

TOWN OF DANVILLE

Danville Board of Zoning Appeals

****SPECIAL MEETING****

August 29, 2023

6:00 PM

AGENDA

I. Call Meeting to Order

- Pledge of Allegiance
- Establish Quorum
- Swear In Participants

II. New Business:

**A. Public Hearing: A development standards variance to allow an accessory building to exceed the maximum height of fifteen (15) feet (ZO Section 4.3.B.1.c) in a Residential 2 Central (R2C) zoning district on property located at 52 Maple Street
(Matthew & April Klimas)
*CONTINUED FROM 8-16-23***

**B. Public Hearing: A special exception to allow manufacturing/assembly of ammunition (ZO Section 10.4.C.9) in an Industrial General (IG) zoning district on property located at 842 South Tennessee Street
(Kurt Allen, Vitalis Precision Ammunition)
*CONTINUED FROM 8-16-23***

**C. Public Hearing: A development standards variance to permit more than one principal use on a parcel (ZO Section 4.2) in an Industrial General (IG) zoning district on property located at 842 South Tennessee Street
(Kurt Allen, Vitalis Precision Ammunition)
*CONTINUED FROM 8-16-23***

III. Other Business: None

IV. Report of Officers and Committees

V. Adjourn

Next Meeting:

September 20, 2023

Meeting Briefing

August 29, 2023

52 Maple Street: A Development Standards Variance to allow an accessory building to exceed the maximum mean height of fifteen (15) feet in a Residential 2 Central District

This request is to allow an accessory structure to be twenty-five (25) feet in height. This is a public hearing and will require a vote.

842 South Tennessee Street: A Special Exception to allow manufacturing/assembly of ammunition in an Industrial General District

This request is to permit the assembly of pre-manufactured ammunition. This is a public hearing and will require a vote.

Additional information has been included in your packet

842 South Tennessee Street: A Development Standards Variance to allow a second principal use in an Industrial General District

This request is to permit the assembly of pre-manufactured ammunition as a second principal use in an existing building. This is a public hearing and will require a vote.

CASE SUMMARY

Development Standards Variance

Case: 2023-2147
Matthew & April Klimas, Petitioner

Request: Seeking a development standards variance from Section 4.3.B.1.c. to permit an accessory structure to have an increased height

Location: 52 Maple Street

Zoning: Residential 2 Central District (R2C)

Staff Summary:

The petitioner wishes to construct a two-story garage with a height of twenty-five (25) feet. The height of an accessory building is limited to fifteen (15) feet (mean height) or the height of the principal structure, whichever is less. The petitioner is proposing a loft above the garage for recreational purposes only. The existing residence is twenty-nine feet in height and is also on a hill which gives an additional 3.5 feet in elevation.

Accessory structures are commonplace in residential districts, but the current standards in the Zoning Ordinance are designed with smaller lot sizes in mind. This location consists of four (4) lots that have been combined for a total of 0.33 acres.

To date, staff has not received any inquiries after the public notice was completed.

Staff supports the petitioner's request to exceed the maximum allowable height of the proposed accessory structure as long as it will not be used as living quarters.

BZA options include the following:

- Approve the variance requests
- Deny the variance requests
- Approve the variance requests with conditions



Danville BZA

49 North Wayne Street | Danville, IN 46122
317-745-4180 | www.danvilleindiana.org

Date of Hearing: 8-16-23
Board of Zoning Appeals Action: _____

App. No.: 2023-2147
Fee: \$ 350.00
Received By: WT

APPLICATION FOR APPROVAL (Check all that apply)

- Appeal
- Special Exception
- Use Variance
- Development Standard Variance

* Please fill out the form in its entirety

Applicant (s) Matthew + April Klimas
 Address (s) 52 Maple St Danville IN 46122
 Phone (s) (831) 601-4480 Email (s) matthewdklimas@yahoo.com

Owners (s) Matthew + April Klimas
 Address (s) 52 Maple St Danville IN 46122
 Phone (s) (831) 601-4480 Email (s) matthewdklimas@yahoo.com

Owners' Representative (Subdivider, if any) and /or Registered Engineer or Land Surveyor: _____

Address (s) _____
 Phone (s) _____ Email (s) _____

Address of Subject Property: 52 Maple St.
 Area (in acres): .33 Number of Lots: 1
 Parcel ID#: 17-1-04-51W 466-002 Current Zoning District: R2C

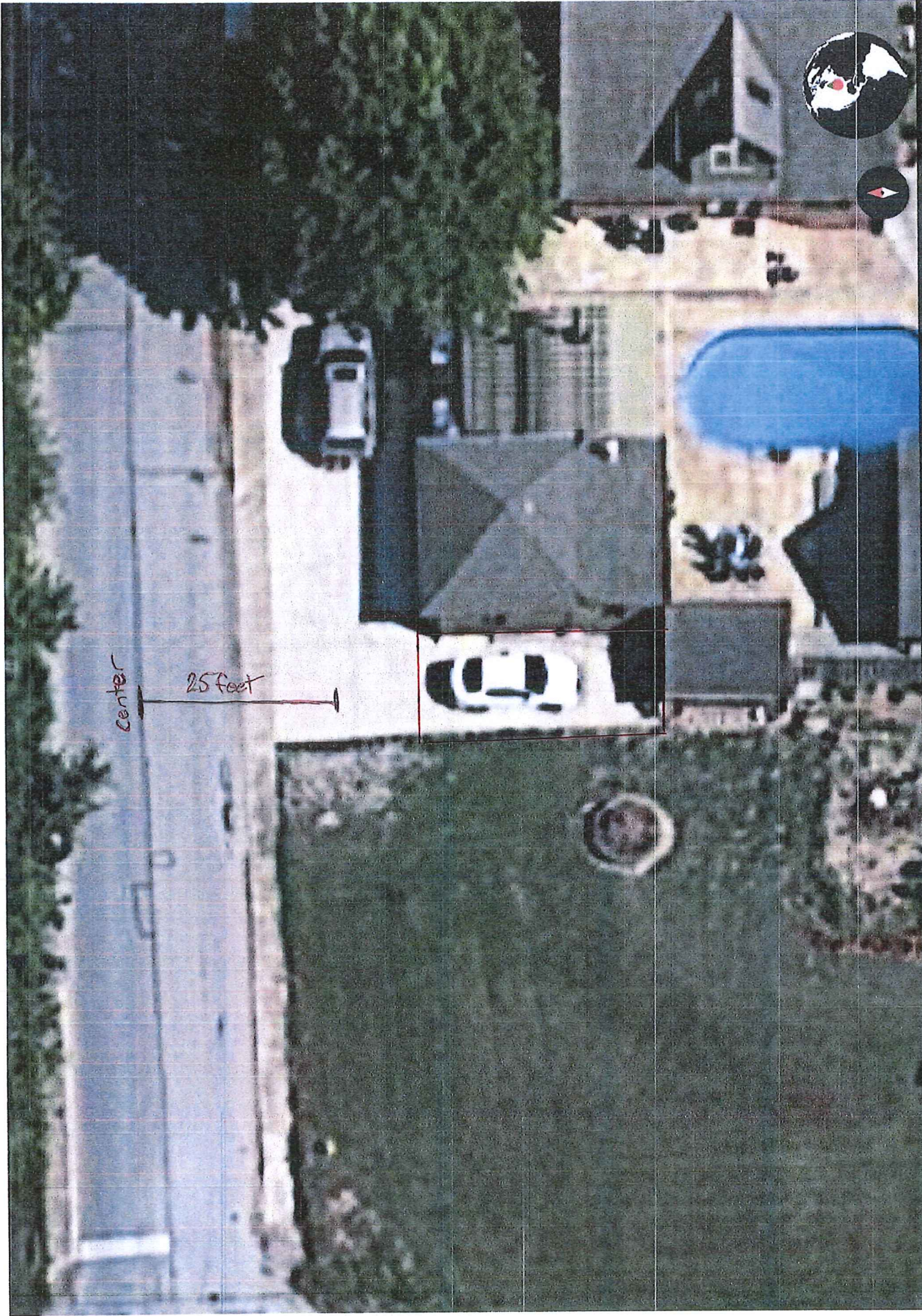
Requested Action From The Danville BZA: Please Grant variance for height of a detached garage over 15 ft per Danville Zoning Ordinance section 4.3 B.1.C

STATE OF INDIANA)
) SS:
 HENDRICKS COUNTY)

The undersigned certifies that the above information is true and correct to the best of his (her) knowledge.

April Klimas
 Signature of Owner/Applicant (s)

OWNERS
 Title of Applicant



Center

25 feet





SHEET

JOB NO. 223-033

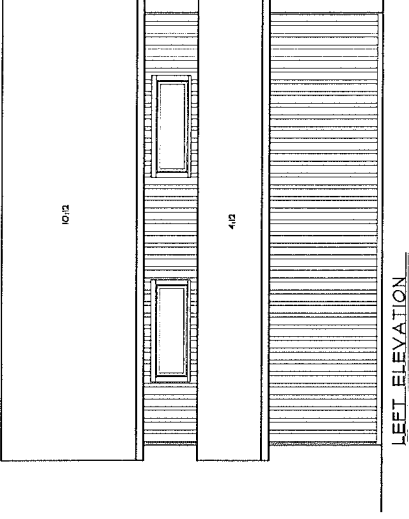
SCALE 1/4" = 1'-0"

DATE: 2/26/23

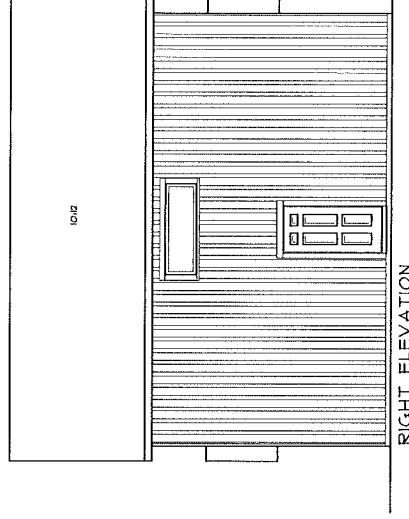
WILLIAMS
CARRIAGE HOUSE
BUILDOUT SPECIALISTS
ELEVATIONS

HOLLEY SCHULTES
CUSTOM HOME PLANS
hollegschultes@gmail.com
917-621-1175

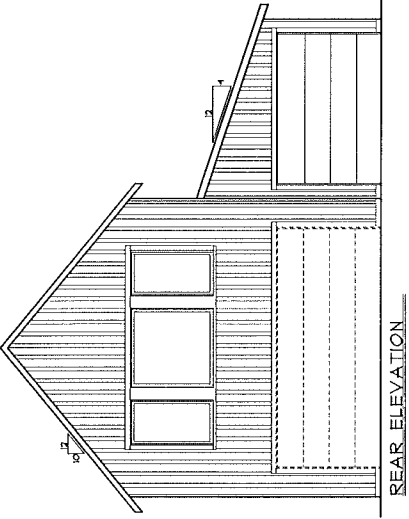
REVISIONS	BY



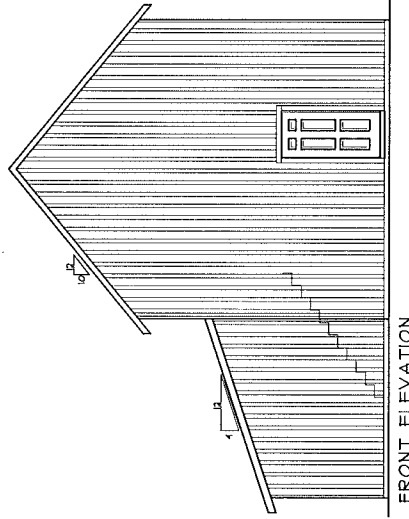
LEFT ELEVATION



RIGHT ELEVATION



REAR ELEVATION



FRONT ELEVATION

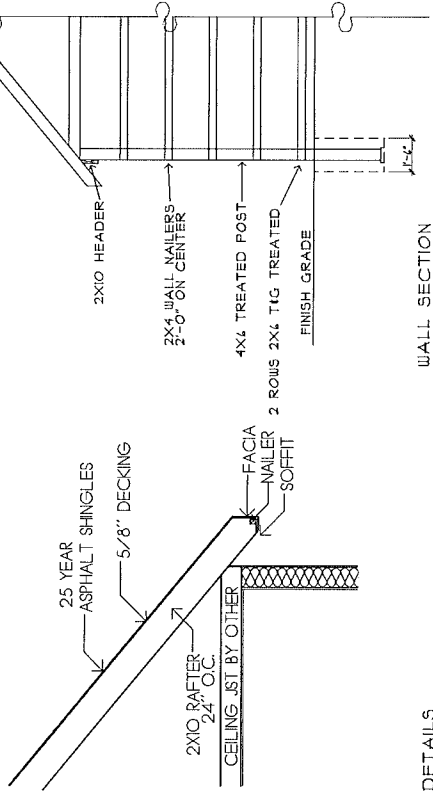
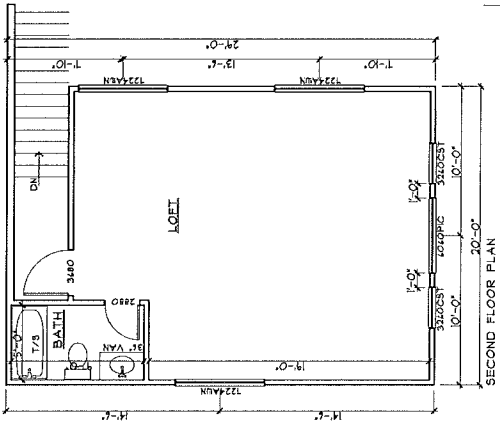
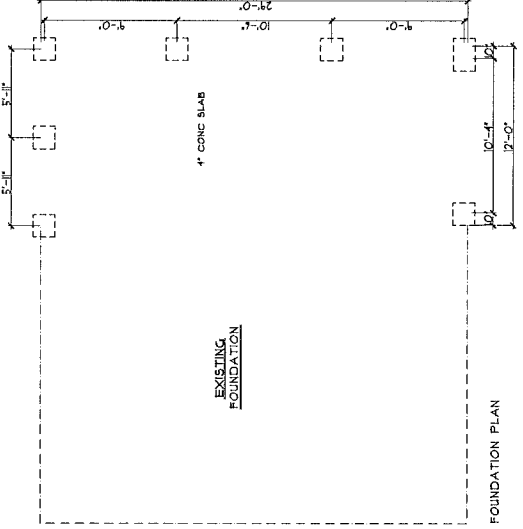
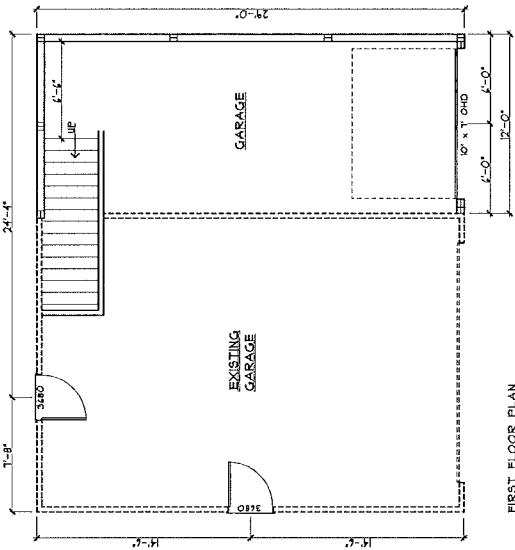
REVISIONS	BY

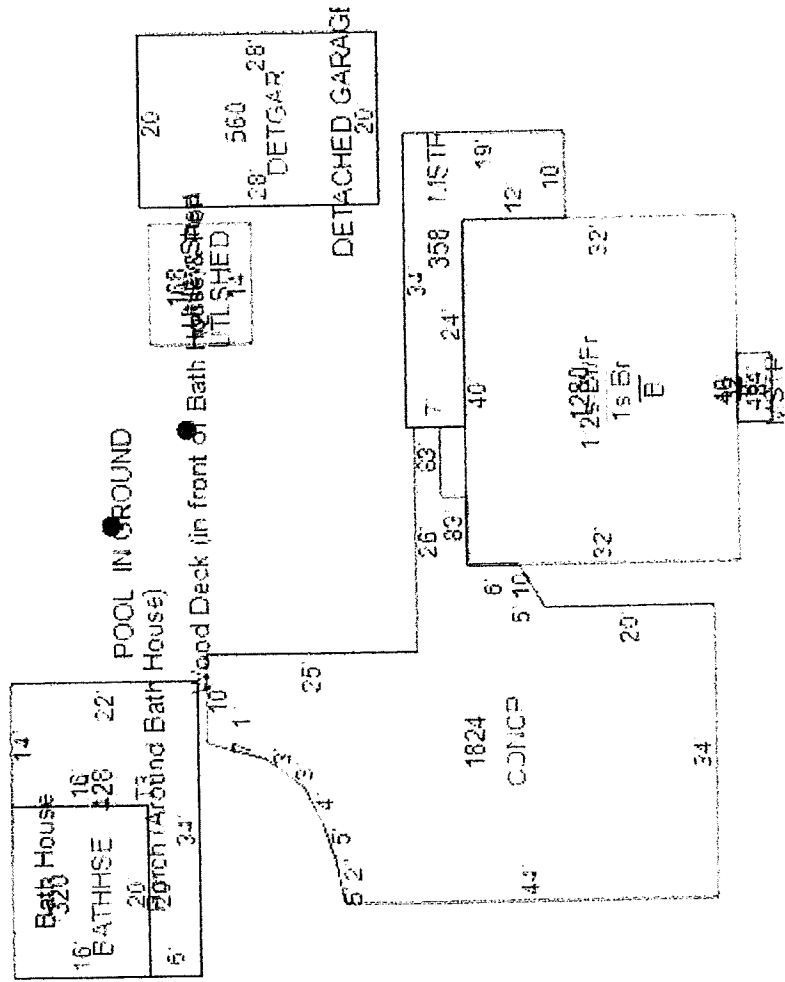
317-627-1175
 HOLLEY SCHULTZ
 CUSTOM HOME PLANS
 hollyschultz@gmail.com

WILLIAM
 CARRIAGE HOUSE
 BUILDOUT SPECIALISTS

DATE: 8/28/23
 SCALE: 1/4" = 1'-0" (1/8" = 1'-0")
 JOB NO.: 223003

DETAILS
 SHEET





FINDINGS OF FACT

DEVELOPMENT STANDARD VARIANCE

Address: 52 Maple St. Danville, In 46122

1. The approval will not be injurious to the public health, safety, morals and general welfare of the community because:

The zoning boards approval of this variance will not affect the general welfare of our community. The proposed two story garage will not be an eyesore, in bad taste or out of place in the community or on our property. The general appearance will align with recent and continuing updates to our home, which is pale gray and board & batten.

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

The garage is a needed update to our property. We feel granting this variance will increase the value and beauty of our property. It will also increase the value of the surrounding homes as well as helping to beautify our community.

3. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought because:

The current structure of 1937 is becoming structurally unsound and unsafe. It is necessary to rebuild. We feel this new garage will not only be a tasteful addition to our property and community, it will also satisfy our family needs.

52 Maple Street (Klimas)



**BOARD OF ZONING APPEALS
DANVILLE, INDIANA**

**ACTION ON PETITION FOR A VARIANCE
FROM DEVELOPMENT STANDARDS**

MOTION

I move that we **approve / deny** the variance sought by Matthew & April Klimas, petitioner in BZA petition 2023-2147 to permit an accessory structure to have an increased height in a R2C district. This petition has **satisfied / not satisfied** the requirements for variances under state law for the following reasons:

1. The approval **will / will not** be injurious to the public health, safety, morals, and general welfare of the community
 - a) **for the reason(s) stated in the staff report;**
 - b) **for the reason(s) stated in Petitioner's proposed findings of fact; and/or**
 - c) **because:** _____

2. The use and value of the area adjacent to the property included in the variance **will / will not** be affected in a substantially adverse manner
 - a) **for the reason(s) stated in the staff report;**
 - b) **for the reason(s) stated in Petitioner's proposed findings of fact; and/or**
 - c) **because:** _____

3. The strict application of the terms of the Zoning Ordinance **will / will not** result in practical difficulties in the use of the property
 - a) **for the reason(s) stated in the staff report;**
 - b) **for the reason(s) stated in Petitioner's proposed findings of fact; and/or**
 - c) **because:** _____

[note #1: An adverse finding on any one of the above requires Board denial of the variance.]

[note #2: None of the words in bold italics should be used if the motion is to approve a variance.]

And, I move that this approval be made subject to the following conditions:

[note #3: If the majority votes against a motion to approve a variance, a subsequent motion should be made for findings of fact to reflect that the Petitioner did not establish the three requirements of state law to have been met. This motion should indicate which requirement(s) were not met or cite reasons stated in the staff report, if the staff recommendation was against approval.]

DECISION

(After a second is made to the motion and a vote is taken, the presiding officer makes the following announcement): “It is therefore the decision of this body that this variance petition is **approved / denied** (and if conditions have been imposed)...**subject to the conditions made a part the adopted motion.**”

CASE SUMMARY

SPECIAL EXCEPTION

- Case:** 2023-2149
Kurt Allen, Vitalis Precision, petitioner
- Request:** Seeking a Special Exception to allow manufacturing/assembly of ammunition to be established in an Industrial General zoning district as required by Section 10.4.C of the Danville Zoning Ordinance
- Location:** 842 South Tennessee Street
- Acreage:** 0.12 acres
- Zoning:** Industrial General (IG)

Staff Summary:

Manufacturing/assembly of ammunition is allowed by Special Exception in the IG District. The petitioner proposes to assemble pre-manufactured parts into fully functioning small-arms ammunition (see full description in attached Letter of Intent). The petitioner states there will not be any creation of destructive items per the National Firearms Act. There will not be any retail business conducted on-site nor will this business be open to the public. There will be one (1) employee, and that is the petitioner. Parking for one (1) employee does not appear to be an issue on this site.

The subject property is adjacent to the Co-Alliance property along with other industrial types of uses. All other surrounding uses are residential. Staff received a phone call from Co-Alliance inquiring about the use that is being proposed but did not express opposition.

If approved, staff recommends contact with the Indiana Department of Homeland Security to see if a state design release will be required and communication with the Danville Fire Marshal for input as to any requirements that may need to be followed along with documentation.

BZA options include the following:

- Approve the Special Exception
- Approve the Special Exception with conditions or commitments
- Deny the Special Exception



Danville BZA

49 North Wayne Street | Danville, IN 46122
317-745-4180 | www.danvilleindiana.org

Date of Hearing: 8/16/2023
Board of Zoning Appeals Action: _____

App. No.: 2023-2149
Fee: \$ 250.00
Received By: LT

APPLICATION FOR APPROVAL (Check all that apply)

- Appeal Special Exception Use Variance Development Standard Variance

* Please fill out the form in its entirety

Applicant (s) Kurt Allen

Address (s) 1550 S Bloomington St Greencastle, IN

Phone (s) 317-373-3847 Email (s) Sales@vitalisprecision.com

Owners (s) Karen and Jay Walker

Address (s) 16992 South County Road 750 East Plainfield, IN 46168

Phone (s) 317-518-0669 Email (s) kayjayproperties@yahoo.com

Owners' Representative (Subdivider, if any) and /or Registered Engineer or Land Surveyor: _____

Address (s) _____

Phone (s) _____ Email (s) _____

Address of Subject Property: 842 S Tennessee street Danville, IN 46122

Area (in acres): 0.12 Number of Lots: 1

Parcel ID#: 32-002-0000-0000184-002 Current Zoning District: ~~1004-business~~ I G

Requested Action From The Danville BZA: To approve the act of manufacturing ammunition using premanufactured materials including bullets, brass casings, smokeless nonexplosive gun powder and primers to assemble completed ammunition. (Section 10.4.C.9)

STATE OF INDIANA)
) SS:
HENDRICKS COUNTY)

The undersigned certifies that the above information is true and correct to the best of his (her) knowledge.

[Signature]
Signature of Owner/Applicant (s)

Owner of Vitalis Precision Ammunition
Title of Applicant

Hello Lesa,

Let this letter serve as a letter of intent for my LLC Vitalis Precision Ammunition, AKA Vitalis Precision, to begin manufacturing ammunition in Danville, Indiana beginning presumptively in August or September of 2023 utilizing the building located at 840 S Tennessee Street.

Our company plans to utilize state of the art ammunition presses that have a 9 stage rotating platform to assemble pre-manufactured parts into fully functioning small arms ammunition. We will not be creating any destructive items per the NFA (National Firearms Act) and will obtain all licensing from the ATF (IE FFL Type 6) prior to the commencement of manufacturing. Our manufacturing process will involve the assembly of completed bullets (also known as rounds) starting with a brass cartridge casing that will have a pre-manufactured primer secured to the casing, this will be followed by a series of dies that will shape the mouth of the cartridge casing to accept pre-measured gunpowder (both ball, stick and flake types but not black-powder), after powder is poured from the weighted measuring system a bullet will be seated at the top of the casing and will be pressed and advanced to a crimping station for final securing of the bullet to the casing. After this, the bullets will be transitioned to a sorting and packaging machine for security for sales and shipping. All shipping laws and regulations will be followed regarding the legal domestic shipping of ammunition.

Numerous safety measures will be in place and all local regulations as required by code will be complied with and followed. The equipment being used will be equipped with industry specified and calibrated equipment that will stop production if errors occur and hand inspection for quality and control will be performed to ensure safety and reliability. All gunpowder on the site will be secured in a blast box type rated and designated container for security and safety and which will be locked and closed when not being actively used. All materials, both complete and incomplete, will be behind locked doors at all times other than when being utilized for movement, packaging or access to common areas. Per the ATF, no explosive licensing will be required.

We will not be utilizing any firearms on the property and will not be performing any retail on the premises or allowing for any customer interaction on site. All sales will either be wholesale to retailers or online sales to eligible customers who provide proof of identification and have an eligible address. We will not be doing any international sales or any international importation. We will also not be selling or dealing in firearms, suppressors, armor piercing ammunition or destructive devices as defined by the NFA.

If you have any further questions, I highly encourage you to reach out to myself by phone or email. My phone number is 317-373-3867 and my email address is sales@vitalisprecision.com I look forward to meeting with you and Karen to discuss the Variance and any other issues or concerns that I can assist in addressing.

Sincerely,

Kurt Allen

Owner- Vitalis Precision Ammunition

Findings of Fact for Special Exception

Address: 842 S. Tennessee St, Danville IN 46122

1. The Special Exception requested (is) listed in the specific zoning district involved;

2. The Special Exception requested will / (will not) be detrimental to or endanger the public's health, safety, morals, comfort, or general welfare because:

The manufacturing of Ammunition using smokeless powder is a safe venture that generates no hazardous waste, fumes, noise or burden on the community. Risks are minimal and any existing risk is conforming to other surrounding structures that maintain and distribute stores of hazardous materials such as anhydrous ammonia.

3. The Special Exception requested will / (will not) be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood because:

As stated before, no hazardous waste, fumes, noise or burden will be placed on the community. There will also be no signage or advertisement of the activities at this site that might create congestion or abnormal attention and there will be no outward modification to the site that might conflict with existing structures or aesthetics.

4. The Special Exception (will) / will not be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services because:

No special access or changes to streets or highways/railways will be required due to the establishment of this business. All Fire Marshall and building inspector regulations and recommendations will be followed and educative materials regarding smokeless powder and firefighting will be made available to fire services. All smokeless powder will be stored in a blast box when not being used despite the material not being an explosive hazard. No direct sales will be performed at this site and this company will not engage in firearm sales so no additional law enforcement efforts will be required due to the presence of this business.

5. The Special Exception will / will not create excessive additional requirements at public expense for public facilities and services, nor be detrimental to the economic welfare of the community or result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance because:

No outward changes will be required and no infrastructure will be required to change due to the presence of our business activities. Smokeless powder is a non-explosive flammable solid that can be demonstratively proven to be less hazardous in larger quantities than many household items in small quantities. No additional materials, resources, or equipment is required for firefighting activities. No other business activities will be affected by the presence of our business.

6. At least one year has elapsed since any denial by the Board of any prior application for a Special Exception that would have authorized substantially the same for all or part of the site, unless the Board determines that conditions in the area have substantially changed.

IMPACT STATEMENT

Please provide a written statement describing the possible effect this use may have on the adjoining properties and/or neighborhood:

The effects of this use should have no direct impact on any of the surrounding business entities or residential entities in the area. Outside of direct notice from ourselves to the area informing them of our request for our variance and special exemption, they will likely not even notice our existence in the area. Our planned use for this property presents minimal danger and planned mitigation methods will only serve to decrease risk. Other business entities in our area utilize, store, distribute and transport hazardous materials on a daily basis that serve significant health and safety hazards, however the presence of these has minimal effect on our business due to the nature of the materials we handle and the inherent safety of these materials that prevent explosive detonations or accidental combustion. We will also not be serving as a retail store and will have no customer interaction inside nor will we allow for general members of the public to visit or enter the site. This will prevent any effect on traffic or congestion and will also prevent safety hazards to the public. Manufacturing process will consist of the use of premanufactured materials including bullets, brass cartridge casings, non explosive smokeless gun powder and primers which will be assembled into functional ammunition using automated state of the art press machines. No use of firearms will occur on the premises and no direct retail to customers will occur on the premises. This site will be used for the manufacturing process only.

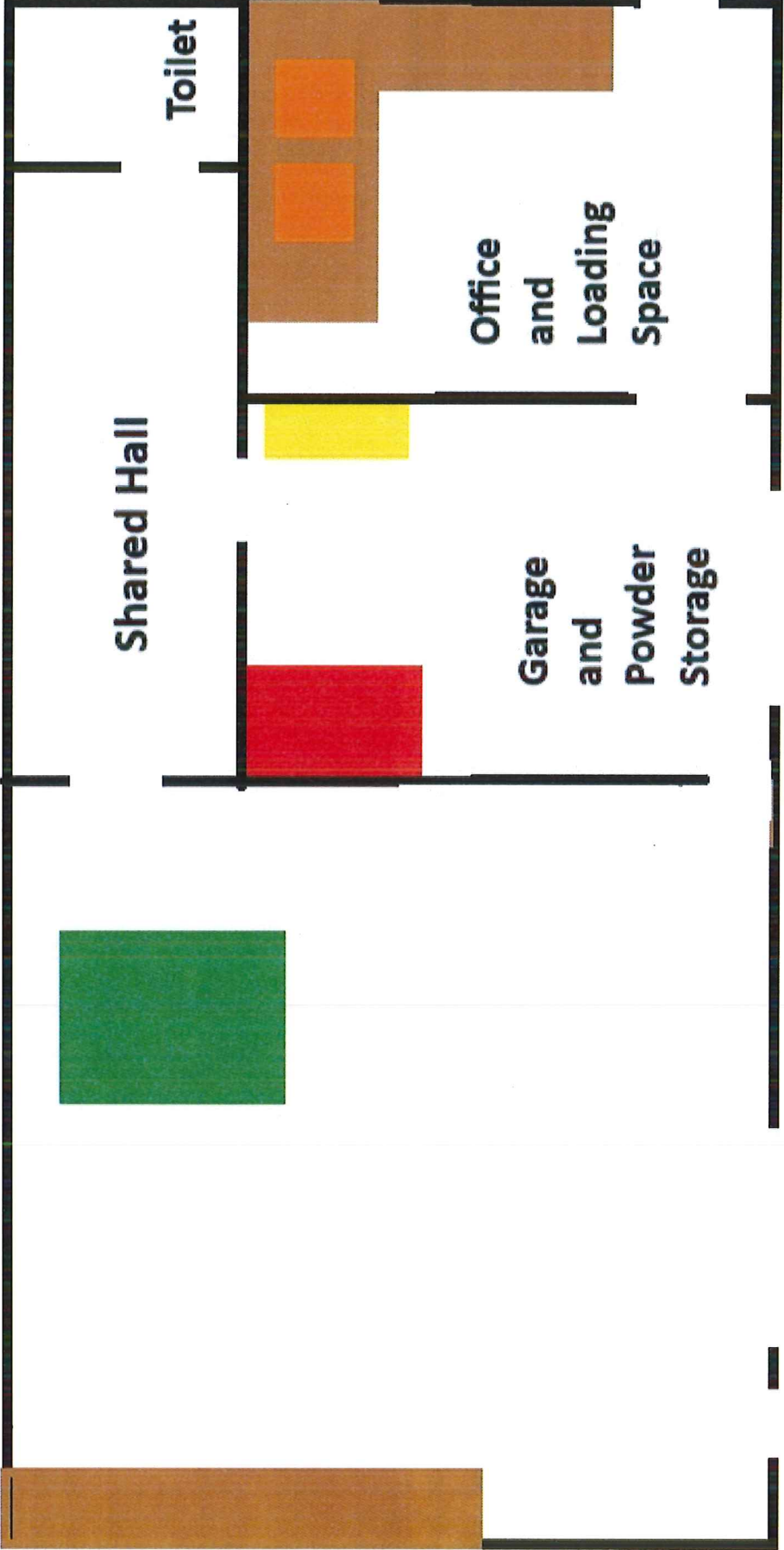
Lesia Ternet

From: Kurt Allen <sales@vitalisprecision.com>
Sent: Thursday, August 24, 2023 2:22 PM
To: Lesia Ternet
Subject: Indiana DHS

Caution: This is an external email. Please take care when clicking links or opening attachments. If in doubt, please contact the helpdesk.

I just got off the phone with Marcus Ballencer with INDHS. He is a fire building specialist. He was unable to provide any documentation, however he informed me that as far as he is aware there is no additional requirement or permitting or licensing from INDHS regarding ammunition manufacturing and advised to follow local regulations from the local fire Marshall as well as the local building planner.

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

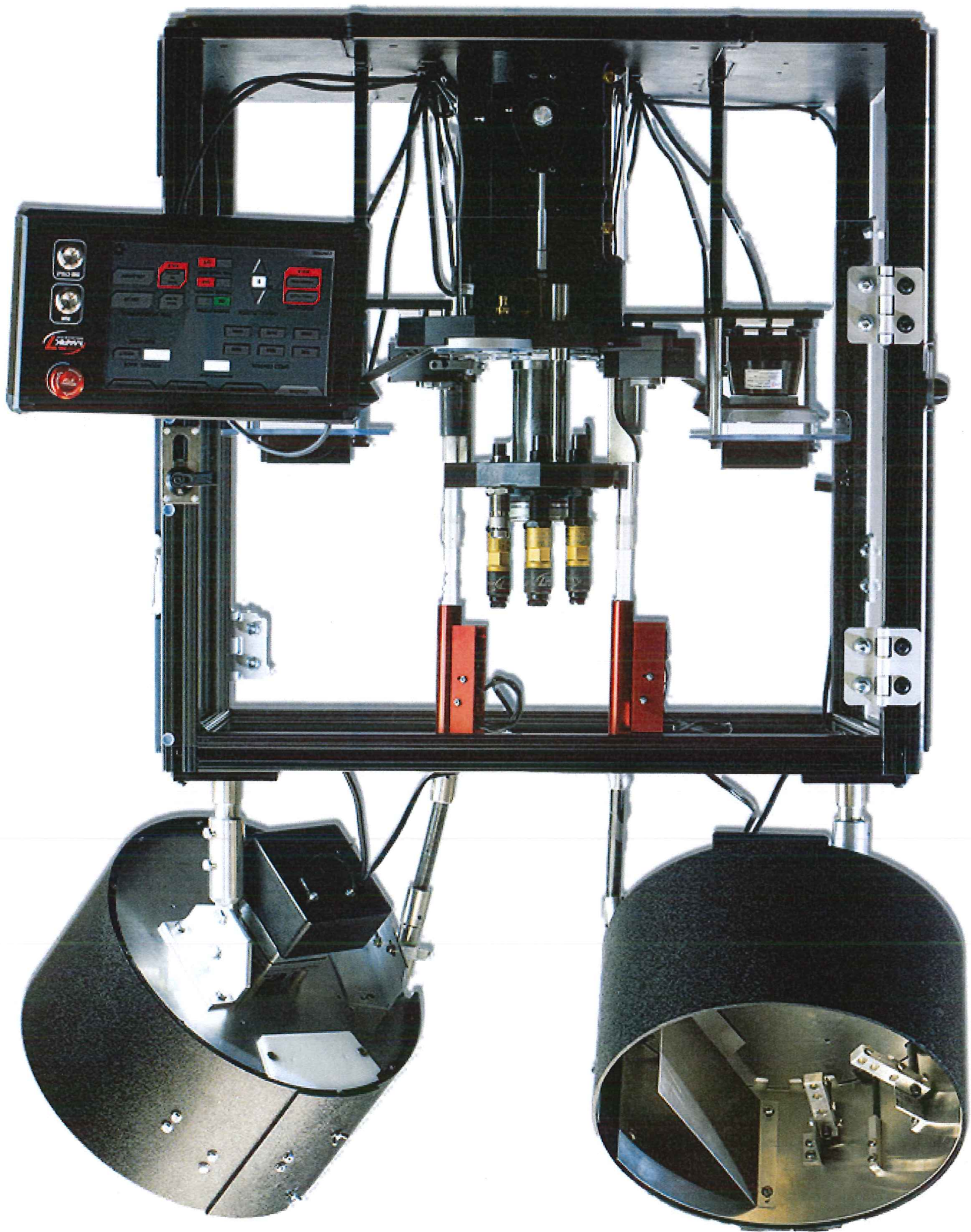


Shared Hall

Toilet

Office and Loading Space

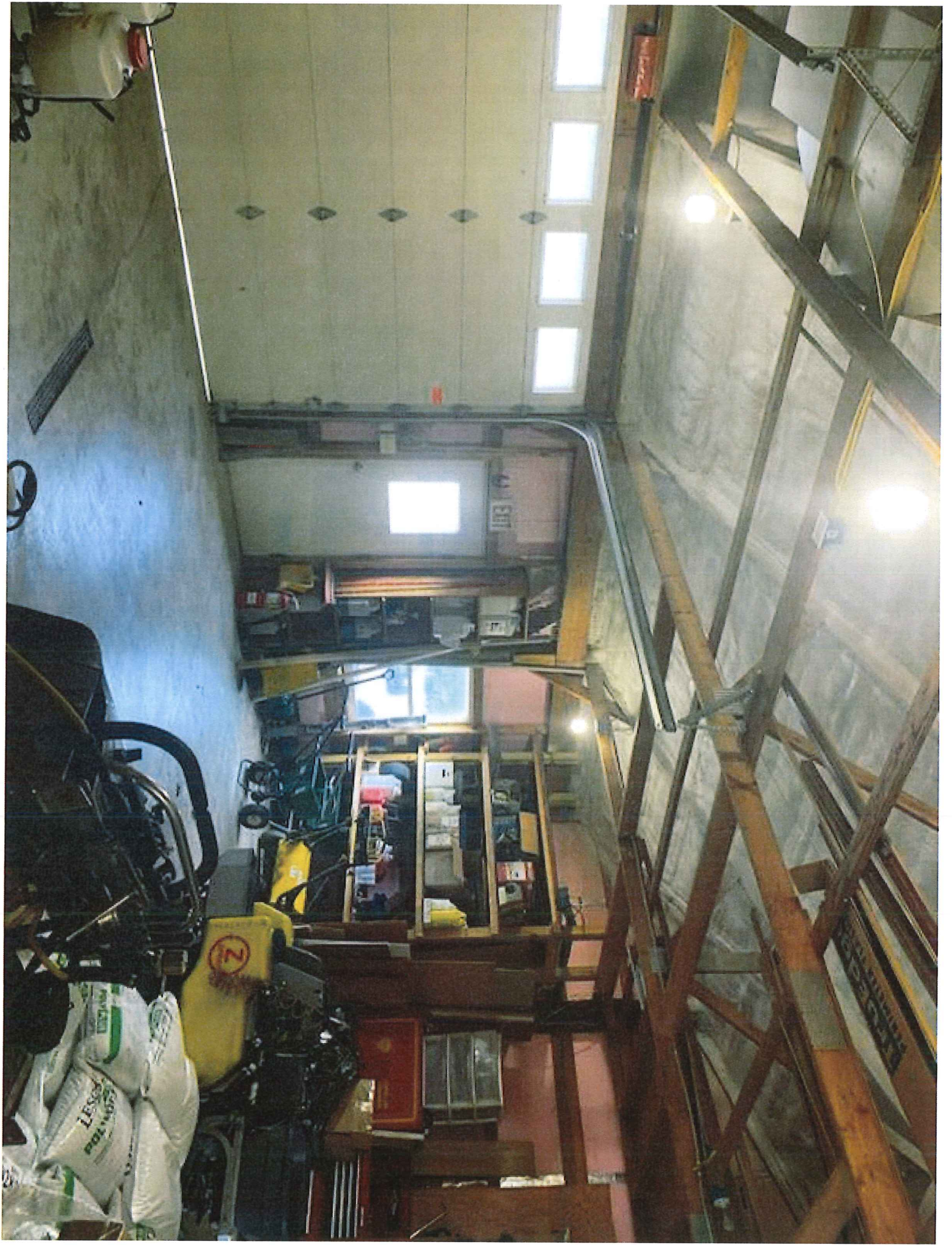
Garage and Powder Storage

















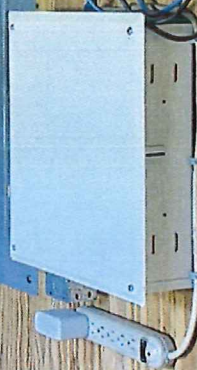


Monday
1. Magnesium band
2. Phosphate buffer
3. Sample
4. Covers
5. Applied to Eosley
6. Shaking
7. Determination

















I appreciate the provisions of the International Fire Code provided by Fire Marshall Schuhler. In response, I would like to assure the board of compliance with these requirements and have itemized these responses in accordance with their sections of the fire code.

5606.5.2.1 Section 3.1 to 3.5 Vitalis Precision will not be storing more than 800 pounds of smokeless powder at any one time, and with the scale of our operation we will not exceed 400 pounds of smokeless powder. All smokeless powder will be stored in a designated and commercially available cabinet or container which exceeds the requirements and recommendations of the IFF. We will also not be repackaging or performing retail sales of smokeless powders. All smokeless powders will remain in their approved shipping containers as received from the distributor.

Section 3.6 We are prepared to install a fire partition between our half of the building and the other half of the building. The current wall is made out of plywood and we have already spoken with a contractor about obtaining a quote for installation of a firewall.

Section 3.7 will be satisfied prior to initiation of manufacturing activities or the presence of any flammable materials. I have requested quotes for fire suppression and fire alarm with monitoring from one company and am currently working on obtaining another quote. I have included the alarm portion of the quote with materials for the board to review and am hoping to have the suppression quote shortly.

Section 4 All propellants will be stored in accordance with items 1, 2, 3 and 4 and will not require the installation of a powder magazine.

5606.5.2.2 We will not be storing, selling, or utilizing black powder in any capacity.

5606.5.2.3 Section 1 and 2 Small arms primers will be stored appropriately and in consistency with the requirements outline in the IFF codes. Small arm primers will not exceed 750,000 at any time and separation of primer packaging based on size and type of primer will be maintained at all times. Primers will also remain separate from smokeless powder and will remain in their own designated, secure, fire resistant cabinet when not being used for the act of manufacturing.

Section 2.6 will be satisfied prior to initiation of manufacturing activities or the presence of any flammable materials. I have received quotes for fire suppression and fire alarm with monitoring from one company and am currently working on obtaining another quote. I have included this quote with materials for the board to review.

I am open to compliance inspections at the discretion of the Fire Marshall and his agents and will maintain safe and compliant practices throughout the process of manufacturing.



Lyons Fire and Safety
 272 S County Road 300 E
 Danville, IN 46122
 (317) 775-0996

Estimate

ADDRESS
VITALIS PRECISION AMMUNITION LLC 852 South Tennessee Street Danville, IN 46122852

SHIP TO
VITALIS PRECISION AMMUNITION LLC 852 South Tennessee Street Danville, IN 46122852

ESTIMATE #	DATE
4825	08/21/2023

DATE	ACTIVITY	QTY	RATE	AMOUNT
	Install fire alarm system and monitor			
	Labor	16	95.00	1,520.00
	Labor Service Rate			
	Truck Charge	1	90.00	90.00
	Truck Charge			
	PFC-4064	1	1,050.00	1,050.00T
	Potter 6 Zone conventional panel			
	2WB	1	89.00	89.00T
	2 Wire Smoke detector			
	BG-12L	1	82.00	82.00T
	Fire-Lite Dual-Action Pull Station			
	PO-HS-24WR	2	68.00	136.00T
	Gentex Wall horn strobe red			
	PO-S24WR	1	60.50	60.50T
	Gentex Strobe			
	PO-HS-24WR-WP	1	90.00	90.00T
	Gentex Outdoor horn strobe			
	SLE-TEV-Fire	1	250.00	250.00T
	Cell unit for fire alarm system			
	Monitoring AC	1	650.00	650.00
	Monitoring for 1 year including cell			
	wg1804	300	0.46	138.00T
	4 conductor 18 gauge fire wire			

All estimates are valid for a of 30 days accepted
 estimates with signature to: 317 252-0764 or
 Email: dan.lyons@lyonsfireandsafety.com

SUBTOTAL	4,155.50
TAX	132.69
TOTAL	\$4,288.19

Accepted By

Accepted Date



K. J. FUNKE & ASSOCIATES

PETERS FIRE SPRINKLER CONTRACTOR, INC.

August 23, 2023

Kurt Allen

Email: airborneinfantryman2009@gmail.com

RE: Danville Ammo, Automatic Fire Sprinkler System Bid

We are pleased to submit our *budgetary* bid of Eighteen Thousand Dollars (\$18,000.00) to provide an automatic fire sprinkler system for the above-referenced project.

Work Included in Interior Price:

- Start at a flange inside of warehouse
- Provide one wet pipe sprinkler system including a backflow preventer, flow switch, gauge and main drain
- Pipe and material to be per NFPA #13, 2010 Edition for Light Hazard in the offices and Ordinary Hazard Group II everywhere else
- Provide protection at deck to protect combustibile construction
- Sprinklers are to be semi-recessed in ceilings
- Price is based on adequate water for a 4" riser, no supply available at time of bid
- Provide a lift
- Provide state submittal and fee
- Price is based on receiving an Autocad dwg file, at no cost, for our use
- All applicable state sales tax

Work Not Included in Interior Price:

- Any underground – not even 5' outside
- Any dry systems, all areas must be maintained at 40F
- Any panels, alarm systems, or remote dialers
- Any electrical or alarm wiring
- Any seismic or sway bracing
- Any knox boxes for fire department
- Any patching of drywall that may be damaged or have to be removed to perform our work
- Any insurance over \$1M with \$2M Umbrella

We thank you for the opportunity to present our proposal. *Please note, due to the volatility of the steel market, this price is subject to review in thirty (30) days.* If you have any questions, please contact me at 317.356.9654 or through my cellular phone 317.538.1818.

K.J. Funke & Associates

Stephen M. Carroll
President

SECURALL

SECURALL
5122 N State Road 39
La Porte IN 46350
United States

Quote# S05280

Invoice Address

Vitalis Precision Ammunition
1550 S Bloomington Street
Greencastle IN 46135
United States
+1 317-373-3867
sales@vitalisprecision.com

Delivery Address

Vitalis Precision Ammunition
84 S Tennessee Street
Danville IN 46122
United States

Date:
08/23/2023

Expiration Date:
09/22/2023

Payment Terms:
50% Down/50% before
Shipping

Estimated Lead Time:
14 Weeks estimated

NAME	DESCRIPTION	QUANTITY	UNIT PRICE	TAXES	AMOUNT
M150T2I	M150T2I (BGray) Type 2 Indoor Explosive Magazine 60"H x 42"W x 36"D	1.000 each	5,420.00000	Tax 0%	\$ 5,420.00
Shipping Dimensions/Weight	Shipping Dimensions/Weight Estimated shipping dimensions: 60"H x 54"W x 48"D Estimated shipping weight: 1,854 Lbs	1.000 Units	0.00000	Tax 0%	\$ 0.00
Shipping FlatBed	Shipping FlatBed Freight Estimate via Landstar * Off Loading and Installation Not Included. Shipping rate is estimated, rate will be determined upon delivery	1.000 each	715.00000	Tax 0%	\$ 715.00

Untaxed Amount	\$ 6,135.00
Taxes	\$ 0.00
Total	\$ 6,135.00

This quote is good for 30 days excepting clerical mistakes. Cancellation Fees may apply.

+1 888-326-7890 custserv@securallproducts.com <http://securallproducts.com>

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50% Down/50% before Shipping

**BOARD OF ZONING APPEALS
DANVILLE, INDIANA**

ACTION ON PETITION FOR A SPECIAL EXCEPTION

MOTION

I move that we **approve / deny** Special Exception petition 2023-2149 sought by Kurt Allen, Vitalis Precision to allow manufacturing/assembly of ammunition in an IG zoning district as required by Section 10.4.C of the Danville Zoning Ordinance on property located at 842 South Tennessee Street as having **satisfied / not satisfied** the requirements for special exceptions under Section 5 of the Danville Zoning Ordinance for the following reasons:

1. The Special Exception requested **is** listed in the specific zoning district involved;

2. The Special Exception requested **will / will not** be detrimental to or endanger the public's health, safety, morals, comfort, or general welfare;
 - a) **for the reason(s) stated in the staff report;**
 - b) **for the reason(s) stated in Petitioner's proposed findings of fact; and/or**
 - c) **because:** _____

3. The Special Exception requested **will / will not** be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
 - a) **for the reason(s) stated in the staff report;**
 - b) **for the reason(s) stated in Petitioner's proposed findings of fact; and/or**
 - c) **because:** _____

4. The Special Exception **will / will not** be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;
 - a) **for the reason(s) stated in the staff report;**
 - b) **for the reason(s) stated in Petitioner's proposed findings of fact; and/or**
 - c) **because:** _____

5. The Special Exception **will / will not** create excessive additional requirements at public expense for public facilities and services, nor be detrimental to the economic welfare of the community or result in the destruction , loss, or damage of a natural, scenic, or historic feature of major importance;

a) **for the reason(s) stated in the staff report;**

b) **for the reason(s) stated in Petitioner’s proposed findings of fact; and/or**

c) **because:** _____

6. At least one year **has** elapsed since any denial by the Board of any prior application for a Special Exception that would have authorized substantially the same for all or part of the site, unless the Board determines that conditions in the area have substantially changed.

And I move that this approval be made subject to the following conditions:

DECISION

(After a second is made to the motion and a roll call vote is taken, the presiding officer makes the following announcement): “It is therefore the decision of this body that the Special Exception is **approved / denied ... (and if conditions have been imposed) ... subject to the conditions made a part the adopted motion.**

840 South Tennessee Street



CASE SUMMARY

DEVELOPMENT STANDARDS VARIANCE

- Case:** 2023-2150
Kurt Allen, Vitalis Precision, Petitioner
- Request:** Seeking a development standards variance from Section 4.2 to permit a second principal use on a single lot
- Location:** 842 South Tennessee Street
- Acreage:** 0.12 acres
- Zoning:** Industrial General District (IG)

Staff Summary:

The petitioner is requesting a development standards variance to allow a second principal use on a single lot. The current use of the property is a lawn care/landscaping business which is family owned. The proposed additional use will be for the manufacturing/assembly of ammunition in a portion of the existing pole-type structure. There will only be one (1) employee associated with the proposed second use and there will not be any retail of any kind. There appears to be adequate parking for one (1) additional vehicle parking space.

As of this writing, staff received a call from Co-Alliance inquiring about the request but did not express opposition.

If approved, staff recommends contact with the Indiana Department of Homeland Security to see if a state design release will be required and communication with the Danville Fire Marshall for input as to any requirements that may need to be followed, as well as documentation of such.

BZA options include the following:

- Approve the use variance request
- Deny the use variance request
- Approve the use variance request with conditions



Danville BZA

49 North Wayne Street | Danville, IN 46122
317-745-4180 | www.danvilleindiana.org

Date of Hearing: 8/16/2023
Board of Zoning Appeals Action: _____

App. No.: 2023-2150
Fees: \$350.00
Received By: LT

APPLICATION FOR APPROVAL (Check all that apply)

- Appeal Special Exception Use Variance Development Standard Variance

* Please fill out the form in its entirety

Applicant (s) Kurt Allen

Address (s) 1550 S Bloomington Greencastle, IN 46135

Phone (s) 317-373-3867 Email (s) sales@vitalisprecision.com

Owners (s) Karen and Jay Walker

Address (s) 6992 South County Road 750 East Plainfield, IN 46168

Phone (s) 317-518-0669 Email (s) Kajjayproperties@yahoo.com

Owners' Representative (Subdivider, if any) and /or Registered Engineer or Land Surveyor: _____

Address (s) _____

Phone (s) _____ Email (s) _____

Address of Subject Property: 842 S. Tennessee Street Danville, IN 46122

Area (in acres): 0.12 Number of Lots: 1

Parcel ID#: 32-002-0000-0000184-002 Current Zoning District: 1004-Business IG

Requested Action From The Danville BZA: We are requesting approval for a variance to allow two principal uses of a single property. (20 Sec. 4.2)

STATE OF INDIANA)

) SS:

HENDRICKS COUNTY)

The undersigned certifies that the above information is true and correct to the best of his (her) knowledge.

[Signature]
Signature of Owner/Applicant (s)

Owner of Vitalis Precision
Title of Applicant

FINDINGS OF FACT

DEVELOPMENT STANDARD VARIANCE

Address: 842 S. Tennessee Street Danville, IN 46122

1. The approval will not be injurious to the public health, safety, morals and general welfare of the community because:

The manufacturing of ammunition using smokeless powder is a safe venture that generates no hazardous waste, fumes, noise or burden on the community. Risks are minimal and any existing risk is conforming to other surrounding structures that maintain and distribute stores of anhydrous ammonia.

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

As stated before, no hazardous waste, fumes, noise or burden will be placed on the community. There will also be no signage or advertisement of the activities at this site that might create congestion or abnormal attention and there will be no outward modification to the site that might conflict with existing structures or aesthetics.

3. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought because:

It would limit our ability to obtain licensing from the ATF which would delay or prevent Vitalis Precision from becoming a productive and revenue generating entity.



Overview



Parcel ID	32-11-10-310-008.000-003	Alternate ID	17-2-10-51W 310-008	Owner Address	NALKER JAMES R & KAREN J H/W 10 MARTIN DR Danville, IN 46122
Sec/Twp/Rng	0010-0015-1W	Class	RESIDENTIAL ONE FAMILY DWELLING ON A PLATTED LOT		
Property Address	840 S Tennessee St Danville	Acreage	0.12		
District	Town Of Danville				
Brief Tax Description	PT LOT 1 W L WILSON ADDITION .12 AC CAME FROM 17-2-10-51W 310-004, 005, 006, 007 <i>(Note: Not to be used on legal documents)</i>				

Date created: 8/11/2023

Developed by  **Schneider**
GEOSPATIAL

840 South Tennessee Street



**BOARD OF ZONING APPEALS
DANVILLE, INDIANA**

**ACTION ON PETITION FOR A VARIANCE
FROM DEVELOPMENT STANDARDS**

MOTION

I move that we **approve / deny** the variance sought by Kurt Allen, Vitalis Precision, petitioner in BZA petition 2023-2150 to allow a second principal use on a single lot. This petition has **satisfied / not satisfied** the requirements for variances under state law for the following reasons:

1. The approval **will / will not** be injurious to the public health, safety, morals, and general welfare of the community
 - a) **for the reason(s) stated in the staff report;**
 - b) **for the reason(s) stated in Petitioner's proposed findings of fact; and/or**
 - c) **because:** _____

2. The use and value of the area adjacent to the property included in the variance **will / will not** be affected in a substantially adverse manner
 - a) **for the reason(s) stated in the staff report;**
 - b) **for the reason(s) stated in Petitioner's proposed findings of fact; and/or**
 - c) **because:** _____

3. The strict application of the terms of the Zoning Ordinance **will / will not** result in practical difficulties in the use of the property
 - a) **for the reason(s) stated in the staff report;**
 - b) **for the reason(s) stated in Petitioner's proposed findings of fact; and/or**
 - c) **because:** _____

[note #1: An adverse finding on any one of the above requires Board denial of the variance.]

[note #2: None of the words in bold italics should be used if the motion is to approve a variance.]

And, I move that this approval be made subject to the following conditions:

[note #3: If the majority votes against a motion to approve a variance, a subsequent motion should be made for findings of fact to reflect that the Petitioner did not establish the three requirements of state law to have been met. This motion should indicate which requirement(s) were not met or cite reasons stated in the staff report, if the staff recommendation was against approval.]

DECISION

(After a second is made to the motion and a vote is taken, the presiding officer makes the following announcement): “It is therefore the decision of this body that this variance petition is **approved / denied** (and if conditions have been imposed)...**subject to the conditions made a part the adopted motion.**”