



## **Board of Zoning Appeals City of Crawfordsville, Indiana**

**City Building**  
300 E. Pike Street, 2nd Floor  
Crawfordsville, IN 47933

### **October 18, 2023 at 7:00 PM Meeting Minutes**

The City of Crawfordsville Board of Zoning Appeals met as scheduled on Wednesday, October 18, 2023 at 7:00 p.m. in the Common Council Chambers of the Municipal Building. Board members present were: Allen Slight, Joyce Burnette, and Ron Henricks. Member Shelle Wheeler was not present. Others in attendance were: Megan Huckstep, Director of Planning & Building Services; Kent Minnette, City Attorney of Taylor, Minnette, Schneider & Clutter; and Kathryn Vice, Executive Assistant, Planning & Building Services.

Joyce Burnette called the meeting to order at 7:00 p.m. and the roll was called.

Meeting minutes from September 20, 2023 were presented for consideration. Ron Henricks made a motion to approve the minutes as presented. Allen Slight seconded. Motion passed 3-0.

#### **108 E North Street      Joshua Baxter      DSV 0127**

Under items of old business, Joshua Baxter came forward requesting a development standard variance from the parking requirements of the City Zoning Ordinance in an I-1, industrial zoning district at 108 E North Street. Planning Director Megan Huckstep explained that Mr. Baxter had provided a survey of the property as requested. Additionally, she stated he provided a purchase agreement for the neighboring Zahn's building that he would be acquiring in May 2024. Ms. Huckstep explained that the City Engineer did some research on the property and had determined there to be a forty (40) foot right-of-way and their recommendation would be to allow parallel parking along the street, which would allow for five (5) parking spaces. Ms. Huckstep stated that Mr. Baxter had installed a concrete pad on the west side of the building, creating six (6) parking spaces. Mr. Baxter elaborated on the spaces pointed out by Ms. Huckstep, referencing pictures he had provided to the Commission. In addition to the eleven (11) spaces already mentioned, Mr. Baxter counted two (2) more spaces on the adjoining property to the east, which he had obtained verbal permission to utilize, bringing the total of spaces to thirteen (13) in addition to public parking in the area.

Joyce Burnette asked if the intention of the purchase of the Zahn's building would be to allow parking there. Mr. Baxter explained that location will have a need for their own parking as well, but without counting the Zahn's building there would still be thirteen spaces defined.

With no members of the public present for comment and brief discussion amongst the Board, Ron Henricks moved to approve the development standard variance. Allen Slight seconded. Motion passed 3-0.



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**1401 Darlington Avenue**

**Thomas Hopkins**

**DSV 0129**

Continuing under items of new business, Ms. Huckstep reviewed the staff report presented to the Board concerning petition DSV 0129 submitted by Thomas Hopkins who was requesting a development standard variance from the signage standards and regulations of the City Zoning Ordinance to install a 141.67 square foot pole sign in a B-3, business zoning district at 1401 Darlington Avenue. Ms. Huckstep reported that property to the northeast and southwest is zoned B-3, business, while property to the northwest is zoned I-1, industrial and property to the east is zoned R-3 and R-1, residential. She explained that according to signage standards and regulations, pole signs are not to exceed one hundred (100) square feet. Ms. Huckstep further explained that electronic changeable copy signs, when located within one hundred fifty (150) feet from a residential use located in a residential or historic district, must be oriented so that no portion of the sign face is visible from an existing or permitted principal structure on that lot. Ms. Huckstep reported that the proposed sign would be approximately one hundred twenty-five (125) feet from the abutting residential zoning district and one hundred seventy-three (173) feet from the nearest residence. Ms. Huckstep reported no known environmental, fire, police or emergency issues anticipated. She stated sign representative indicate that the sign does have the ability to flash, scroll, and twirl, however, the customer is willing to eliminate certain features. Ms. Huckstep explained that according to sign regulations any portion of the message must have a minimum duration of eight (8) seconds and must be static display. The findings of fact are as follows:

***1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.***

No, the approval of this variance will not be injurious to the public health, safety, morals, and general welfare of the community.

***2. The need for the variance was not self-created.***

The need for the variance could be considered self-created. The desire to add an electronic changeable copy message sign as a pole or pylon sign on an existing pole exceeding the allowable square footage is the reason a variance is required. Standard signage is permitted at this location as long as it does not exceed 100 square feet per side and it meets the requirements from a residential zoning district.

***3. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.***

The use and value of the area should not be affected in a substantially adverse manner with the addition of an electronic changeable copy sign, but it can be a nuisance to residential homes in some cases. Staff asked for information on the lighting from the sign to determine if it could affect the neighboring property owners. At the time of the report this information had not been provided.



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**4. *The strict application of the terms of this Chapter will result in practical difficulties in the use of the property.***

The strict application of the terms of this chapter would not result in practical difficulties in the use of this property. The automobile dealership and service center can still operate, and a sign is still permitted at the property. The only concern would be that the sign exceeds the allowable square footage for a pole or pylon sign and the electronic changeable copy sign could potentially affect the neighboring residential area.

Ms. Huckstep stated based upon the findings of fact, Staff would recommend denial of the variance. If the Board is inclined to allow the larger sign, Staff would recommend the following conditions:

1. The sign must meet the electronic changeable copy sign section of the Zoning Ordinance including but not limited to: any portion of the message must have a minimum duration of eight seconds and must have a static display;
2. No portion of any messages may flash, scroll, twirl, change color, fade in or out or in any manner imitate movement;
3. Lighting from the sign must be directly upon the property and should not be detrimental to the adjacent properties, especially the adjoining residential zoning district to the east of the property.

Ms. Huckstep noted that there was one resident that came into the office and voiced his concerns in regards to traffic and safety along the road, however, the resident opted to not provide a written statement.

Thomas Hopkins, Sign Solutions, came forward representing the petition. Mr. Hopkins stated the Ms. Huckstep did an adequate job explaining the request. After some clarifying questions from the Board, Joyce Burnette made a motion to deny the development standard variance based upon failure to find that the strict application of the terms of the Zoning Ordinance would result in practical difficulties in the use of the property. Ron Henricks seconded. Motion to deny passed 3-0.

Under miscellaneous items, Ms. Huckstep reminded the Board that the City is working with HWC Engineering to finish up the Unified Development Ordinance. With no other further business, the meeting adjourned at 7:32 p.m.

Minutes Approved: \_\_\_\_\_



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