



## **BOARD OF ZONING APPEALS**

### **Minutes**

**Brownsburg Town Hall  
61 North Green Street  
Brownsburg, Indiana 46112**

**Monday, January 11, 2021**

The Brownsburg Board of Zoning Appeals convened at 7:00 PM with a moment of silence and the Pledge of Allegiance. Michael Neal opened the meeting, and a roll call was taken.

Members Present: Maria Andrews, Stacey Risk, Mike Neal and Chris Worley

Members Absent: None

Also Present: Jodi Dickey, AICP- Director of Development Services, Todd Barker, AICP – Asst. Director of Development Services and Heather Wetzel- Admin. Assistant

#### **A. CALL TO ORDER AND DETERMINATION OF QUORUM**

##### **1. Announcements**

Mike Neal stated there were a few items he wanted to address before moving along the agenda. He said former member Ben Lacey who had served on the Board and was appointed by the Plan Commission had been elected to fill Councilman Dennis Dawes' Town Council term. The APC had yet to meet and they would appoint a member. Therefore the BZA should have a new member in February. Mr. Neal said they also had a newly appointed member of the Board, Stacey Risk. Ms. Risk said she had been in Brownsburg since 2011 and was glad to help out.

##### **2. Agenda Amendment**

Mr. Neal said that due to an error, the Public Comments section of the Agenda had been omitted. There needed to be a motion to add that to the agenda.

**Motion:** Chris Worley made a motion to **AMEND** the December 14, 2020 Agenda, seconded by Maria Andrews, motion carried 4 In Favor/0 Opposed/0 Abstained.

#### **B. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE**

#### **C. ELECTION OF OFFICERS**

##### **1. 2021 President (Presided By The 2020 President)**

Chris Worley nominated Mike Neal as 2020 President, seconded by Maria Andrews. There were no other nominations.

**Motion:** Maria Andrews made a motion to **ELECT** Mike Neal as the 2021 BZA President, seconded by Chris Worley, motion carried 4 In Favor/0 Opposed/0 Abstained.

##### **2. 2021 Vice-President (Presided By The 2021 President)**

Mike Neal nominated Chris Worley as 2020 Vice President, seconded by Maria Andrews. There were no other nominations.

**Motion:** Mike Neal made a motion to **ELECT** Chris Worley as the 2021 BZA Vice President, seconded by Maria Andrews, motion carried 4 In Favor/0 Opposed/0 Abstained.

3. 2021 Recording Secretary

Mike Neal nominated Heather Wetzel as 2021 Recording Secretary, seconded by Maria Andrews. There were no other nominations.

**Motion:** Mike Neal made a motion to **APPOINT** Heather Wetzel as the 2021 Recording Secretary, seconded by Chris Worley, motion carried 4 in favor/0 opposed/0 abstained.

**D. CONSIDERATION OF PREVIOUS MEETING(S) MINUTES**

1. December 14, 2020- Regular Meeting

**Motion:** Maria Andrews made a motion to **APPROVE** the December 14, 2020 regular meeting minutes, seconded by Chris Worley, motion carried 4 In Favor/0 Opposed/0 Abstained.

**E. APPROVAL OF FINDINGS OF FACT**

1. None

**F. HEARING OF REQUESTS FOR CONTINUANCES**

1. None

**F. CONTINUED PUBLIC HEARINGS**

1. None

**G. OLD BUSINESS**

1. None

**H. NEW BUSINESS**

1. BZSE-12-20-1868      Hoosier Storage Outdoor Storage

A request for a Special Exception Use approval from Ordinance 2018-18 to permit an "Outdoor Storage" use within the Wynne Farms Planned Development (PD) District.

Parcel No(s): 32-07-25-113-001.000-016

Represented by: James Thomason, Hoosier Storage

**ADVERTISED PUBLIC HEARING**

James Thomason, Hoosier Storage, stated they had a storage facility storage facility on Ortho Lane and had space for outdoor storage. There was a time limit of five years for that use. They planned on building more buildings in that space but had gotten requests from the area for storing boats, trailers, etc. as there were a lot of HOA's in the area. He thought it would be a good use of the land. Mr. Thomason noted that you could not see parked vehicles from the outside as they had 10 foot high walls and fences as well as landscaping. He felt it was a good use for the space, it would not change the look of the neighborhood and it would not increase traffic. The Special Exception would allow them utilize that space for 50-55 spaces. The Staff Report noted that there was a time limit and it was only valid in the permitted area.

Todd Barker reviewed the case for the Board and said there was a zoning change at the end of 2020 that both the Plan Commission and Council moved to accept. The property was zoned PD and the PD pulled the C2 classification from the regular UDO regulations for that particular area. One of those standards was that any outdoor storage be limited by right to 5% of the floor area of the primary structure, it did allow a Special Exception for between 5% and 30% of that gross floor area. That was the section of the code that the Applicant was seeking to Special Exception for. As the Board may recall, those Special Exceptions were in the ordinance to allow for flexibility

in the code. The request was within the maximum of 30% so they would qualify based on the area they were looking to include.

Mr. Barker reviewed the area in question and said the storage facility was located just north of the intersection of S. Northfield Drive and Hornaday Road immediately east of Ortho Indy. To the south of the facility Big Red liquors was about to open a new store and there was also a detached single-family subdivision completing their infrastructure south and to the east. He reviewed site photos showing the office, a view from the attached single family and from the roads within there. As indicated, there were substantial walls and landscaping. The area in question was roughly 190 by 190, feet. He showed the smaller rectangles where the outdoor storage spaces would be and noted that they were bordered by buildings on the north, east and west, and then the outer wall.

Staff felt that based upon the analysis of the information submitted by the Applicant, they had satisfied the requirements for the Development Standards Variance subject to and conditioned upon the following:

- (1) That Special Exception Use is only valid from January 2021 through February 2026.
- (2) That the Special Exception Use is only valid within the area identified in the applicant's concept plan as "Outdoor Storage / Parking Area" included with the application.
- (3) The approval of the Findings of Fact and Report of Determination by the Plan Commission.

Maria Andrews asked how many spots they were going to have and learned it was 55. She asked what would happen in 2026 or prior if they wanted to extend that timeframe. Mr. Barker said that a condition of the zoning was that it was only within that time period. Part of the original approval was that this space would actually be occupied by buildings for additional [indoor] storage; that was the preference of the Town (as well as the Applicant) to get that completed.

Chris Worley asked if that area was adequate based on the Applicant's projected need. Mr. Thomason replied that it was and they might not even use all of them.

Stacey Risk asked after the five years was up if the intent was to enclose the area so the same size vehicles could be stored there or would they be more of the normal storage. Mr. Thomason said it would be more of the normal storage; it was more profitable and of greater used to people. They did not plan on building a taller building for that kind of storage.

Mike Neal asked Staff if come February 2026 if the Applicant could come back to the Board and extend the Special Exception if they changed their mind. Mr. Barker said they would have to go to the Plan Commission and request an amendment to that zoning condition, get that approved at Town Council, and then come back to the BZA and request the Exception.

Mr. Neal asked the Applicant what their timeline was for building the other buildings. Mr. Thomason said it was 2-3 years, it depended on how fast the facility filled. They currently had 453 spaces, if they got up to 400 spaces they would be building. Mr. Neal said if there was potential they would not need the Exception as long, once they built would the special use fall off on its own? Mr. Barker said that there were two conditions, one being the time frame and the other that it was specific to that area. Once they started building, that area would keep getting smaller and smaller until the area was no longer applicable.

### **ADVERTISED PUBLIC HEARING OPENED**

Mr. Thomason said he did not foresee them needing to extending that use.

**Motion:** Maria Andrews made a motion to **APPROVE** BZSE-12-20-1868 subject to and conditioned upon Staff recommendations, seconded by Chris Worley, motion carried 4 In Favor/0 Opposed/0 Abstained.

**ADVERTISED PUBLIC HEARING CLOSED**

**I. COMMUNICATIONS & REPORTS**

1. Town Manager Message

Jeff Eder wanted to thank the members for their dedication and hard work and said the BZA made the Town of Brownsburg better. He welcomed Board members to visit him if they ever had comments.

2. Joint Working Session

Jodi Dickey told the Board that the Boards, Commissions and the Council did annual training. There was a work session scheduled for January 30<sup>th</sup>. Because of COVID, that would likely be done virtually. They were looking at 8 or 9 AM, Council would set the official date and time and Staff would then share that with the Board.

**J. CITIZENS COMMENTS RELATING TO AGENDA**

1. None.

**K. ADJOURNMENT**

**Motion:** Chris Worley made a motion to **ADJOURN**, seconded by Maria Andrews motion carried 4 In Favor/0 Opposed/0 Abstained. 7:24 P.M.

  
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Michael Neal, President

ATTEST:

  
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Heather Wetzel, Administrative Assistant