



Avon Board of Zoning Appeals Meeting Minutes for **March 21st, 2023** at **6:30 p.m.** at Avon Town Hall

3/21/2023 - Minutes

1. **Start Of Meeting**

The meeting began at 6:30 p.m.

Present board members were as follows:

Marcus Turner, Chair
Anne Inman, Vice Chair
Marci Taschler
Kathryn Ransburg
Ian Loera, Staff/Secretary
Justin McBride, Staff
Mitchell Ray, Legal Counsel

Absent was as follows:

Paul Guckenberger

2. **Approval Of Minutes**

There were no minutes to be approved.

3. **Request For Continuances Or Agenda Modifications**

Ransburg made a motion to continue **VAR 23-03 Lamar Billboard Illumination** and **VAR(U) 23-04 Lamar Digital Billboard Conversion** to the April 18th, 2023 Board of Zoning Appeals meeting. Seconded by Inman. Motion passed 4-0.

3.1. **VAR 23-03 Lamar Billboard Illumination**

3.2. **VAR(U) 23-04 Lamar Digital Billboard Conversion**

4. **Public Comment**

5. **Old Business**

5.1. **VAR 23-02 Pana Donuts Drive-Through**

Loera presented his report to the Board. Staff recommended approval of **VAR 23-02 Pana Donuts Drive-Through** subject to the following conditions:

1. Any changes to the provided plan shall be subject to review and approval by the Zoning Administrator.

The board discussed the newly proposed layout. Turner inquired as to if this drive-through would require

Development Plan Review by the Plan Commission. Loera stated that it would not.

The Board and staff discussed the location of the order station/menu board.

The petitioner, David Gilman, 211 S Ritter Ave, STE H, Indianapolis, IN, further detailed the request for the Board.

The owner, Arron Sok, informed the Board that the operation hours of the business would be 5AM to 6PM.

The petitioner and the Board further discussed signage, circulation, and the effects of headlights along US Highway 36. A discussion was had regarding plantings along the southern boundary of the parking lot to mitigate the light projected by headlights.

Inman made a motion to approve **VAR 23-02 Pana Donuts Drive-Through** subject to the following conditions:

1. A landscape plan shall be approved by the Zoning Administrator.
2. Any deviation from the provided plan shall be approved by the Zoning Administrator.

Seconded by Ransburg. Motion passed 4-0.

6. **New Business (Public Hearings)**

6.1. **VAR 23-07 Total Wine Sign Area**

Loera presented staff's report to the Board. Staff recommended denial of VAR 23-07 Total Wine Sign Area subject to no conditions.

The Board and staff discussed the interpretation of the sign code that dictates how sign area is calculated. Loera gave a brief synopsis on how the variance request arose.

The petitioner, Garry Potts, 58171 Dragonfly Ct, Osceola, IN 46561, further detailed the request for the Board.

Turner opened the floor for public comment at 7:17 p.m. Hearing none, Turner closed the floor for public comment at 7:18 p.m.

The Board and the petitioner discussed size and legibility of the sign as it relates to the distance of the building from the Highway. The Board discussed the potential practical difficulty associated with the request.

Inman made a motion to deny **VAR 23-07 Total Wine Sign Area**. Seconded by Ransburg. Motion passed 3-1.

7. **Other Business**

Ian introduced new staff member, Justin McBride, to the Board of Zoning Appeals.

8. **Adjournment**

Meeting adjourned at 7:32 p.m.

Marcus Turner, Chair _____

Anne Inman, Vice Chair _____

Marci Taschler _____

Paul Guckenberger _____

Kathryn Ransburg _____

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Town of Avon, should contact the Town Administrative Offices as soon as possible but no later than 48 hours before the scheduled event.

"Avon is a safe, vibrant community for active families and thriving businesses."

Avon Town Hall | 6570 East US Highway 36 | Avon, IN 46123 | 317-272-0948 | avongov.org | Next Meeting: **04/18/2023**