

Board of Zoning Appeals Summary

Last Meeting Date: May 14, 2012

MEETING SYNOPSIS:

The following members were present at the meeting: Lacey, Walker, Willman, and Wolting.

APPROVAL OF MEETING MINUTES:

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| 1. APRIL 9, 2012
REGULARLY SCHEDULED MEETING | The Board voted 4 in favor and 0 opposed to APPROVE the April 9, 2012 Meeting Minutes. |
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APPROVAL OF FINDINGS OF FACT:

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| 1. BZUV-3-12-1097 BKH, LLC. 558 &550
PIT ROAD | The Board voted 4 in favor and 0 opposed to APPROVE the Findings of Fact. |
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OLD BUSINESS:

1. NONE
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NEW BUSINESS:

1. BZUV-4-12-1103 BRANDON D. &
JENNIFER L. SOOTS

This petition is a request for a Use Variance from §155.200(B)(1) of the Brownsburg Zoning Ordinance, entitled "Permitted Uses" to allow Photography Studio as a permitted use on the property. This property is not annexed into Brownsburg at this time, it is currently zoned 'AGR' Agriculture Residential under the jurisdiction of Hendricks County. Upon Annexation it would be zoned 'R-1' Single Family Residential.

After hearing a presentation by the petitioner and comments from the public the Board voted 3-1 to **APPROVE** this petition subject to the following conditions:

1. That this Use Variance be for Brandon D. & Jennifer L. Soots only;
2. Subject to annexation within six (6) months of the approval of this variance;
3. That one (1) sign be permitted on-site with a maximum sign area of fifteen (15) square feet, maximum of five (5) feet tall, and to remain unlit;
4. Prior to opening for business a life safety inspection must be completed by the Brownsburg Building Department and Brownsburg Fire Territory. If any violations/concerns are identified the property owner/tenant shall address all violations/concerns to the satisfaction of the Brownsburg Building Department and/or Brownsburg Fire Territory. After the initial life safety inspection an annual life safety inspection must

be conducted to ensure that the life safety features are in adequate working order;

5. That a written comment be executed and recorded with the Hendricks County Recorder's Office regarding sections 155.149(C)(8)(a)&(b) of the Zoning Ordinance which state:
 - a. That the hours of operation of this photography studio be limited to Monday through Friday, 1:00 PM to 6:00 PM and Saturday, 8:00 AM to 6:00 PM.
 - b. That the appointments at this site be limited to "appointment only".
 - c. That the number of appointments at this location do not exceed an annual average of three (3) per week.
 6. The approval of the Findings of Fact and Conclusions of Law.
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REPORT OF OFFICERS & COMMITTEES:

1. NONE

Staff presented an update on the proposed Comprehensive Plan scheduled hearings at the Plan Commission as well as the special meetings on the proposed Zoning Ordinance.

COMMUNICATION AND BILLS:

1. NONE

Enclosed: May 14, 2012 Meeting Agenda.

BOARD OF ZONING APPEALS AGENDA



MAY 14, 2012

7:00 PM

TOWN COUNCIL MEETING ROOM

TOWN HALL

61 NORTH GREEN STREET

BROWNSBURG, INDIANA 46112

A. CALL TO ORDER AND DETERMINATION OF QUORUM

B. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

C. CONSIDERATION OF MINUTES OF PREVIOUS MEETING(S)

1. APRIL 9, 2012

D. APPROVAL OF FINDINGS OF FACT

1. BZUV-3-12-1097 BKH, LLC. 558 & 550 PIT ROAD

E. OLD BUSINESS

1. NONE

F. NEW BUSINESS

1. BZUV-4-12-1103 BRANDON D. & JENNIFER L. SOOTS 7540 E. CR 300 NORTH A
REQUEST FOR A CONDITIONAL USE VARIANCE FROM §155.200 (B)(1) OF THE BROWNSBURG ZONING ORDINANCE,
ENTITLED "PERMITTED USES" TO ALLOW A PHOTOGRAPHY STUDIO AS A PERMITTED USE ON THE PROPERTY. THIS PROPERTY
IS NOT ANNEXED INTO BROWNSBURG AT THIS TIME, IT IS ZONED 'AGR' AGRICULTURE RESIDENTIAL UNDER THE
JURISDICTION OF HENDRICKS COUNTY UPON ANNEXATION IT WOULD BE ZONED 'R-1' SINGLE-FAMILY RESIDENTIAL.
ADVERTISED PUBLIC HEARING
(PARCEL NO. 32-07-23-400-007.000-015)
REPRESENTED BY: LEE T. COMER, COMER LAW OFFICE

G. REPORTS FROM OFFICERS, COMMITTEES, AND STAFF

1. COMPREHENSIVE PLAN UPDATE; AND
2. ZONING ORDINANCE & MAP UPDATE.

H. COMMUNICATIONS & BILLS

1. NONE

I. ADJOURNMENT