

DANVILLE BOARD OF ZONING APPEALS

Meeting Minutes

September 15, 2020, 7:00 PM

Members Present: Kevin Tussey, Tom Swords, Loris Thompson, Jill Howard, and Gary Eakin
Members Absent: None
Staff Present: Lesa Ternet and Malynn Hearon
Staff Absent: None
Guests: Kevin Cavanaugh and Kristen Sprague

A quorum was established, the meeting was called to order by Kevin Tussey, and the minutes from July 21, 2020, were approved.

Gary Eakin swore in those who wished to speak.

Old Business: None

New Business:

A. Public Hearing: A development standards variance to allow a fence height of 8 feet with a 3-strand barbed wire for an additional 2 feet, on property located at 925 East Main Street: Hendricks County Jail

L. Ternet stated the petitioner is seeking a variance to allow a fence to exceed the maximum height of four feet and a maximum height of six feet in the side and rear yard. They are also requesting an eight-foot fence around the north parking lot and in an area on the east side of the building. This is a correctional facility; security is essential for the safety of the community. Kevin Cavanaugh approached the board and explained that these areas would be for staff parking and emergency holding area for inmates.

K. Tussey opened and closed the public hearing as no one came forward.

L. Thompson made a motion to approve the use variance sought by Petitioner Kevin Cavanagh on behalf of Hendricks County Commissioners, petitioner in BZA petition #20-51 to allow a fence height of eight (8) feet around the north parking lot and in an area on the east side of the building (Section 13.8.E.1) in the OD district and (COPD) district. This petition has **satisfied** requirements for variances under state law for the following reasons:

The approval **will not** be injurious to the public health, safety, morals, and general welfare of the community **for the reason(s) stated in the Petitioner's proposed findings of fact.**

The use and value of the area adjacent to the property included in the variance **will not** be affected in a substantially adverse manner **for the reason(s) stated in the Petitioner's proposed findings of fact;**

The strict application of the terms of the Zoning Ordinance **will result in practical difficulties in the use of the property for the reason(s) stated in the Petitioner's proposed findings of fact;**

And I move that this approval be made with no conditions.

Jill Howard seconded.

Roll call vote:

G. Eakin – aye

J. Howard - aye

K. Tussey - aye

T. Swords– aye

L. Thompson – aye

Motion passed – 5-0

B. Public Hearing: A development standards variance to allow additional wall signage on property located at 779 East Main Street

L. Ternet stated the petitioner is requesting a variance to allow an addition to an existing wall sign of 5.7 square feet. The existing wall sign is 45.5 square feet and currently exceeds the maximum allowed by 11.5 square feet. The petitioner is requesting a variance to exceed the maximum allowed, which is 34 square feet. Kristen Sprague came forward and explained that they wanted to add the wording 24/7 to sign. It will be of the same size and lighting. The board did not have any questions.

K. Tussey opened and closed the public hearing as no one came forward.

J. Howard made a motion to approve the variance sought by Sign Craft Industries on behalf of Chronic Health Club, Petitioner in BZA petition #20-52, to allow a 51.3 square foot wall sign, which exceeds the maximum allowed of 34 square feet (Section 12.7. B.1(d) in the GB district & (CPOD) district. This petition has **satisfied** the requirements for variances under state law for the following reasons:

The approval **will not** be injurious to the public health, safety, morals, and general welfare of the community **for the reason(s) stated in the Petitioner's proposed findings of fact.**
The use and value of the area adjacent to the property included in the variance **will not** be affected in a substantially adverse manner **for the reason(s) stated in the Petitioner's proposed findings of fact;**
The strict application of the terms of the Zoning Ordinance **will** result in practical difficulties in the use of the property **for the reason(s) stated in the Petitioner's proposed findings of fact;**
And I move that this approval be made with no conditions.

L. Thompson seconded.

Roll call vote:

G. Eakin – aye

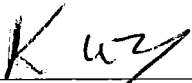
J. Howard - aye

K. Tussey - aye

T. Swords– aye

L. Thompson – aye

Motion passed – 5-0



Kevin A. Tussey – President



Gary D. Eakin – Secretary