



BOARD OF ZONING APPEALS
Minutes

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

Monday, November 5, 2012

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

Members Present: Tom Lacey, Brett Scowden, Eric Willman, and Eric Spoonamore

Members Absent: Al Wolting

Also Present: Todd A. Barker – Director of Planning, Tricia Leminger- Town Attorney, and Jonathan Blake-Planning Technician

CONSIDERATION OF PREVIOUS MINUTES

1. October 10, 2012 – Regular Meeting

Motion: Eric Willman made a motion to **APPROVE** the October 10, 2012 regular meeting minutes, seconded by Brett Scowden, motion carried 4 In Favor/0 Opposed/0 Abstained.

APPROVAL OF FINDINGS OF FACT

1. BZAA-8-12-1111 DAVE HATHAWAY 19 CARNABY COURT

Motion: Brett Scowden made a motion to **APPROVE** the Finding of Facts for BZAA 8-12-1111, seconded by Eric Willman, motion carried 4 In Favor/0 Opposed/0 Abstained.

OLD BUSINESS

1. NONE

NEW BUSINESS

1. BZDV-9-12-1113 VERIZON WIRELESS TELECOM CABINET 1410 NORTH GREEN STREET

A request for a Variance of Development Standards from §155.208(B)(3) of the Brownsburg Zoning Ordinance, entitled "Accessory Buildings" to reduce the Accessory Structure minimum side yard setback to 6 ½ feet within the C-3 Zoning District. (Parcel No. 32-07-02-100-019.000-026)

ADVERTISED PUBLIC HEARING

Russell Brown with Clark Quinn Moses and Grahn appeared before the Board of Zoning Appeals representing Verizon Wireless Telecommunications. Mr. Brown stated his client was looking to co-locate on the existing tower and that there are currently two existing carriers on the subject tower. It is the request of the client that they receive approval for a Development Standards Variance of 6.5 feet and to be allowed to co-locate on the southwest corner of the tower. The ordinance does not require a setback for towers but requires a setback for the accessory buildings that come along with a communication tower.

It is their belief this request will cause the least amount of disruption from surrounding uses and is the appropriate place to locate. They are here to ask for favorable consideration this evening.

They have addressed the staff comments and commitment requests as identified in the project synopsis and are in support of those requests.

There was a brief discussion regarding the setback requirements as outlined in the ordinance.

OPEN ADVERTISED PUBLIC HEARING

CLOSED ADVERTISED PUBLIC HEARING

Brett Scowden stated his recommendation would be contingent upon the property owner's approval.

Todd Barker stated all applications of this nature require consent of the property owner.

Tom Lacey requested to see slide 12-15 to identify the White Lick Creek location which resulted in a brief discussion regarding the accessibility of the creek in connection to the tower.

Motion: Eric Willman made a motion to **APPROVE** BZDV-9-12-1113 contingent on the conditions outlined by staff on the Project Synopsis; seconded by Brett Scowden, motion carried 4 In Favor/0 Opposed/0 Abstained.

G. REPORTS FROM OFFICERS AND COMMITTEES

1. Todd Barker gave a brief update on the Zoning Ordinance & Map Update.
2. The Board of Zoning Appeals made a motion to nominate a member of the Board to fill the Vice-President vacancy.

Motion: Brett Scowden made a motion to **NOMINATE** Eric Willman as Vice President; seconded by Eric Spoonamore, motion carried 4 In Favor/0 Opposed/0 Abstained.

H. COMMUNICATIONS & BILLS

1. NONE

I. ADJOURNMENT

Motion: Brett Scowden made a motion to **ADJOURN**, motion carried 4 In Favor/0 Opposed/0 Abstained. 7:17 p.m.

Tom Lacey, President

ATTEST:

Meegan Morgan, Recording Secretary