

**Town of Georgetown
BZA Public Hearing Meeting
July 28, 2022 6:30 PM
9111 St Rd 64
Georgetown, IN 47112**

Doug Bledsoe called the meeting to order.

Pledge of Allegiance.

Roll call - Members present: Doug Bledsoe, Michael Mercer, and Doug Wacker. Members not in attendance: Jason Parrish and Jeff McCaffrey. Also in attendance were Bob Woosley (Town Engineer), Kristi Fox (Town Attorney) and Jessica Alexander (Deputy Building Commissioner).

Election

Doug Bledsoe made a motion to nominate Michael Mercer President. Seconded by Doug Bledsoe and approved 3-0.

Doug Bledsoe made a motion to nominate Doug Wacker Vice President. Seconded by Michael Mercer and approved 3-0.

Approval of Minutes

Doug Bledsoe made a motion to approve the minutes from December 16, 2021. Seconded by Doug Wacker and approved 3-0.

New Business

Georgetown Fire Dept – Sign Variance

Carl Rueff with Rueff Signs was present. Georgetown Fire Dept would like to replace the current message board with a new digital, LED one. The need to obtain a sign variance for a LED illuminating board. The current sign is luminated and 4' x 8'. It would be replaced with a 4' x 6' that has a base of 3'. It will have an auto illuminated features and dimming capabilities. The sign will be very similar to Georgetown Elementary's sign. The new sign will be going into the same spot as the current sign.

Our code doesn't allow for LED signs. Variance ballot is needed for the approval of sign. Bob Woosley has no issue with the new sign.

No public comments in favor or in opposition of the ballot.

Bob Woosley read the variance ballot.

Doug Wacker motion to approve variance ballot as read. Seconded by Doug Bledsoe and approved 3-0.

The variance ballot will be attached to these minutes.

Stephanie Timberlake – Autumn Cove Driveway Extension

Stephanie Timberlake would like to talk about the variance that was approved at the June 2021 meeting. At the meeting, from her understanding, the approval that was given was on the ballot: to the right-hand side only, a 10' extension to the right side, to stay at the back of the sidewalk, and not to exceed the front of the house.

An extension to the northwest was not granted. Doug Wacker brought up his concerns about exceeding the front of the house and Jeff McCaffrey's agreed.

Stephanie Timberlake and Edie Medley along with 27 homeowners signed a petition last year stating that they didn't want to disrupt the integrity of neighborhood and the greenspace. Stephanie has addressed that specifically Mr. Chwalik is continuously in violation of the HOA's Convivence and Restrictions. Mr. Chwalik constantly has trailers and other things in the driveway and is parking on the street. The reason he asked for an extension for his driveway was to accommodate his wife's business and it's hard for him to have his utility trailer in the driveway. Not allowed to have business' in your home in Autumn Cove Subdivision, per their restrictions.

The property owner is not following what was granted by the BZA. Mr. Chwalik has replaced the sidewalks and comes past the apron. Bob showed during the construction pics he took on Saturday & after pics. Extension was brought out more than asked for the variance. Mr. Chwalik went further to the left with pavers and right side which went past the sidewalk.

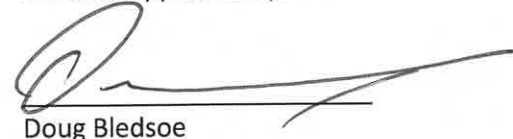
Doug Bledsoe asked what the options will be for Mr. Chwalik to be in compliance with what had been approved. Kristi Fox stated that a letter will need to be sent stating that he is out of compliance and this letter will come from the Building Department. He would have 15-20 days to get into compliance. If he fails to do so, then we can take legal action. He could alternatively apply for another variance and come before the BZA to apply for the additional pieces to get approved that was beyond previously approved. This will include from the left and right side of property. Variance was only supposed to be the right 10' behind sidewalk and not behind structure.

Doug Wacker made a motion to send a letter of noncompliance. Seconded by Doug Bledsoe and approved 3-0.

Michael Mercer made a motion to allow Jessica Alexander to issue a stop work order if Zoning Code allows it. Seconded by Doug Bledsoe and approved 3-0.

Doug Wacker made a motion to adjourn. Seconded by Doug Bledsoe and approved 3-0.

Minutes Approved By:

A handwritten signature in dark ink, appearing to read 'Doug Bledsoe', with a long horizontal stroke extending to the right.

Doug Bledsoe

Doug Wacker

Jason Parrish



Jeff McCaffrey



Michael Mercer

Attest:



Jessica Alexander, Secretary



SIGN IN SHEET

MEETING DATE & TIME:

BZA-6:30 7/28/22

PUBLIC HEARING FOR:

Gtown Fire Dept. Sign Variance

[illegible]

DEVELOPMENTAL STANDARD VARIANCE BALLOT

GEORGETOWN BOARD OF ZONING APPEALS

Docket G-22-16469

Petitioner's Name: Bueff Signs for Gtown Fire Dept.

ORDINANCE AUTHORITY:

Georgetown Zoning Ordinance

The variance petition shall be approved if the findings of fact are made consistent with the requirements of this Ordinance and Indiana State Code. The petition shall be approved with modification if the Board determines that the required finding of fact may be made if certain conditions are applied to the petition. The Board may make reasonable conditions related to the required findings of fact part of its approval or accept written commitments from the petitioner.

DECISION

After careful review the Board finds that:

1. Approval of the variance (WILL NOT / WILL) be injurious to the public health, safety, morals, and general welfare of the community because:

The proposed LED replaces an existing reader board sign in the same location. The sign will be of approximately the same size as the existing sign. The new sign will be used to share important communications with the public. Location does not interfere with traffic or cause

2. The use and value of the area adjacent to the property included in the variance (WILL NOT / WILL) be affected in a substantially adverse manner because:

The proposed sign will be placed in the same location as existing sign & is of the same size as existing sign. Based on application the proposed sign automatically dims in the evening reducing the glare & impact on nearby residents. Like all signs issued to Miller Co.

3. The strict application of the terms of the zoning ordinance (WILL / WILL NOT) result in practical difficulties in the use of the property because:

LED signs are currently not allowed by the Town's zoning code. The proposed sign is intended to be used as a community message board to get information to the public. Using LED will greatly improve the ability of the Fire Dept. to effectively get messages to the public without a variance. The LED sign will not be allowed.

4. This variance (DOES / DOES NOT) involve a structure that is near an airstrip and regulated under Indiana Code 8-21-10.

If such a structure is involved, the Petitioner (HAS / HAS NOT) provided the Board with a copy of the following:

- a. Permit for the structure issued by the Indiana Department of Transportation;

- i. Determination of No Hazard to Air Navigation issued by the Federal Aviation Administration; and
- ii. Evidence that notice was delivered to a public use airport as required in Ind. Code 8-21-10-3 not less than sixty (60) days before the proposal is considered.

The Board of Zoning Appeals hereby (GRANTS) DENIES) the Petitioner's Variance at the meeting held on the 28 day of July, 2022

Approval by the Board is subject to the completion of the following conditions:

n/a

Approval by the Board is subject to the following written commitments:

n/a

Board Members in Favor:

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

Board Members Opposed: