



Avon Board of Zoning Appeals Meeting Minutes for 5/19/22 at 7:00PM at Avon Town Hall

5/19/2022 - Minutes

1. Start Of Meeting

The meeting was called to order, and the Pledge of Allegiance was conducted. Board Members Paul Guckenberger, Anne Inman, Kathryn Ransburg, Marci Taschler and Marcus Turner were all present for the meeting and a Quorum was determined.

2. Approval Of Minutes

2.1. April 21, 2022 Board Of Zoning Appeals Regular Meeting Minutes

Kathryn Ransburg moved to accept the April 21st 2022 minutes. Paul Guckenberger seconded the motion. Motion carries 5-0.

3. Request For Continuances Or Agenda Modifications

None

4. Old Business

4.1. VAR 22-03 Ziggi's Coffee Illuminated Signage

Mr. Loera explained the specifics of the site, its history, and the surrounding land uses and zonings. He explained the intent and specifics of the ordinance in question. The request was a variance of the Town of Avon Zoning Ordinance Chapter 18 Section 6.3.C. which states "No sign within six hundred (600) feet of a Residential District shall be illuminated unless the sign is visibly obstructed from view from the Residential District." He presented the proposed signage for the project. He explained how surrounding properties would be affected by an approval of this variance, asserting that Pine Tree Estates is surrounded by perimeter landscaping which would block light from imposing as well as a tree line along the perimeter of the Hollow Brook subdivision that would also remain in place. Staff is however concerned about the south west façade as there are residences directly to the south of the property that would not be screened from the proposed signage.

Staff asserts that an approval of this variance would not affect the use and value of the area adjacent to the property in a substantially adverse manner, the location of the subject site constitutes a practical difficulty as it is surrounded by residential zoning on all sides. Since the last meeting, a proposed time limit condition was changed from 6:00 AM – 10:00 PM to 6:00 AM – 8:00 PM, which would be more consistent with the business operation hours. Staff also finds these times to be more consistent with average local sunrise and sunset patterns throughout the year. Staff also proposed a condition that the proposed signage does not substantially deviate from the plans provided as part of the appeal.

Ultimately, staff recommends approval subject to the following conditions: One, the southwest façade wall sign shall not be illuminated. Two, A timer shall automatically shut off all illuminated signage from the hours of 8:00 PM to 6:00 AM and 3, all signs shall be consistent with the provided sign plan.

Board had questions about external and internal illumination.

Kelly Singleton of 557 Northfield Road, Plainfield, Indiana 46168 came forward to speak on behalf of the project. She expressed that her intention is not to be a disruption to the neighbors and that she is agreeable to the conditions. She does not have anything else to add. She expressed that Ziggi's corporate office has approved all of the proposed signage.

Public Comment was opened 7:16 PM. Seeing no one coming forward, it was subsequently closed at 7:16 PM.

A discussion was held about externally illuminated signage as an alternative for the southwest façade.

Paul Guckenberger made a motion to approve VAR 22-03 Ziggi's Coffee Illuminated Signage, a Variance of Development Standards to allow two (2) internally illuminated wall signs, one (1) internally illuminated ground sign, and one (1) internally illuminated menu board within 600 feet of a residential district, subject to the following conditions: One, the southwest façade wall sign shall not be illuminated. Two, A timer shall automatically shut off all illuminated signage from the hours of 8:00 PM to 6:00 AM. Three, all signs shall be consistent with the provided sign plan, since it has satisfied all the requirements for Variances of Development Standards under state law and subject to the approved Findings of Fact. Kathryn Ransburg seconded. The motion carries 5-0.

5. New Business (Public Hearings)

None

6. Other Business

None

7. Public Comment

None

8. Adjournment

The meeting was adjourned at 7:26 PM

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: 6/16/2022