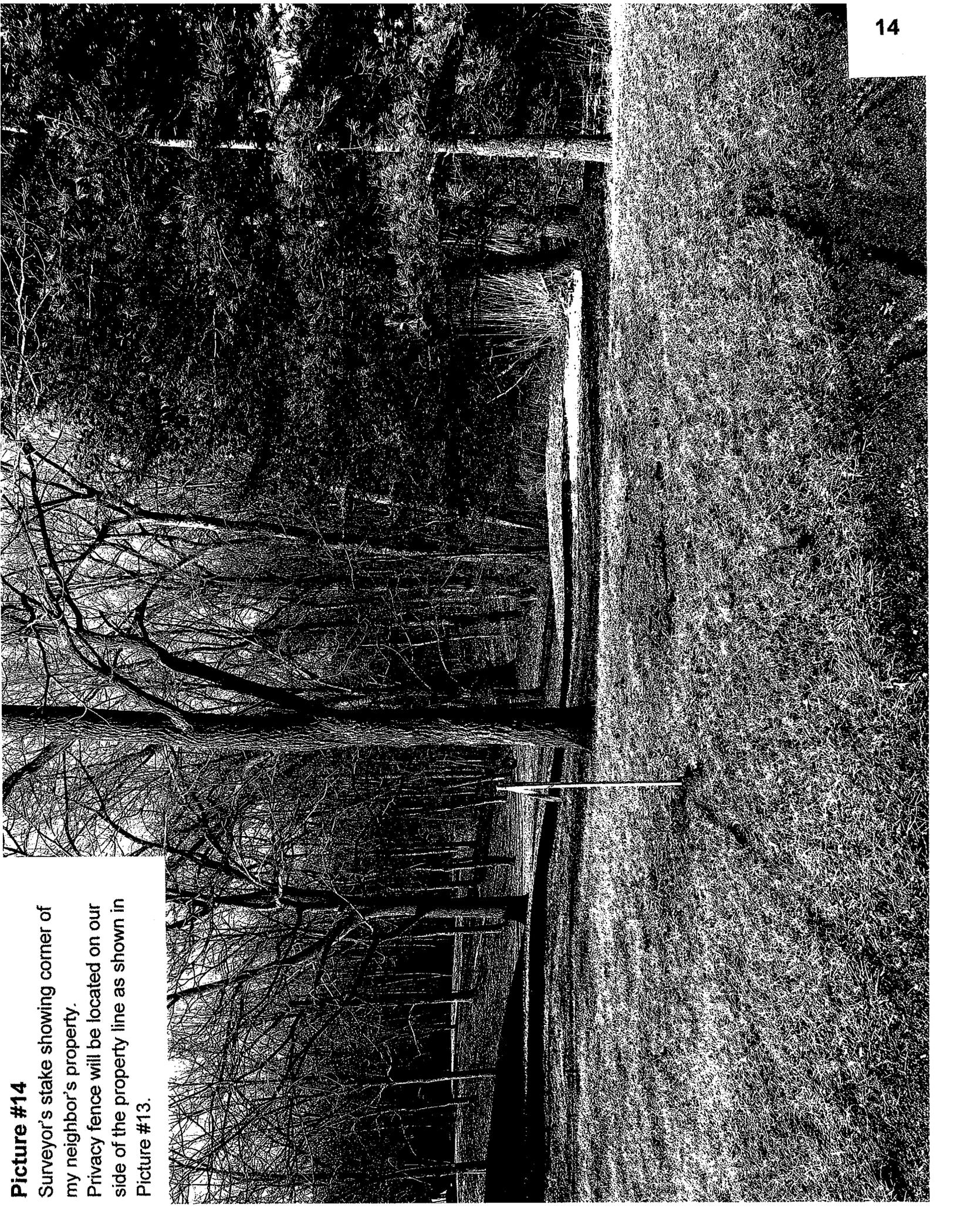


Picture #13

Location of privacy screen.

This will provide both windows shown in picture with additional privacy.



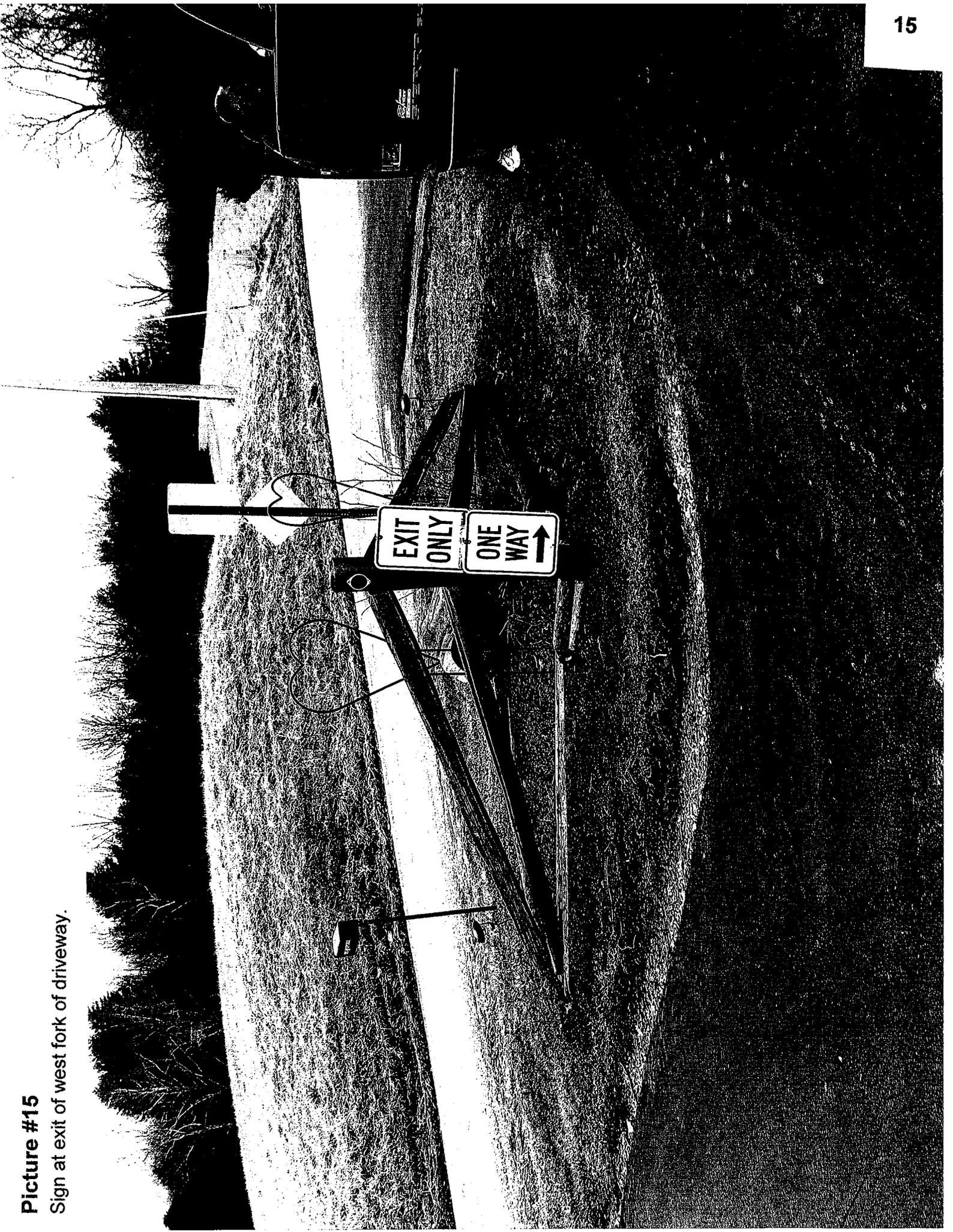


Picture #14

Surveyor's stake showing corner of my neighbor's property. Privacy fence will be located on our side of the property line as shown in Picture #13.

Picture #15

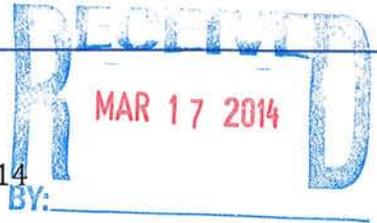
Sign at exit of west fork of driveway.



Picture #16

Sign at exit of east fork of driveway.





March 17, 2014

Arthur F. Beck
Jeffrey L. Beck
Registered Civil Mediator
Jeffrey C. Rucker
Registered Civil Mediator
Certified ATC Trainer

Bartholomew County
Board of Zoning Appeals

RE: B/CU-14-01 (White Creek Acres)
Applicants: Bruce & Juli Bartells

Robert L. Dalmbert
Of Counsel

Dear Board Member:

I represent Jeni Drake with regard to her concerns as to the appropriateness of the White Creek Acres conditional use request. Please consider these issues when reviewing White Creek's application:

White Creek has asked this Board to permit them to run a large scale commercial enterprise, in a rural agricultural area, something typically only permitted in a commercially zoned property. In order to shoe horn this request into our zoning ordinance, White Creek alternatively refers to their business as a "home based business" or an "agribusiness". Taking those items out of order, our zoning ordinance defines agribusiness as:

Agri-business Facility: The processing, storage, sales, and distribution of agricultural materials and products. An agri-business facility shall be clearly accessory to a farm and shall involve primarily those products that directly relate to the on-site agricultural operations. Examples of agri-business facilities include a winery, cider mill, u-pick farm, wool or textile sales, honey sales, etc. In no instance shall an agri-business facility be interpreted as including camping, ATV or dirt bike facilities, archery or gun clubs, or any other facilities that make commercial use of rural property that is unrelated to the on-site agricultural production.

From the description provided by White Creek, it is clear that this definition is not applicable to the proposed business. In point of fact, the ordinance clearly states that "in no instance shall agribusiness be interpreted as other facilities that make commercial use of rural property". Clearly, White Creek's application is an attempt to do just that.

With regard to "home based businesses", the ordinance defines them as follows:

Home-Based Business: A business conducted from a dwelling which (1) is operated by a resident of that dwelling, (2) is incidental and secondary to the use of the dwelling for residential purposes, and (3) in no way alters the residential character and appearance of the property.

320 Franklin Street
Post Office Box 426
Columbus, Indiana
47202-0426

Phone: (812) 372-8858
Fax: (812) 378-4732
Email: law@beckrocker.com



While White Creek's owners are residents of the *property* they are not residents of the *dwelling* proposed to be used for the purpose of their wedding venue. The application notes that they will be using a second home (not their dwelling) as well as accessory buildings (barns). None of those things are Bartells' dwelling. Furthermore, the uses they propose are clearly not secondary to the use of the dwelling (as they do not dwell in either the second home or the barns). Finally, the proposal clearly alters the appearance of the property. Presently, there is signage on the property identifying the business as well as directional road signs. In addition, the proposal specifically lines out plans to add a 75 car parking lot (clearly altering the residential character), as well as to have portable toilets. As such, this operation is beyond anything contemplated by the ordinance. Nonetheless, the Bartells have hosted a large number of events already and have many more booked into the next season. In their second year of operation, they have only just begun to ask for permission. Clearly the hope is that forgiveness is more readily available than permission. Presently the applicant is advertising with a website, as well on third party sites (e.g. Rustic Wedding") and list a broad group of services, including weddings, bridal showers, baptisms, birthdays, "gender reveal parties", anniversaries, and corporate retreats.

The intent of home-based businesses is to allow certain types of unobtrusive businesses to operate within a person's home, normally where the scale of the operation would not justify the expense of commercial space. For instance, recently a home based business was approved for a party who offered guitar lessons. That party was asked to keep the students to one at a time, with a total of no more than 30 lessons per week, all of which were to end by 8pm. The ordinance provides examples of others as follows:

Intended to permit home-based representatives of cosmetics, toy, home interior and other similar companies by which products are sold through events at customer residences.

Again, it is clear that having 225 people at a wedding event is well beyond what was contemplated by the ordinance.

In addition, there are many characteristics of this site which make it troubling as to the proposed use:

1. Traffic Safety: Enclosed you will find a report from Bruce Enz, a nationally recognized highway safety expert and accident reconstructionist. He



points out the many serious and life threatening issues with the use of the drives to the White Creek property. The revisions to White Creek's plan cannot alter the reality of those severe safety issues. These issues do not even begin to consider the fact that many of the guests will have been drinking alcohol and must now take on this challenging road while impaired, and attempt to find their way back home.

2. Noise/Odors/Glare: While White Creek proposes a fence and sound deadening materials in the barn, it is clear that those cannot silence the noise of bands, djs, onsite traffic and other noises associated with an event venue. In addition, port-a-lets sufficient to handle 225 people will certainly create odors, to the extent the guests are not overwhelming the home's septic system. In addition, to the extent that these parties extend past sunset (as proposed they go to midnight), there would by necessity be exterior lights (security lights, building lights, car headlights) which will impact Ms. Drake as the driveway essentially crosses her property.
3. Employees/Deliveries: The ordinance indicates that the site shall not have on-site employees. In their application, multiple employees are listed (security, flag man, parking attendant as well as both of the Bartells). These do not begin to count the bands, djs, caterers, servers, delivery personnel, flowers, cakes, port-a-let deliveries, etc. associated with a large scale event location. These would clearly include commercial vehicles such as delivery trucks which are normally not permitted for home-based businesses.
4. Aesthetics: The site presently has signage which has been added. These are typically not permitted and already have altered the residential appearance of the property. The addition of the proposed parking will exacerbate this problem.
5. Weekly Customers: From the application, it is clear that weekly customers are contemplated, and in large number.
6. Deliveries: Does not require regular commercial deliveries. Clearly the food, music, alcohol, tables, chairs, tents, port-a-lets, flowers, cakes, etc. will all need to be delivered.
7. Signage: The ordinance indicates it should not have signage. Signage has already been installed.
8. Size: The ordinance limits the size of home based businesses to 20% of the dwelling or 500 square feet. As noted above, the dwelling is not proposed for use. The plan is to use an entire home, as well as accessory barns for events. Those buildings totaling nearly 7,000 square feet, more than 14 times what is allowed by the ordinance. In their ad on "Rustic Wedding Guide" they state as follows: "The Tack Room is our 4,500 sq. ft. party barn offering our guests a pure rustic setting. Our grounds also



include a charming 2,200 square foot Victorian Bride's Cottage with Groom's Room, Victorian gazebo over our large, picturesque pond, acres of lush lawns, old growth woods, water features along with ample parking for any size event. Our grounds, restrooms and The Bride's Cottage are all handicapped accessible."

9. Parking: The ordinance prohibits construction of off street parking. White Creek proposes to build multiple off street parking lots, totaling 75 cars. This is larger than many commercial parking lots in Columbus. By comparison this site has more parking spaces proposed than the National Road McDonalds.

Simply put, this business is not appropriate for this area. Despite White Creek's assertion that the churches and fire station have events from time to time, that does not constitute open season for everyone else. The rules exist to prevent exactly this type of business. There are countless reasons it should not be approved. As such, Ms. Drake asks that this Board consider denial of the request.

Sincerely,

A handwritten signature in black ink, appearing to be 'J. Rocker', written in a cursive style.

Jeffrey C. Rocker

JCR/cl
Enclosures



Address:
2346 S. Lynhurst Drive
Suite E-107
Indianapolis, IN 46241-8621

Tel: (317) 486-0453
Fax: (317) 486-0457
www.crashanalysis.com

INJURY AND CRASH ANALYSIS, LLC

Safety Analysis

ICA File # 6010
February 2014

A. Introduction

This is a report addressing the intersection of a private driveway and County Road West 930 South in Bartholomew County, Indiana. The driveway exits at a location on the road where there is both a horizontal curve (curve) and a vertical curve (hill). Because of this geometry there are limitations to the available sight distance that approaching drivers on W 930 S and for the stopped drivers in the driveway preparing to enter onto W 930 S.

B. OPINIONS

The authors both live in Indiana and have had numerous occasions to investigate and reconstruct crashes in rural Indiana involving curves and hillcrests which included evaluating sight distance. Mr. Enz has reconstructed approximately 7000 crashes over 35 years.

Our opinions, within the limits of reasonable analytical, reconstruction and engineering certainty, are as follows:

- There is a hillcrest with a 6.5% grade on the west side (eastbound approach) and 9% grade on the east side (westbound approach) which obstructs the sight of both an approaching driver and a driver waiting to exit the driveways.
- W 930 S is a two lane rural low traffic volume roadway
- The exit portion of the driveway is east of the hillcrest and on the start of the 9% downgrade and therefore the driveway surface for exiting vehicles is lower than the hillcrest, increasing the problem for a driver's line of sight..

- Vehicles which are gathered for a social event will depart together at the end of the event, creating a much higher traffic exit volume over a sustained period of time which increases the risk of a crash.
- Night time dark conditions will increase the difficulty for eastbound approaching drivers to observe and identify exiting vehicles that are turning left (east) onto W 930 S which increases the risk of a crash.
- The available departure sight distance is approximately ¼ or 25% of that required by the AASHTO guidelines which increases the risk of a crash.
- The increase in driveway exit traffic will increase the likelihood of crashes and create an unreasonably dangerous condition.

C. Materials reviewed in preparation for this report

The primary document used is the 2004 publication, “A Policy on Geometric Design of Highways and Streets” by the American Association of State Highway and Transportation Officials (AASHTO). The state of Indiana has adopted the policies as the Indiana guidelines. The President of AASHTO in 2004 and 2005 was Bryan Nicol of Indiana. The AASHTO book is the culmination of numerous studies and data collected from the 50 states coupled with the vast experience of the committee members. The other document is the Bartholomew County Board of Zoning Appeals Staff Report prepared for the February 25, 2014 meeting.

On February 19, 2014 the authors visited the location and performed a survey of the road documenting the alignment and the geometry of the roadway and the driveways. We also personally observed the visibility of approaching vehicles from the driveway and drove the road several times in both the east and west directions.

Our Curriculum Vitas are attached to this report.

D. Roadway

Road: 930 South – East / West orientation – Two lane – 18.5 to 19 feet width

Location: 6290 West County Road 930 South - Bartholomew County, Indiana

Roadway Class: Rural, low volume

Road Surface: Chip and seal with a double yellow centerline – no edge lines

Speed Limit: 40 mph – however east of the driveway there was no speed limit sign noted and west of the driveway there was only one speed limit at an intersection approximately 2 miles west.

E. Discussion / Analysis

The focus of this report is on the geometry of the roadway at the driveway entrance. Specifically we are analyzing the stopping sight distance for drivers traveling east on W 930 S who are west of the driveway as well the “departure sight triangle” for drivers pulling from the driveway and turning left (east) onto W 930 S.

We will first define from the AASHTO manual the two areas which are the focus of this report. The first is a general definition of sight distance: “Sight distance is the length of the roadway ahead that is visible to the driver. The available sight distance on a roadway should be sufficiently long to enable a vehicle traveling at or near the design speed to stop before reaching a stationary object in its path. Although greater lengths of visible roadway are desirable, the sight distance at every point along a roadway should be at least that needed for a below-average driver or vehicle to stop.”

“Stopping sight distance” is: “Stopping sight distance is the sum of two distances: (1) the distance traversed by the vehicle from the instant the driver sights an object necessitating a stop to the instant the brakes are applied; and (2) the distance needed to stop the vehicle from the instant brake application begins. These are referred to as brake reaction distance and braking distance, respectively.”

The second feature of the analysis is the “departure sight triangle”, which is “sight distance sufficient for a stopped driver on a minor-road approach to depart from the intersection and enter or cross the major road.” “The provision of clear sight triangles like those shown in Exhibit 9-50B also allows the drivers of vehicles on the major road to see any vehicles stopped on the minor-road approach and to be prepared to slow or stop, if necessary.”

With these definitions in mind and knowing the intent of the visibility is to allow the drivers to have a good view of the vehicles in front of their intended travel paths in order to adjust and/or react to impending conditions, we will enter into the following discussion.

Every intersection, which includes driveways, has the potential for different types of vehicular crashes. The possibility of these crashes actually occurring can be greatly reduced through the provision of proper sight distances and appropriate traffic controls. In some instance where there are older rural roads, which have become county roads over the years, there are natural features which limit sight distance. These are typically hill crests, sharp curves, vegetation and elevated yards and roadsides. Those problems caused by vegetation can be managed by upkeep or removal. Hill crests, curves and elevated land are a greater challenge and may take reconstruction if they can be managed at all.

The subject case involves a driveway entrance that serves 3 residences which is on the east side of a hillcrest and it is in a curve. There are three mail boxes which are located on the hillcrest. This is typical to allow the postal vehicles the ability to stop on the hillcrest and be visible to approaching traffic from both directions. In this instance the hillcrest is relatively sharp and the downgrades begin immediately on each side of the mailboxes. The mailboxes and posts are a sight obstruction. The following aerial view Figure #1, is also Attachment A. It is an overhead of the driveway exits onto W 930 S and the surrounding properties. You can see the residence by the roadway which lies just to the west of the hillcrest and the joined driveways which exit just to the east of the hillcrest. The hillcrest is in line with the 3 adjacent mailboxes. Figure #1 has a black line placed across W 930 S at the approximate location of the hillcrest. The house just to the west of the hillcrest has a “horseshoe” driveway which connects on the east side to the common ext just to the east of the hillcrest.



Figure # 1 Aerial View of W 930 S and the driveway exits—North is toward the top

A westbound approaching driver has a long view of the driveway area and of the roadway to the hillcrest. A driver at the driveway who is turning to the right and going west has a long



Figure # 2 Westbound view of the hillcrest from 1/4 mile east

view of approaching vehicles from his left and can safely negotiate a right turn. This is depicted in Figure 2, and Attachment B. The arrow shows the area of the driveway. The view of the driveway area is continuous all the way to the driveway. Figure # 3 and Attachment C is a westbound view taken in the final 500 feet from the driveway. Even in this view taken from a full sized pickup the driveway entrance at the crest cannot be seen, however a vehicle could be seen if it were located there waiting to exit.



Figure # 3 Westbound view ~500 Feet from the Driveway

It is a completely different issue for an eastbound driver to view stopped vehicles in the driveway and the view of a driver stopped in the driveway when looking to the west (right) at



Figure # 4 Eastbound View ~600 Feet West of the Driveway

approaching eastbound vehicles. Figure # 4 and Attachment D is a photograph of an eastbound view taken from approximately 600 feet west of the driveway. At this distance you cannot even see a house due to the vegetation in the winter with no leaves. Compare this with the opposite direction view shown in Figure # 3. You can see there is no comparison with the view. Figure # 5 and Attachment E is a photograph taken from approximately 100 feet east of the driveway. Again this photograph was taken from a full sized pickup with a 1.5 foot higher driver eye height advantage than a passenger car.



Figure # 5 Eastbound View Approximately 100 feet west of the driveway

When considering the timing analysis, if a vehicle is approaching from the west and the driver is at the same distance as in Figure # 5, if the driver is traveling at 40 mph which is approximately 59 feet per second, the vehicle is only 1.7 seconds from the driveway. The typical perception and reaction for a simple brake reaction is 1 to 1.5 seconds. This is based on studies for the average unimpaired adult with no physical limitations. In the highway design criteria they allow 2.5 seconds for the perception and brake reaction. Therefore at best if a vehicle was pulling out from the driveway an approaching driver from the west would only begin to get his foot to the brake and an crash is unavoidable.

It is because of intersection collisions that the AASHTO developed standards for sight distance required to stop safely before hitting another vehicle and sight distance to safely make a left turn entrance from a side road onto a main road without hindering traffic or being struck. The following chart from the AASHTO manual is the departure sight triangle distance for the typical stopped vehicle that is going to turn left onto the intersecting road. The chart also includes the stopping sight distance requirements. Because this is a two lane road with no median there is no adjustment necessary.

Metric				US Customary			
Design speed (km/h)	Stopping sight distance (m)	Intersection sight distance for passenger cars		Design speed (mph)	Stopping sight distance (ft)	Intersection sight distance for passenger cars	
		Calculated (m)	Design (m)			Calculated (ft)	Design (ft)
20	20	41.7	45	15	80	165.4	170
30	35	62.6	65	20	115	220.5	225
40	50	83.4	85	25	155	275.6	280
50	65	104.3	105	30	200	330.8	335
60	85	125.1	130	35	250	385.9	390
70	105	146.0	150	40	305	441.0	445
80	130	166.8	170	45	360	496.1	500
90	160	187.7	190	50	425	551.3	555
100	185	208.5	210	55	495	606.4	610
110	220	229.4	230	60	570	661.5	665
120	250	250.2	255	65	645	716.6	720
130	285	271.1	275	70	730	771.8	775
				75	820	826.9	830
				80	910	882.0	885

Note: Intersection sight distance shown is for a stopped passenger car to turn left onto a two-lane highway with no median and grades 3 percent or less. For other conditions, the time gap must be adjusted and required sight distance recalculated.

Figure # 6

Departure Sight Triangle Distance for Left Turning Vehicles

The required stopping sight distance and left turning sight distance for a 40 mph road is 305 feet and 445 feet respectively. At the subject driveway entrance there is approximately a sight distance from the center of the exit portion of the joint driveway when looking right (west) to see an approaching passenger car at 110 feet away. There is more than a 9% downgrade on the east side of the hillcrest and this would extend the stopping distance for an eastbound vehicle. That would make the required sight distance longer, however we have ignored the downgrade condition and gone with the shorter distance shown in the design column of 445 feet.

The grade is approximately 6.5% on the west side of the hillcrest and more than 9% on the east side of the hillcrest. That means that the roadway falls 6.5 feet in each 100 feet out. The average height of a passenger car is less than 5 feet. This means there are almost no passenger cars that are visible more than 85 feet from the hillcrest. The average eye height of a typical passenger car is 3.5 feet and from that height the driver must be able to see an object 2 feet off the ground. This means that a driver on the east side of the hillcrest (where the main entrance is located) simply does not have sufficient sight distance available to the west.

In the dark the condition becomes more problematic because the headlights of an eastbound vehicle are angled upward. The vehicle pulling out has no side illumination and therefore is not visible until the direct headlight beam of the eastbound vehicle reflects off the side of the

vehicle. This will begin to occur as the eastbound vehicle is reaching the crest of the hill and since the left turning vehicle has already started turning there is a certainty of an crash.

F. Issue

The introduction of increased traffic volume flow via the common driveway just east of the hillcrest and conditions which would be created by the increased traffic flow.

There are currently three driveways at the location as it exists. Westbound vehicles entering into the driveways from W 930 S can turn right in a by using either of the eastern 2 entrances of the existing driveway entrances. East bound vehicles are restricted to only using the center entrance, which is closer to the crest of the hill, as the other two entrances are too far beyond the hillcrest and hide them from vehicles approaching from behind them.

The exit out of the driveways can **only** be used at one location, which is marginal, and to accomplish that a vehicle must hug the existing mailboxes to the right side of the car and exit near the hill crest where you have adequate sight to the left (east) to observe westbound vehicles and marginal sight to the right (west) to observe eastbound vehicles.

The only reasons that there are not more crashes currently at this location is the low traffic volume of the rural roadway, the small number of vehicles exiting the driveways and the primary traffic flow is in the daylight hours. The addition of excess traffic flow out of the driveway greatly increases the likelihood of a crash for several reasons. When an event is finished and the vehicles begin to leave they leave in a short time frame. Giving a range of vehicles at an event from 50 to 100 this will create an exit time of 20 minutes to 50 minutes at a minimum, with a vehicle exiting every 20 to 30 seconds. Even given W 930 S is a low volume road there will be roadway traffic in 20 to 50 minutes. Another important aspect is the time of day when the traffic volume occurs. If it is at night, because of the factors previously discussed the vehicles pulling out will not be visible until it is simply too late to avoid an crash.

Another element which has not been discussed is the factor of alcohol. If there is alcohol consumption this again significantly increases the likelihood that there will be an increase in crashes.

The sight distance does not meet the guidelines established by the American Association of State Highway and Transportation Officials as adopted by the state of Indiana, either for "stopping sight distance" or for stopped vehicles to make a left turn entrance.. Furthermore a compressed time traffic volume increase at this location would certainly increase the exposure and create the likelihood of crashes.

G. Zoning Staff Report

We will put the comments from the Interdepartmental Review from the Staff Report here and discuss them. Here are the Staff Report Comments:

Yes there are sight visibility issues. Assuming that all exiting traffic is using the west fork in the drive, which is how they have it signed, because the east fork is terrible.

The west drive has issues as well. Stopping where an exiting driver can make a left turn, the drive is situated just east of the crest of the hill creating a blind area where approaching vehicles disappear briefly. An oncoming vehicle is visible for approximately 100 feet then disappears for 310' then reappears again 160' before reaching the drive. This probably isn't a problem for people familiar with it, since they know to wait a second to make sure no one is in the blind area, but for this type of business, where most of the traffic will be guests and not familiar with the situation, it could create problems.

If the exiting vehicle moves all the way to the west side of the drive, the visibility improves tremendously, but the angle to the road makes it impossible to turn left for most vehicles. If the drive could be realigned, so that drivers could exit at the west edge of the drive, but be square with the road it would be ok. I realize that there may be property line and terrain issues with this solution.

As far as the volume of traffic, I don't see this business creating enough traffic to create any traffic issues

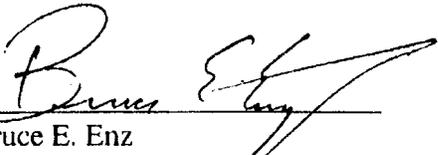
We agree in principle to the distances noted above. However it needs to be pointed out that by making the center portion of the driveway the only way to exit, this forces eastbound drivers who may arrive when there is an exiting vehicle, to slow and go over the hillcrest to cut back in to the second driveway entrance or to stop and wait for the left turning vehicle to pull out. This will add another dimension to the risk of increased crashes from other eastbound vehicles.

If a vehicle exiting the driveway is in a centered position in the driveway (as is forced by the driveway design) and the driver is looking to the right, the driver can partially see an approaching eastbound vehicle for a brief period of time in the distance. As noted in the Staff Report the approaching eastbound vehicle disappears until it is approximately 160 feet away. This point is when the roof and windows of a typical passenger vehicle come into view. Experience has shown that the observing driver's do not always recognize the roof and windows which present a "broken pattern" to the observer. The AASHTO uses an object 2 foot height off the road surface as it is above this height where the grill and hood are in view and the vehicle becomes more recognizable and a more substantially visible target for the eye.

That is the reason our distance is shorter for visibility than the Staff Reported distance. We are using the height of an object at 2 feet above the ground, in accordance with the AASHTO guidelines. As noted in the Staff Report there is a distance where vehicles "disappear" of some 310 feet and a vehicle travelling at 40 mph or 59 feet per second will take 5 seconds to travel in the area they cannot be seen. Using the AASHTO sight distance that would be extended to 360 feet which would take 6 seconds to cross. This would mean that anyone in the driveway pulling up to W 930 S and looking south would not see a vehicle in that 5 to 6 second time period and who would then start to pull out almost ensuring an crash.

The Staff Report also notes the current configuration of the exit makes it almost impossible for a vehicle to come up the drive and be aligned all the way to the west because of the shape of the driveway. For a driver to pull to W 930 S and be squared to the road they have to start turning left earlier in the driveway, otherwise they will not be able to make a left turn successfully, see Figure # 1 or Attachment A).

Finally the Staff Report notes that, "As far as the volume of traffic, I don't see this business creating enough traffic to create any traffic issues." We must respectfully disagree with that conclusion. In theory it sounds correct as it may only increase the traffic volume by 50 to 150 vehicles during a specific day. However, when one assesses the traffic volume and time period of that traffic volume, those exiting vehicles are compressed into a small time span. An example would be a church. There is a low overall traffic volume created in total on meeting day attendance. But when you consider the traffic volume and time distribution, it can be clearly seen the vehicles come in spread over a slightly longer time, as some arrive early and late. However, when the church program is over, people all exit in mass and the traffic can become dangerous even given good intersections and traffic controls. It is for this reason that we restate our opinion, that, "a compressed time traffic volume increase at this location would certainly increase the exposure and create the likelihood of crashes".


Bruce E. Enz
Director Crash Reconstruction Analysis


James J. Wood
Senior Safety Engineer and Analyst

BEE/mke

Figure # 1



FIGURE # 2



2/19/2014

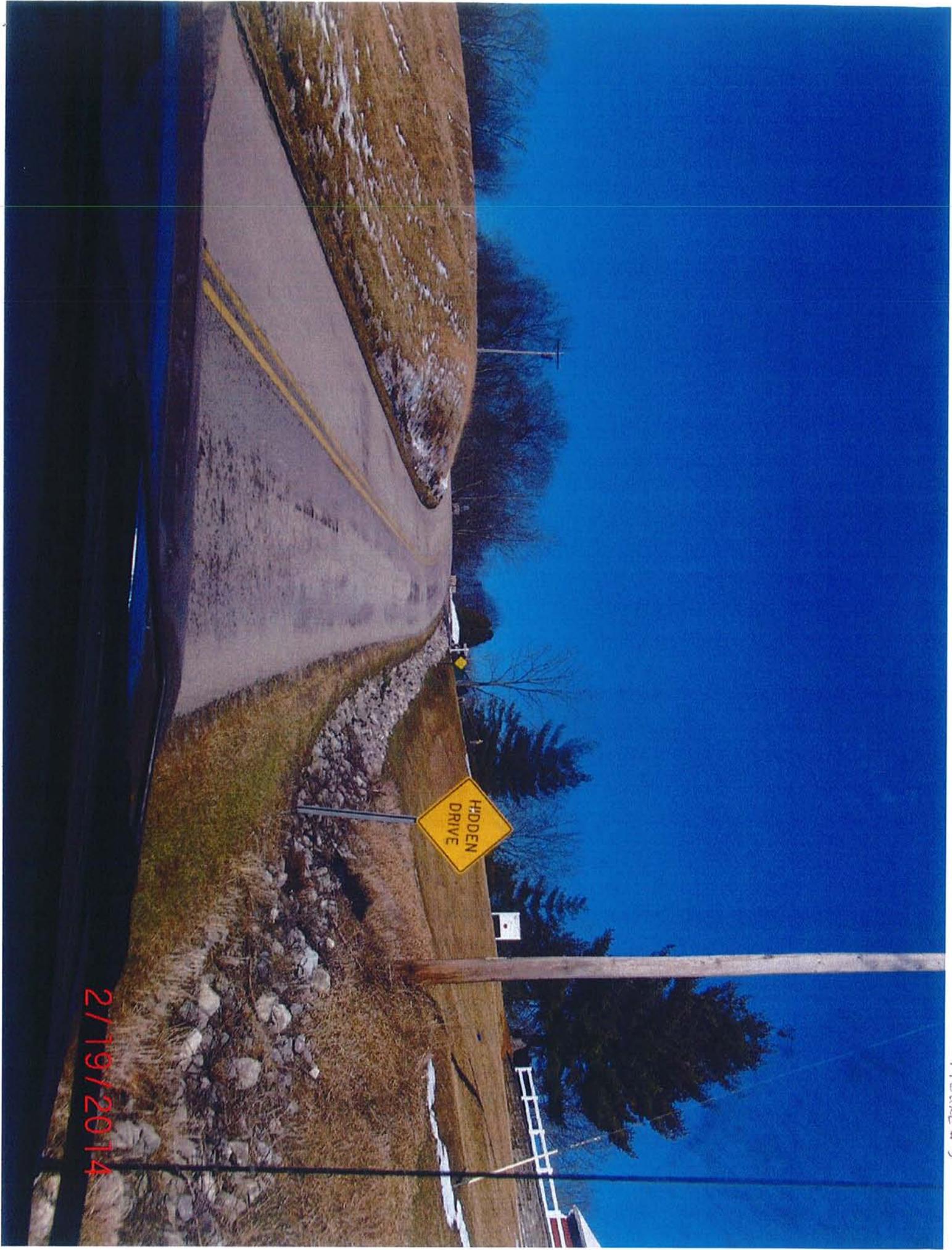
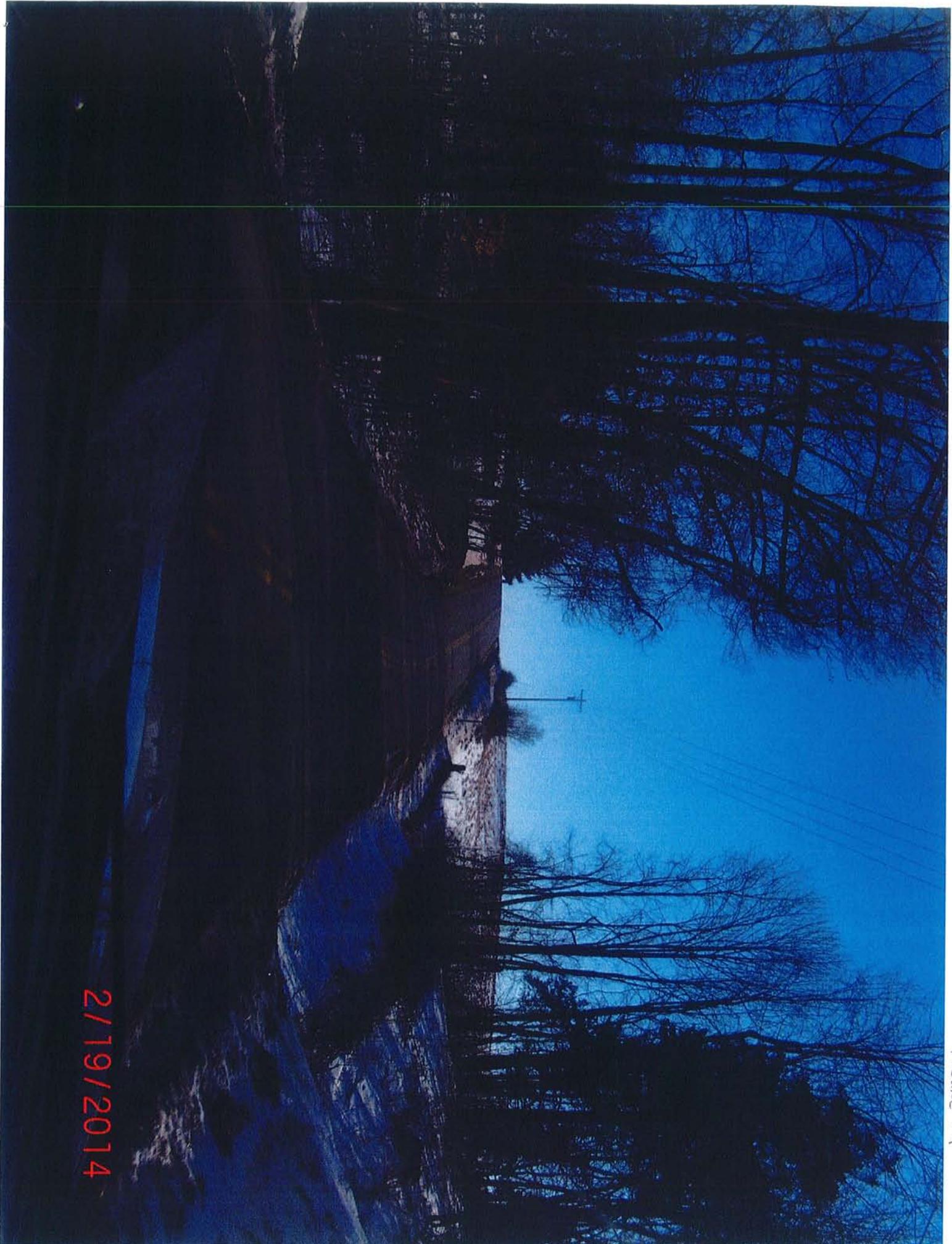


FIGURE # 3

2/19/2014

FIGURE # 4



2/19/2014

FIGURE # 5



2/19/2014

Injury and Crash Analysis, Curriculum Vitae

2346 S. Lynhurst Drive, Suite E-107
Indianapolis, IN 46241-8621

Phone: (317) 486-0453
Fax: (317) 486-0457

BRUCE E. ENZ, A.A., B.A.

Accident Reconstruction & Analysis
Tractor Trailer/Vehicle Underride Analysis
bruce.enz@crashanalysis.com

AREAS OF EXPERTISE

- Accident Reconstruction
- Vehicle Crashworthiness
- Occupant Compartment Safety Analysis
- Vehicle Underride Crash Analysis
- Fleet Safety

PROFESSIONAL EDUCATION

- 1983 Selected graduate level courses completed as part of program in Forensic Science, George Washington University, Washington, D.C.
- 1978 Multidisciplinary Highway Collision Training Course, Sponsored by U.S. Department of Transportation, National Highway Traffic Safety Administration, Phoenix, AZ
- 1977 B.A., University of Illinois, Urbana, IL
- 1976 A.A., Parkland Community College, Champaign, IL
- 1975 Police Psychology and Accident Investigation Techniques, University of Illinois, Urbana, IL
- 1970 Johns Hopkins University, Baltimore, MD, Chemistry Course
- 1964-1967 Undergraduate Program - Biology Major, Heidelberg College, Tiffin, OH
Program (biology, mathematics, chemistry) interrupted for military service
- 1964 Ohio Wesleyan University, Delaware, OH, Summer School

EXPERIENCE

- Present Injury and Crash Analysis, LLC
Indianapolis, Indiana

Traffic accident investigation, reconstruction and analysis involving on-site investigations, vehicle component damage analysis and the interpretation of scene and vehicle data: over 5,000 accidents since 1975 involving, but not limited to, automobiles, pedestrians, bicycles, motorcycles and trains.

Provides expert consultation and testimony in civil and criminal litigation involving traffic accidents and the determination, analysis and evaluation of the pre-crash, crash and post-crash phases of the human, vehicle and environmental factors that culminate in death or injury to vehicle occupants, pedestrians and other road users.

Reviews U.S. DOT and related foreign governmental agencies Motor Vehicle Safety Standards as applied to occupant protection performance of vehicles.

Involved in evaluation of fleet safety practices, driver hiring and training, vehicle operation, maintenance and inspection of trucks and buses as required by BMCS regulations. Evaluation of vehicle safety components and safety hazards such as blind spots, off-tracking and air turbulence.

Injury and Crash Analysis, Curriculum Vitae

2346 S. Lynhurst Drive, Suite E-107
Indianapolis, IN 46241-8621

Phone: (317) 486-0453
Fax: (317) 486-0457

1980-1997 The Institute for Safety Analysis, Inc.
Gaithersburg, Maryland

Provided consulting services in traffic accident investigation and analysis to governmental agencies (e.g., Office of the U.S. Attorney, Washington, D.C.; Office of the Attorney General, Commonwealth of Pennsylvania; Office of the District Attorney, Fairfax County, Virginia).

Co-designer of the hand-held calculator marketed by the firm as the CAS-100 CRASH ANALYSIS SYSTEM.

Designer of a side-impact protection system (SIPS) for motorcycles.

1978-1980 Management Engineers, Inc.
Reston, Virginia

Dynamic Science, Inc.
McLean, Virginia

Field Engineer - Served as Field Engineer of a Multidisciplinary Accident Investigation Team (MDAI) under contract awarded by the U.S. Department of Transportation, National Highway Traffic Safety Administration (NHTSA). Primary focus on accidents involving school buses, fires with death or serious injury, tractor trailers equipped with anti-lock brakes, impact attenuator devices, seat belt failures and Ford vehicles "park-to-reverse" study.

1976-1978 Various short-term jobs while enrolled in college.

1975-1976 Gibson City Police Department
Gibson City, Illinois

Uniformed Police Officer - Traffic accident investigation and law enforcement duties.

1967-1974 Military Service - USAF - Interpreter and related work.

PUBLICATIONS

Kumar, Sri and Bruce Enz and Perry L. Ponder and Bob Anderson. Biomechanical Analysis of Protective Countermeasures in Underride Motor Vehicle Accidents. Presented at Rocky Mountain Bioengineering Symposium & International ISA Biomedical Sciences Instrumentation Symposium. Pp.89-94. Milwaukee, Wisconsin. April 2009.

Kumar, Sri and Anthony Sances and Bruce Enz and Russell Frieder. Biomechanics of Under Ride Motor Vehicle Crashes. Rocky Mountain Bioengineering Symposium. ISA Volume #468. Denver, Colorado. April 13-15, 2007.

Trego A. and B. Enz and D. Head and Y. Oshida. A Scientific Approach to Tractor-Trailer Side Underride Analysis. Society of Automotive Engineers: Advances in Vehicle Aggressivity and Compatibility, Side and Rear Impact and Rollover Protection, SP-1775, SAE 2003-01-0178, 2003.

Trego, Angela and Bruce Enz and Douglas N. Head. Analysis of Side Under Ride Crashes Misconceptions and the Problems. *Accident Investigation Quarterly*, Issue 27, Summer 2001.

Thorbole, C.K. and D.A. Renfro and B. E. Enz. Biomechanical Modeling of the Bicyclist and Vehicle Impact to Identify the Optimum Front End Vehicle Geometry. 19th IASTED International Conference on Modeling and Simulation. Quebec City, Quebec. 2008.

Injury and Crash Analysis, Curriculum Vitae

2346 S. Lynhurst Drive, Suite E-107
Indianapolis, IN 46241-8621

Phone: (317) 486-0453
Fax: (317) 486-0457

Co-author of over 50 official MDAI reports on multidisciplinary accident investigations for the U.S. Department of Transportation, National Highway Traffic Safety Administration.

Brenner, Robert and Bruce Enz. Mechanisms of Head and Spine Trauma. Classification of Information Generated in a Motor Vehicle Crash Sequence. n.d.

Enz, Bruce E. Collision Forensics - The Crash - The Injury. Seventh International System Safety Conference. n.d.

Masakowski, Stephanie and Bruce E. Enz and James E. Cothorn and Walter F. Rowe. Fiber-Plastic Fusions in Traffic Accident Reconstruction. n.d.

Enz, Bruce and Yoshiki Oshida and Douglas N. Head and John Tomassoni and Anthony Sances, Jr. Mathematical Approach to Side Underride Vehicular Accidents. Mathematical Modeling and Scientific Computer. n.d.

Sances, Anthony, Jr. and Fred Carlin and Sri Kumaresan and Bruce Enz. Biomedical Engineering Analysis of Glass Impact Injuries. n.d.

Batzer, S.A. and B. E. Enz and G.G. Herndon and C.K. Thorbole and R. Hooker and T.K. Parnell and M. Ziejewski, Heavy Truck Roll Cage Effectiveness. *ASME International Mechanical Engineering Congress & Exposition*, Lake Buena Vista, Florida, IMECE2009-12423, 2009.

AREAS OF EXPERTISE

Accident Investigation, Analysis and Reconstruction
Occupant Compartment Safety Analysis
Occupational Workplace Safety

Education and Training

Indiana State University, Terre Haute, Indiana B.S., Safety Management
Competent Person Fall Protection Training
3M Respiratory Protection Training and Fit Testing
DuPont Safety Training Observation Program (STOP)
Certified Crash Data Retrieval (CDR) Operator, Analysis and Applications
Certified ARAS 360HD Advanced Computer Diagramming and Animation for Incident Reconstruction

Professional Memberships: American Society of Safety Engineers
National Association of Safety Professionals
United States Lifesaving Association

Professional Experience

December 2011 – Present: Senior Safety Analyst Injury and Crash Analysis, Indianapolis, IN
Vehicle accident investigation, reconstruction and analysis involving on-site investigations, vehicle component damage analysis and the interpretation of scene and vehicle data. Experienced in workplace safety, job safety analysis and hazard recognition. Competent in the application of OSHA, ANSI, NIOSH and EPA standards. Practiced in public safety and drowning prevention

2010 to 2011: Toshiba, Indianapolis, IN
Examination of digital document processes to identify secure storage and retrieval

2009- 2010: Sharp, Indianapolis, IN
Assessment of digital document processes for the protection of digital document files

2006 to 2009: Konica Minolta, Indianapolis, IN
Analysis of document workflow to advise clients on methods on the safety of their digital document files

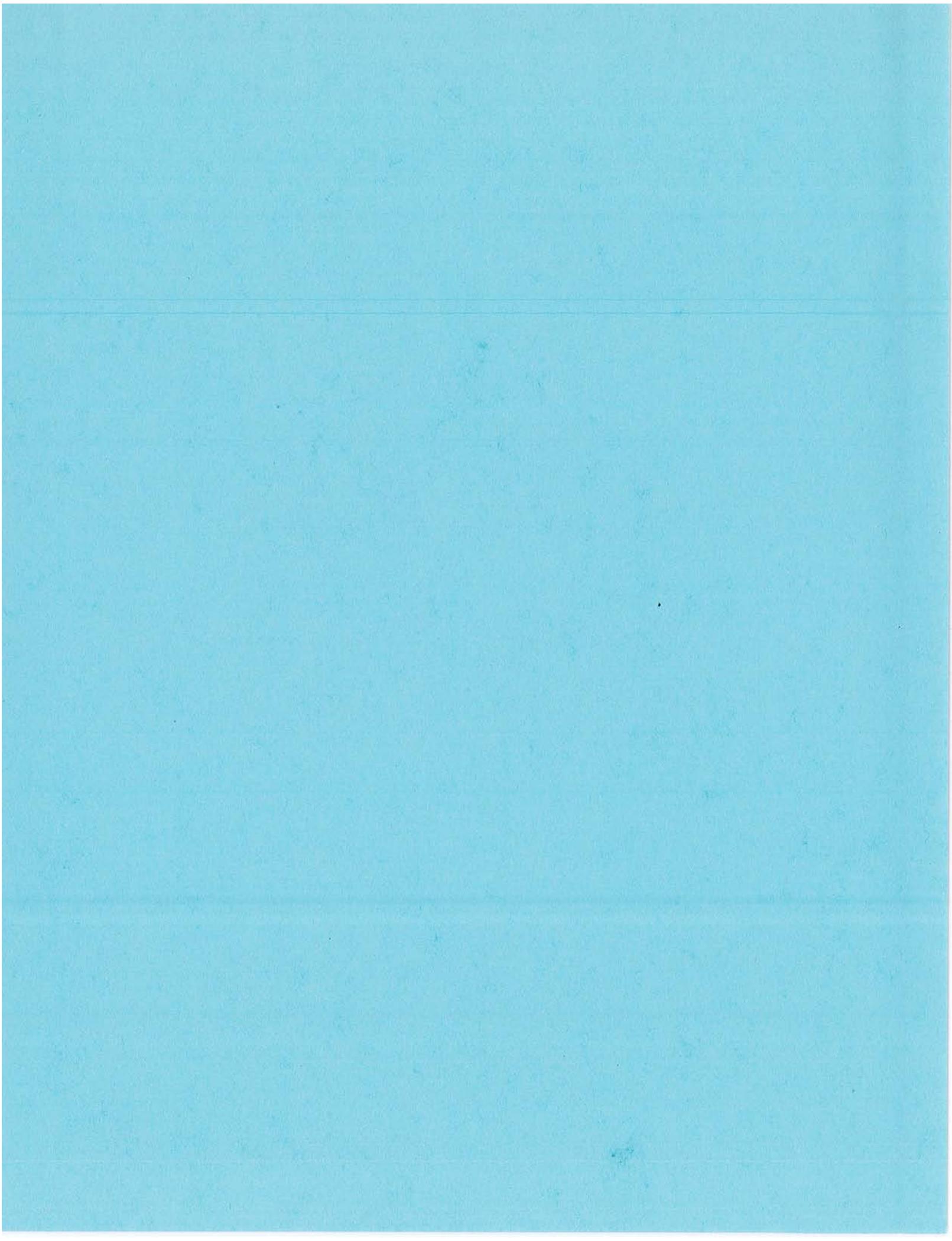
1999 to 2006: IKON, Indianapolis, IN
Digital process document workflow assessment for the safe storage and retrieval of workplace files

1995 to 1999: Mettam Safety, Danville, IL
Advise clients on implementation of personal protective equipment, respiratory protection and fall protection. Provided training to meet General Industry Standards on use, storage and inspection of respiratory protection and fall protection. Furnished respiratory protection fit testing per OSHA Standards

1993 to 1995: Scheibert Safety, Indianapolis, IN
Consultative capacity on implementation and of personal protective equipment. Educated in the application Fall Protection equipment. Conduct safety assessments in the identification of existing and potential occupational hazards.

1990 to 1993: Hertz Equipment, Indianapolis, IN
Experience in material handling, earth moving, excavation, and aerial lift equipment. Competent in the safe operation of construction and agriculture equipment.

1987 to 1990: Intercontinental Insurance Managers, Indianapolis, IN
Loss prevention analysis of facility safety, job safety and hazard identification. Provided written reports with corrective measures to reduce the incidence of occupational related injuries.





BREEDEN REALTORS

700 Washington Street
Columbus, IN 47201

www.C21Br.com
Info@C21BR.com
Business 812.372.3766
Toll Free 800.844.3766
Fax 812-378-1706

February 19, 2014

Richard Eynon

555 1st Street

Columbus, IN 47201

Dear Richard,

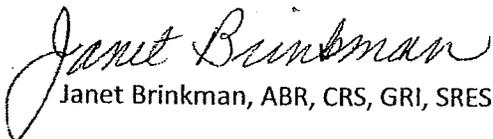
The property currently owned by Jennifer Drake at 6290 W. 930 South in Jackson Township, Bartholomew County, contains approximately 10 acres and is an ideal location for horses and quiet country living. With the intent to remain there for several years the owner has recently made improvements and renovations to the property, including updating the kitchen and adding a large screened porch and deck. The attraction of this location has largely been its privacy and solitude.

In close proximity to this home is the 40 plus acre property at 6130 W. 930 S, owned by Bruce and Juli Bartells. In my professional opinion as a real estate broker, their intention to operate a wedding and events business at their home would have an adverse effect on the Drake property. It is my understanding there could be as many as 200 guests and up to 75 cars at these events, with overflow parking near the county landfill.

Prospective buyers looking for country property on small acreage would be discouraged by the likelihood of increased traffic and noise this type of venue would inevitably provide. The economic impact of this proposed venue on the adjacent property would decrease the value of the Drake property and its improvements.

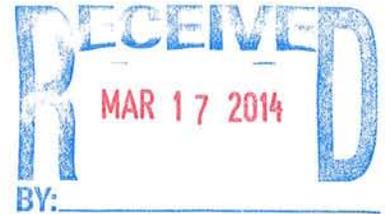
Please let me know if I can be of further assistance.

Sincerely,


Janet Brinkman, ABR, CRS, GRI, SRES

Associate Broker

Century 21 Breeden Realtors



We request that the Zoning Variance application for White Creek Acres be denied. The neighborhood roads in this area are not designed for the amount of late night traffic that this Event Center would generate.

We are also concerned the length of time that this business has been running with disregard to current variance rules and have doubts that assurances listed in the application will be disregarded as well.

Thank you for any consideration given this letter.

Signature: Melissa Rouse

Printed: Melissa Rouse

Address: 15910 S. 450W. Symmes ID 47074

Date: 3/14/14

I am: A Resident in the Area

One with Interests in the Area

I was approached by the owner about the noise. up to this point the noise has not been an issue. with that being said I was not aware that the business was going to expand and more traffic & noise will be an issue. The owner did not make me aware of this. We are concerned with the traffic! location of the drive. It is a bad spot in the road! we are afraid of accidents drinking: traffic. Thank you!

We request that the Zoning Variance application for White Creek Acres be denied. The neighborhood roads in this area are not designed for the amount of late night traffic that this Event Center would generate.

We are also concerned the length of time that this business has been running with disregard to current variance rules and have doubts that assurances listed in the application will be disregarded as well.

Thank you for any consideration given this letter.

Signature: Daniel Happ

Printed: Daniel Happ

Address: 10300 W 970 S Columbia Dr

Date: 3-11-11

I am: A Resident in the Area

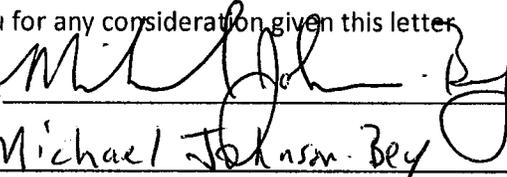
One with Interests in the Area

We request that the Zoning Variance application for White Creek Acres be denied. The neighborhood roads in this area are not designed for the amount of late night traffic that this Event Center would generate.

We are also concerned the length of time that this business has been running with disregard to current variance rules and have doubts that assurances listed in the application will be disregarded as well.

Thank you for any consideration given this letter.

Signature:



Printed:

Michael Johnson Bey

Address:

10541 W. 9305 Columbus IN 47201

Date:

3-14-14

I am:

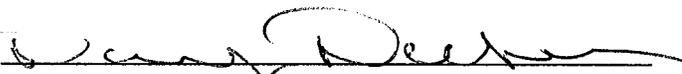
A Resident in the Area

One with Interests in the Area

We request that the Zoning Variance application for White Creek Acres be denied. The neighborhood roads in this area are not designed for the amount of late night traffic that this Event Center would generate.

We are also concerned the length of time that this business has been running with disregard to current variance rules and have doubts that assurances listed in the application will be disregarded as well.

Thank you for any consideration given this letter.

Signature: 

Printed: DANNY DECKER

Address: 1425 S 400 W

Date: 3-14-14

I am: A Resident in the Area

One with Interests in the Area

We request that the Zoning Variance application for White Creek Acres be denied. The neighborhood roads in this area are not designed for the amount of late night traffic that this Event Center would generate.

We are also concerned the length of time that this business has been running with disregard to current variance rules and have doubts that assurances listed in the application will be disregarded as well.

Thank you for any consideration given this letter:

Signature: Red Stampen

Printed: Red Stampen

Address: 8530 W 930 S Columbus, IN 47201

Date: ~~3~~ 3-14-14

I am: A Resident in the Area

One with Interests in the Area

We request that the Zoning Variance application for White Creek Acres be denied. The neighborhood roads in this area are not designed for the amount of late night traffic that this Event Center would generate.

We are also concerned the length of time that this business has been running with disregard to current variance rules and have doubts that assurances listed in the application will be disregarded as well.

Thank you for any consideration given this letter.

Signature: Sarah Rotert

Printed: SARAH ROTERT

Address: 17912 S 500 W Seymour

Date: 3-14-14

I am: A Resident in the Area

One with Interests in the Area

We request that the Zoning Variance application for White Creek Acres be denied. The neighborhood roads in this area are not designed for the amount of late night traffic that this Event Center would generate.

We are also concerned the length of time that this business has been running with disregard to current variance rules and have doubts that assurances listed in the application will be disregarded as well.

Thank you for any consideration given this letter.

Signature: Donald Bradley

Printed: DONALD BRADLEY

Address: 15550 S 525 W

Date: 3-14-14

I am: A Resident in the Area One with Interests in the Area

We request that the Zoning Variance application for White Creek Acres be denied. The neighborhood roads in this area are not designed for the amount of late night traffic that this Event Center would generate.

We are also concerned the length of time that this business has been running with disregard to current variance rules and have doubts that assurances listed in the application will be disregarded as well.

Thank you for any consideration given this letter.

Signature: Mary Lou Decker

Printed: MARY LOU DECKER

Address: 14258 400 W

Date: 3-14-14

I am: Resident in the Area

One with Interests in the Area

We request that the Zoning Variance application for White Creek Acres be denied. The neighborhood roads in this area are not designed for the amount of late night traffic that this Event Center would generate.

We are also concerned the length of time that this business has been running with disregard to current variance rules and have doubts that assurances listed in the application will be disregarded as well.

Thank you for any consideration given this letter.

Signature: William A Yeador

Printed: WILLIAM A YEADOR

Address: 8240 W 930 S

Date: _____

I am: A Resident in the Area

One with Interests in the Area

We request that the Zoning Variance application for White Creek Acres be denied. The neighborhood roads in this area are not designed for the amount of late night traffic that this Event Center would generate.

We are also concerned the length of time that this business has been running with disregard to current variance rules and have doubts that assurances listed in the application will be disregarded as well.

Thank you for any consideration given this letter.

Signature: Karen Rouse

Printed: Karen Rouse

Address: 6771 W. 9305 Col Dr

Date: 3-16-14

I am: A Resident in the Area

One with Interests in the Area

We request that the Zoning Variance application for White Creek Acres be denied. The neighborhood roads in this area are not designed for the amount of late night traffic that this Event Center would generate.

We are also concerned the length of time that this business has been running with disregard to current variance rules and have doubts that assurances listed in the application will be disregarded as well.

Thank you for any consideration given this letter.

Signature: Brian Davis

Printed: BRIAN DAVIS

Address: 6030 N CENTER Rd SAGINAW, MI 48604

Date: 3-16-14

I am: A Resident in the Area

One with Interests in the Area

We request that the Zoning Variance application for White Creek Acres be denied. The neighborhood roads in this area are not designed for the amount of late night traffic that this Event Center would generate.

We are also concerned the length of time that this business has been running with disregard to current variance rules and have doubts that assurances listed in the application will be disregarded as well.

Thank you for any consideration given this letter.

Signature: Nicole M Davis

Printed: Nicole M. Davis

Address: 6030 N. Center Rd., Saginaw, MI 48604

Date: May 16, 2014

I am: A Resident in the Area

One with Interests in the Area

We request that the Zoning Variance application for White Creek Acres be denied. The neighborhood roads in this area are not designed for the amount of late night traffic that this Event Center would generate.

We are also concerned the length of time that this business has been running with disregard to current variance rules and have doubts that assurances listed in the application will be disregarded as well.

Thank you for any consideration given this letter.

Signature: Rodney Davis

Printed: Rodney Davis

Address: 1044 Mockingbird Lane Seymour, IN 47274

Date: 3-16-2014

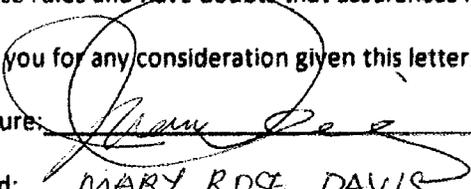
I am: A Resident in the Area

One with Interests in the Area

We request that the Zoning Variance application for White Creek Acres be denied. The neighborhood roads in this area are not designed for the amount of late night traffic that this Event Center would generate.

We are also concerned the length of time that this business has been running with disregard to current variance rules and have doubts that assurances listed in the application will be disregarded as well.

Thank you for any consideration given this letter.

Signature: 

Printed: MARY ROSE DAVIS

Address: 1044 MOCKINGBIRD LN, SEYMOUR, IN 47274

Date: 3-16-2014

I am: A Resident in the Area

One with Interests in the Area

We request that the Zoning Variance application for White Creek Acres be denied. The neighborhood roads in this area are not designed for the amount of late night traffic that this Event Center would generate.

We are also concerned the length of time that this business has been running with disregard to current variance rules and have doubts that assurances listed in the application will be disregarded as well.

Thank you for any consideration given this letter.

Signature: Dale Davis Trudy Davis

Printed: DALE DAVIS TRUDY DAVIS

Address: 8391 W. 930 S. Columbus, In 47201

Date: 3/17/14

I am: A Resident in the Area

One with Interests in the Area

We request that the Zoning Variance application for White Creek Acres be denied. The neighborhood roads in this area are not designed for the amount of late night traffic that this Event Center would generate.

We are also concerned the length of time that this business has been running with disregard to current variance rules and have doubts that assurances listed in the application will be disregarded as well.

Thank you for any consideration given this letter.

Signature: Dwight & Melissa Jordan

Printed: Dwight melissa Jordan

Address: 8680 W 9305 Col. FN 47201

Date: 03-14-2014

I am: A Resident in the Area

One with Interests in the Area