



Avon Board of Zoning Appeals Meeting Minutes for **June 20th, 2023** at **6:30 p.m.** at Avon Town Hall

6/20/2023 - Minutes

1. Start Of Meeting

Meeting commenced at 6:30 p.m.

Present were as follows:

Marcus Turner, Chair
Anne Inman, Vice Chair
Paul Guckenberger, Board Member
Marci Taschler, Board Member

Absent was as follows:

Kathryn Ransburg

2. Approval Of Minutes

2.1. May 16th, 2023 Board Of Zoning Appeals Regular Meeting Minutes

Inman made a motion to approve the May 16th, 2023 minutes as presented. Seconded by Guckenberger. Motion passed 4-0.

3. Request For Continuances Or Agenda Modifications

None.

4. Public Comment

None.

5. Old Business

None.

6. New Business (Public Hearings)

6.1. SE 23-04 Sudan Trucking Gravel Lot

Loera presented his report to the Board in conjunction with VAR 23-10 Sudan Trucking Fence. Staff recommended approval of **SE 23-04 Sudan Trucking Gravel Lot** subject to the following condition:

1. The gravel lot shall be maintained at all times so as to control the release of dust as per "Chapter 5.14(I) Dust and Pollution".

The Board inquired as to the criteria by which staff made their recommendation.

The petitioner, Andy Kult, Comer Law Office, 71 W Marion St, Danville, IN, further detailed the request to the Board.

Turner opened the floor for public comment at 6:54 p.m.

John Lazaro, 8459 Kingston St, Avon, IN, stated that he owns the neighboring property. He was agreeable to the proposed front yard fence but was in opposition to the gravel lot. He stated that perhaps the front should be paved, but the rear of the lot can remain gravel.

Turner closed the floor for public comment at 6:56 p.m.

The petitioner stated that the concrete portion of the lot is intended to eliminate tracking of gravel onto Kingston St. He also explained the effect that turning maneuvers can have on hard surface concrete lots.

The board inquired as to how this lot would differ from a large industrial development that would be required to pave all of their lot. The petitioner stated that there is more of a circulation pattern with industrial lots.

The Board inquired as to if Kingston St is rated to hold such large semi trucks and also inquired as to the surrounding properties which contain gravel lots.

The petitioner, Dale Kruse, Kruse Consulting, 7384 Business Center Dr, Avon, IN, provided more context as to how this use would differ from big box buildings.

The Board asked if the petitioner would be willing to pave the entire front portion of the property in concrete, to which the petitioner agreed.

Inman made a motion to approve **SE 23-04 Sudan Trucking Gravel Lot** subject to the following conditions:

1. The proposed gravel lot shall be reduced in size and the front portion of the hard surface concrete shall be extended 96 feet to the western limits of the lot.
2. The gravel lot shall be maintained at all times so as to control the release of dust as per "Chapter 5.14(I) Dust and Pollution".

Seconded by Guckenberger. Motion passed 4-0.

6.2. **VAR 23-10 Sudan Trucking Fence**

Loera presented his report to the Board in conjunction with SE 23-04 Sudan Trucking Fence. Staff recommended approval of **VAR 23-10 Sudan Trucking Fence** subject to the following condition:

1. The portion of the fence abutting the Kingston Street frontage shall be a 6' black decorative fence as approved by the Zoning Administrator.
2. A fence permit shall be obtained prior to erection of the fence.

The Board inquired as to the character of the surrounding properties as it relates to other front yard fence approvals.

The petitioner, Andy Kult, Comer Law Office, 71 W Marion St, Danville, IN, further detailed the request to the Board.

Turner opened the floor for public comment at 6:54 p.m.

John Lazaro, 8459 Kingston St, Avon, IN, stated that he owns the neighboring property. He was agreeable to the proposed front yard fence but was in opposition to the gravel lot. He stated that perhaps the front should be paved, but the rear of the lot can remain gravel.

Turner closed the floor for public comment at 6:56 p.m.

Turner stated that he had no issues with the variance request.

Taschler made a motion to approve **VAR 23-10 Sudan Trucking Fence** subject to the following conditions:

1. The portion of the fence abutting the Kingston Street frontage shall be a 6' black decorative fence as approved by the Zoning Administrator.
2. A fence permit shall be obtained prior to erection of the fence.

Seconded by Inman. Motion passed 4-0.

7. Other Business

8. Adjournment

Meeting adjourned at 7:22 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.

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Avon Town Hall | 6570 East US Highway 36 | Avon, IN 46123 | 317-272-0948 | avongov.org | Next

Meeting: **07/18/2023**