



## **BOARD OF ZONING APPEALS**

### **Minutes**

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

**Monday, February 13, 2023**

The Brownsburg Board of Zoning Appeals convened at 6:00 PM with a moment of silence and the Pledge of Allegiance. A roll call was taken; where upon determination of quorum was found.

Members Present: Jeff Humphreys, Stacey Risk, Brett Scowden and Marlon Webb

Members Absent: None

Also Present: Jodi Dickey, AICP- Director of Development Services, Jenna Wertman, AICP- Senior Planner, Adeleke-Taiwo Mustapha - and Paola Ranney - Administrative Assistant

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

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

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

1. January 09, 2023- Regular Meeting

**Motion:** Brett Scowden made a motion to **APPROVE** the January 9, 2023 regular meeting minutes, seconded by Jeff Humphreys, motion carried 4 In Favor/0 Opposed/0 Abstained.

**D. APPROVAL OF FINDINGS OF FACT**

1. None.

**E. HEARING OF REQUESTS FOR CONTINUANCES**

1. None

**F. CONTINUED PUBLIC HEARINGS**

1. None

**F. OLD BUSINESS**

1. None

**G. NEW BUSINESS**

**H. BZDV-23-1                      COMMUNITY REHAB HOSPITAL                      MAXIMUM WALL SIGN SIZE**

A request for a Development Standards Variance from Article 5, § 5.71 "Institutional Signs – Wall Signs," to exceed the maximum size for wall signs in the IS – Institutional District.

Parcel No(s): 32-07-01-401-001.000-016

Represented by: Karen Nicholl, Bennu Signs

## **ADVERTISED PUBLIC HEARING**

Jenna Wertman explained all the reviews made and observations. She suggested that if this were to be approved that it would be with conditions and stated that staff is recommending approval of this variance. Jenna stated the signage and will not be injurious to the public health, morals, safety and general welfare.

Jenna continues to explain the requests and needs of the applicant. She explains how the codes and regulations are being met and geographical placement of the signs. Applicant is requesting a 50 sq ft sign. The allowed sq ft for a sign on this façade is 28sq feet. The applicant has provided a visual presentation to explain the need for this size sign. Upon reviewing presentation Jenna recommends approval of this petition. With added condition of applies only to the noted sign CL1, for the general façade and location where is shown on the plans and the approval of finding of facts and the conclusions of law. Jenna opens the floor for questions from the board. Board had no questions for staff.

Applicant, Karen Nicholl stepped forward. She did not have much add except to explain more in-depth the need for this size sign. Ms. Nicholl opened the floor for questions from the board. Brett Scowden had a few questions regarding direction of when the sign can be viewed and the possible unfair advantage in giving one applicant a bigger sign.

## **ADVERTISED PUBLIC HEARING OPENED**

Cindy Hohman – 15 Tyler Ct – Stated this sign is double what is allowed and doesn't think it's necessary because of the monument sign.

Christy Tennesen – 1421 Berry Lake Way – Also agrees that this sign is not necessary and explains the brightness and lack of tree line will affect her since her house borders with this property.

Karen Nicholl stepped up to the stand to answer the concerns from the residents.

## **ADVERTISED PUBLIC HEARING CLOSED**

Mr. Scowden and Mrs. Risk expressed their concerns with the proposal.

**Motion:** Jeff Humphreys made a motion to **APPROVE** BZDV-23-1, subject to and conditioned upon Staff recommendations as amended, seconded by Marlon Webb, motion failed 2 In Favor/2 Opposed/0 Abstained.

**Motion:** Brett Scowden made a motion to **DENY** BZDV-23-1, subject to and conditioned upon Staff recommendations as amended, seconded by Stacey Risk, motion failed 2 In Favor/2 Opposed/0 Abstained.

Mr. Scowden asked Ms. Dickey whether a motion for a continuance would be needed as the motions to approve or deny had not gained a majority. Ms. Dickey noted that because both motions fell short of a majority, the case would automatically come back on the next agenda.

## **F. COMMUNICATIONS & REPORTS**

1. Report From Director Of Development Services  
Jodi Dickey did not have a report for the Board.

## **G. MISCELLANEOUS BUSINESS**


1. None

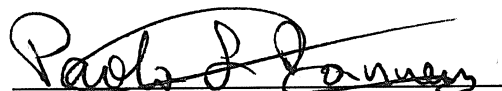
## **H. CITIZENS COMMENTS RELATING TO AGENDA**

1. None

I. **ADJOURNMENT**

**Motion:** Brett Scowden made a motion to **ADJOURN**, seconded by Jeff Humphreys, motion passed 4 In Favor/0 Opposed/0 Abstained. 6:28 P.M.

  
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Marlon Webb, President

ATTEST:   
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Paola Ranney, Administrative Assistant