



BOARD OF ZONING APPEALS

Minutes

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

Monday, April 10, 2023

The Brownsburg Board of Zoning Appeals convened at 6:00 PM, having enough members for quorum, and began the meeting with a moment of silence and the Pledge of Allegiance.

Members Present: Matthew Browning, Stacey Risk, Brett Scowden, and Marlon Webb

Members Absent: Jeff Humphreys

Also Present: Jodi Dickey, AICP- Director of Development Services, Adeleke-Taiwo Mustapha- Associate Planner 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. March 13, 2023 - Regular Meeting

Motion: Brett Scowden made a motion to **APPROVE** the March 13, 2023 regular meeting minutes, seconded by Stacey Risk, motion carried 4 In Favor/0 Opposed/0 Abstained.

D. APPROVAL OF FINDINGS OF FACT

1. BZUV-23-1 10731 E 300 N USE VARIANCE
2. BZDV-23-2 10731 E 300 N PARKING LOT MATERIALS VARIANCE
3. BZDV-23-3 CHIPOTLE AT BROWNSBURG SQUARE SIDE YARD SETBACK VARIANCE
4. BZDV-23-4 CHIPOTLE AT BROWNSBURG SQUARE LOT STANDARDS – FRONTAGE

Motion: Brett Scowden made a motion to **APPROVE** the March 13, 2023 Findings of Facts, seconded by Matthew Browning, motion carried 4 In Favor/0 Opposed/0 Abstained.

E. HEARING OF REQUESTS FOR CONTINUANCES

1. None

F. CONTINUED PUBLIC HEARINGS

1. None

G. OLD BUSINESS

1. BZDV-23-1 COMMUNITY REHAB HOSPITAL MAXIMUM WALL SIGN SIZE
Petition withdrawn at the request of the applicant.

H. NEW BUSINESS

1. BZUV-23-2 204 E Main St USE VARIANCE

A request for a Use Variance from Article 2, § 2.27 "Urban Commercial (UC) District – Permitted Uses," to allow a lower-floor residential unit where the district allows upper-floor only.
Parcel No(s): 32-07-11-330-006.000-016

Jodi Dickey presented. She stated the staff is recommending **APPROVAL** of this variance. She explained the reasoning for the variance. The property is approximately .19 acres and currently zoned IS with a pending rezone to UC Urban Commercial. Surrounding properties are a mix of business and residential. Petitioner is seeking a use variance to allow the property to be used as a counseling center and residence, with the residential unit on the lower floor due to the building construction. Staff is recommending approval of this plan. Jodie opened the floor for questions from the Board. The Board did not have any questions.

Applicant Mr. Robert Lindgren stepped up to the stand. Mr. Lindgren talked a little about the history about this property. He explained the reasoning for the floor plan of the building at the moment. He also explained the need for this variance. Mr. Lindgren opened the floor for questions from the Board. Mr. Scowden asked for clarification on the levels of the building. Mr. Lindgren clarified which entrance had what type of level and the size of the levels.

ADVERTISED PUBLIC HEARING OPENED 6:14pm

Cindy Holman – Resident, stepped up to the stand. She is asking for clarification on the first floor dwelling. She also asked about ADA compliancy.

Mr. Lindgren responded and clarified all the dwelling. He also stated that they are still working on the ADA compliance situation. There have been some issues in the progress.

ADVERTISED PUBLIC HEARING CLOSED 6:16pm

Mrs. Stacey Risk commented on the concern about the ADA compliance issue.

Motion: Stacey Risk made a motion to **APPROVE** BZUV-23-2, subject to and conditioned upon Staff recommendations as amended, seconded by Marlon Webb. The motion carried 4 In Favor /0 Opposed /0 Abstained.

I. COMMUNICATIONS & REPORTS

1. Jodi Dickey did have some information to report to the board. She stated we are redoing the UDO. She had a presentation explaining and clarifying the updates. The Board made some request for Jodi to provide to them.
2. Jodi announced and welcomed our new Board Member Matthew Browning

J. MISCELLANEOUS BUSINESS

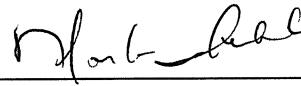
- a. None.

K. CITIZENS COMMENTS RELATING TO AGENDA

- a. Cindy Holman – Resident, had a comment and concerns about the UDO.

L. **ADJOURNMENT**

Motion: Brett Scowden made a motion to **ADJOURN**, seconded by Matthew Browning motion passed 4 In Favor/0 Opposed/0 Abstained. Meeting adjourned at 6:25pm.



Marlon Webb, President

ATTEST:



Paola Ranney, Administrative Assistant