

Danville Board of Zoning Appeals January 22, 2025 6:00 PM

#### **AGENDA**

- I. Call Meeting to Order
  - Pledge of Allegiance
  - Establish Quorum
  - Approve Minutes
  - Elect Officers
    - President
    - Vice President
    - Secretary
  - Swear In Participants
- II. New Business:
  - A. Public Hearing: A development standards variance to allow an on-site commercial septic system (UDO Section 2.10 C., IL Utility Standards) in the Industrial Light (IL) zoning district on property located at 1100 South County Road 300 East

(Stephen Kromkowski, DLZ & John Ayers, on behalf of Hendricks County Board of Commissioners)

- B. Public Hearing: A development standards variance to allow alternative varying building materials (UDO Section 4.03.D.4.a.iv., Permitted Building Materials for Street Facade) in the Industrial Light (IL) zoning district on property located at 1100 South County Road 300 East (Stephen Kromkowski, DLZ & John Ayers, on behalf of Hendricks County Board of
  - (Stephen Kromkowski, DLZ & John Ayers, on behalf of Hendricks County Board of Commissioners)
- C. Public Hearing: A development standards variance to eliminate specific trim requirements (UDO Section 4.03.D.4.d., Trim and Historic Details) in the Industrial Light (IL) zoning district on property located at 1100 South County Road 300 East (Stephen Kromkowski, DLZ & John Ayers, on behalf of Hendricks County Board of Commissioners)
- D. Public Hearing: A development standard variance to allow a roof eave with no overhang (UDO Section 4.03.D.5.d., Roof Eaves) in the Industrial Light (IL) zoning district on property located at 1100 South County Road 300 East (Stephen Kromkowski, DLZ & John Ayers, on behalf of Hendricks County Board of Commissioners)
- III. Other Business: None
- IV. Report of Officers and Committees
- V. Adjourn

**Next Meeting:** 

February 19, 2025

#### DANVILLE BOARD OF ZONING APPEALS

# Meeting Minutes December 18<sup>th</sup>, 2024 6:00 PM

Members Present: Kevin Tussey, Tracie Shearer, Jill Howard, Randy Waltz, Tiffany Dalton

Members Absent: None

Staff Present: Lesa Ternet, Brittany Mays

Legal: Kayla-Moody Grant

Guests: Ben Comer, David Alexander, Scott Perkins, Luke Wilson

A quorum was established, and the meeting was called to order by K. Tussey. The minutes from July 17<sup>th</sup>, 2024, were approved. R. Waltz made a motion to approve. J. Howard seconded the motion. Motion carried 4-0.

T. Shearer arrived at the meeting at 6:05 P.M.

<u>Swear in Participants:</u> K. Tussey swore in B. Comer, D. Alexander, S. Perkins, and L. Wilson.

#### **New Business:**

A. Public Hearing: A development standard variance to not provide a sidewalk within the public right of way (UDO Section 4.03.C.4.a) in the Industrial Light (IL) zoning district on property located at 200 Colin Court (Scott Perkins, Blackline Studio)

L. Ternet asked if S. Perkins could present all variances related to the property at once. K. Tussey agreed. S. Perkins stated Bio Response is proposing a 12,000 square foot new building on their existing site. He stated they were requesting 6 variances for this project. S. Perkins stated there were no other public sidewalks in the development. He stated given the use of the building there was no pedestrian traffic to the building, as the staff would arrive by vehicle, park in the lots, and come into the building by the provided sidewalk from the existing building and the paved parking lot. He continued to state they are attempting to have the new building match the existing building in materials, such as color, scale, and character. S. Perkins stated they are requesting 7% transparency in the building façade, which were windows in the front façade. He stated they were also requesting for the placement of the loading dock to be in front of the building given the configuration of the lot. S. Perkins stated the last variance they were requesting was for the location of the dumpster to also be in front of the proposed building. K. Tussey opened the meeting to the

public. No public comment. The meeting was closed to the public. J. Howard made a motion to approve. T. Dalton seconded the motion. Motion carried 5-0.

#### Roll Call Vote:

- R. Waltz Aye
- T. Shearer Aye
- K. Tussey Aye
- J. Howard Aye
- T. Dalton Aye
- B. Public Hearing: A development standard variance to not provide a sidewalk within the public right of way and the primary structure (UDO Section 4.03.C.4.b) in the Industrial Light (IL) zoning district on property located at 200 Colin Court

(Scott Perkins, Blackline Studio)

S. Perkins presented all Items related to his project during Item A. K. Tussey opened the meeting to the public. No public comment. The meeting was closed to the public. J. Howard made a motion to approve. R. Waltz seconded the motion. Motion carried 5-0.

#### **Roll Call Vote:**

- R. Waltz Aye
- T. Shearer Aye
- K. Tussey Aye
- J. Howard Aye
- T. Dalton Aye
- C. Public Hearing: A development standards variance of the requirements for façade variations, exterior building materials and roof design (UDO Section 4.03.D) in the Industrial Light (IL) zoning district on property located at 200 Colin Court

(Scott Perkins, Blackline Studio)

S. Perkins presented all Items related to his project during Item A. K. Tussey opened the meeting to the public. No public comment. The meeting was closed to the public. T. Sherer made a motion to approve. J. Howard seconded the motion. Motion carried 5-0.

#### Roll Call Vote:

- R. Waltz Aye
- T. Shearer Aye

- K. Tussey Aye
- J. Howard Aye
- T. Dalton Aye
- D. Public hearing: A development standard variance of the requirements for building façade transparency (UDO Section 4.03.D.3) in the Industrial Light (IL) zoning district on property located at 200 Colin Court (Scott Perkins, Blackline Studio)
- S. Perkins presented all Items related to his project during Item A. K. Tussey opened the meeting to the public. No public comment. The meeting was closed to the public. J. Howard made a motion to approve. R. Waltz seconded the motion. Motion carried 5-0.

#### Roll Call Vote:

- R. Waltz Aye
- T. Shearer Aye
- K. Tussey Aye
- J. Howard Aye
- T. Dalton Aye
- E. Public Hearing: A development standard variance of the requirement for the loading dock, loading berth, and overhead door for vehicle access (UDO Section 4.07.C.4.d) in the Industrial Light (IL) zoning district on property located at 200 Colin Court

(Scott Perkins, Blackline Studio)

S. Perkins presented all Items related to his project during Item A. K. Tussey opened the meeting to the public. No public comment. The meeting was closed to the public. T. Sherer made a motion to approve. T. Dalton seconded the motion. Motion carried 5-0.

#### Roll Call Vote:

- R. Waltz Aye
- T. Shearer Aye
- K. Tussey Aye
- J. Howard Aye
- T. Dalton Aye
- F. Public Hearing: A development standard variance of the requirement for the dumpster location (UDO Section 4.11.C.3) in the Industrial Light (IL) zoning district on property located at 200 Colin Court

(Scott Perkins, Blackline Studio)

S. Perkins presented all Items related to his project during Item A. K. Tussey opened the meeting to the public. No public comment. The meeting was closed to the public. J. Howard made a motion to approve. T. Dalton seconded the motion. Motion carried 5-0.

#### Roll Call Vote:

- R. Waltz Aye
- T. Shearer Aye
- K. Tussey Aye
- J. Howard Aye
- T. Dalton Aye
- G. Public Hearing: A development standard variance of the requirement for sign area of a permanent sign (UDO Table 4.9) in General Business (GB) zoning district on property located at 1627 East Main Street

(Ben Comer, Comer Law)

B. Comer presented the project. He stated the far West 4,000 sq feet of the building had been vacant for quite a while, and the petitioner would like to open a restaurant in that space. He stated they are requesting to be able to put a 112 sq foot wall sign on the West side of the building. B. Comer stated there were 3 tenants in the building. There was a CrossFit business that had a 50 sq foot sign, and that was the only signage on the property currently. There was also an engineering company that does not have signage. K. Tussey opened the meeting to the public. No public comment. The meeting was closed to the public. J. Howard made a motion to approve. T. Dalton seconded the motion. Motion carried 5-0.

#### **Roll Call Vote:**

- R. Waltz Aye
- T. Shearer Aye
- K. Tussey Aye
- J. Howard Aye
- T. Dalton Aye
- H. Public Hearing: A development standard variance of the requirement for permitted sign types (UDO Table 4.10) in the General Business (GB) zoning district on property located at 1627 East Main Street

(Ben Comer, Comer Law)

Kevin Tussey - President

Randy Waltz – Vice President

# **Meeting Briefing**

January 22, 2025

# Stephen Kromkowski, DLZ & John Ayers, on behalf of Hendricks County Board of Commissioners: A development standard variance to allow an on-site commercial septic system

This request is to is to allow an on-site commercial septic system in an area where municipal wastewater is not available. Included in your packet are the plans, findings of fact and case summary with staff's recommendation. This is a public hearing and will require a vote.

# Stephen Kromkowski, DLZ & John Ayers, on behalf of Hendricks County Board of Commissioners: A development standard variance to allow alternative varying building materials

This request is to is to allow a combination of metal and stone exterior building materials. Included in your packet are the plans, findings of fact and case summary with staff's recommendation. This is a public hearing and will require a vote.

# Stephen Kromkowski, DLZ & John Ayers, on behalf of Hendricks County Board of Commissioners: A development standard variance to eliminate specific trim requirements

After the submittal of the variance petition, it was determined the request is not applicable to this project as it is not within the Corridor Protection Overlay District. This request must be withdrawn by the petitioner.

# Stephen Kromkowski, DLZ & John Ayers, on behalf of Hendricks County Board of Commissioners: A development standard variance to allow a roof eave with no overhang

This request is to is to allow a roof eave that does not extend 12 inches from the building wall. Included in your packet are the plans, findings of fact and case summary with staff's recommendation. This is a public hearing and will require a vote.

\*NOTE: I have attached one set of plans since each variance request is for the same property.

# **CASE SUMMARY**

# DEVELOPMENT STANDARD VARIANCE

Case:

2024-2219

John Ayers on behalf of Hendricks County Board of Commissioners

Stephen Kromkowski, DLZ

Request:

Seeking a variance of the requirement for municipal wastewater (UDO,

Section 2.10.C)

Location:

1100 South County Road 300 East

Acreage:

50 acres

Zoning:

Industrial Light (IL)

#### **Staff Summary:**

The petitioner is seeking a variance from the requirement to connect to municipal wastewater as outlined in the Unified Development Ordinance (UDO). The UDO mandates connection to municipal water and wastewater systems for waste collection, treatment, disposal, and potable water supply. However, municipal wastewater services are not available in this area from either the Town of Danville or the West Central Conservancy District. As a result, the petitioner plans to use an on-site commercial septic system.

The property will be served by the Town of Danville for municipal water. On December 30, 2024, the petitioner annexed the property into the Town to facilitate the connection to public water, which is necessary for the sprinkler system required by state regulations. The petitioner has expressed a willingness to connect to municipal wastewater if it becomes available in the future.

After the certificate of mailing, staff did not receive any inquiries regarding this request.

Given the lack of access to municipal wastewater and the petitioner's commitment to connect if such services become available, staff has no objection to permitting the use of an on-site commercial septic system at this time.

### BZA options include the following actions for each request:

-Approve the variance request
-Deny the variance request
-Approve the variance request with conditions or modifications



## Danville BZA

49 North Wayne Street | Danville, IN 46122 317-745-4180 | www.danvilleindiana.org

Date of Hearing: 1 - 22 - 25	App. No.: 2024 - 2219	
Board of Zoning Appeals Action:	Fee:Received By:	
	Received by:	

# APPLICATION FOR APPROVAL (Check all that apply) ☐ Special Exception ☐ Use Variance ☒ Development Standard Variance □ Appeal DEC 2 0 2024 \* Please fill out the form in its entirety Applicant (s) DLZ Indiana, LLC Address (s) 2211 E Jefferson Blvd, South Bend, IN 46615 \_ Email (s) \_skromkowski@dlz.com (574) 236-4400 Phone (s) Owners (s) Hendricks County Board of Commissioners Address (s) 355 S Washington St. #100 Danville, IN 46122 jayers@co.hendricks.in.us Phone (s) (317) 745-9236 c/o Email (s) Owners' Representative (Subdivider, if any) and /or Registered Engineer or Land Surveyor: John Ayers Address (s) 355 S Washington St. #G20 Danville, IN 46122 \_ Email (s) \_jayers@co.hendricks.in.us Phone (s) \_ (317) 745-9236 Address of Subject Property: \_\_1100 South County Road 300 East Danville, IN 46122 Number of Lots: 1 Area (in acres): 50 acres 32-11-13200-005.000-002 Current Zoning District: Industrial- Light Parcel ID#: \_\_\_\_ 02-3-13-51w-200-005 Requested Action From The Danville BZA: Variance for requirements within Section 2.10 STATE OF INDIANA HENDRICKS COUNTY) The undersigned certifies that the above information is true and correct to her) knowledge.

Signature of Owner/Aparteant (s)

Title of Applicant

## FINDINGS OF FACT

#### **DEVELOPMENT STANDARD VARIANCE**

Address: 1100 South County Road 300 East Danville, IN 46122 —— DEC 2 0 2024 The approval will not be injurious to the public health, safety, morals and general welfare of the community because: The approval will not be injurious to the public health, safety, morals and general welfare of the community. The development will contain an on-site septic mount-type sewer system serve the sanitary needs of the facility. 2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because: It is anticipated that a mound-type septic system will be developed on the property to serve as the sanitary sewer system. System will be in accordance with Hendricks County requirements and Indiana State Department of Hearth regulations. 3. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought because: The development area along the S. County Road 300 E. does not contain Town of Danville public sewer system and infrastructure. The development area is located east and south of the airport land parcel and south of the existing rail lines. The Town of Danville does not have future plans to extend sanitary sewer to the development area. The ability to extend sanitary sewer approximately .70 miles from the closest existing sewer lines along Rockville Road, would result in unnecessary hardship.

# BOARD OF ZONING APPEALS DANVILLE, INDIANA

# ACTION ON PETITION FOR A VARIANCE FROM DEVELOPMENT STANDARDS

#### **MOTION**

I move that we **approve** / **deny** the variance sought by Stephen Kromkowski, DLZ & John Ayers, on behalf of Hendricks County Board of Commissioners, petitioner in BZA petition 2024-2219 to allow an on-site commercial septic system (UDO Section 2.10.C) in the IL zoning district. This petition has **satisfied** / **not satisfied** the requirements for variances under state law for the following reasons:

1.	The approval will / will not be injurious to the public health, safety, morals, and general welfare of the community  a) for the reason(s) stated in the staff report;  b) for the reason(s) stated in Petitioner's proposed findings of fact; and/or c) because:
	o) because.
2.	The use and value of the area adjacent to the property included in the variance will
	will not be affected in a substantially adverse manner
	a) for the reason(s) stated in the staff report;
	b) for the reason(s) stated in Petitioner's proposed findings of fact; and/or
	c) because:
3.	The strict application of the terms of the Zoning Ordinance will / will not result in practical difficulties in the use of the property
	a) for the reason(s) stated in the staff report;
	<ul> <li>b) for the reason(s) stated in Petitioner's proposed findings of fact; and/or</li> <li>c) because:</li></ul>

[note #1: An adverse finding on any one of the above requires Board denial of the variance.]
[note #2: None of the words in bold italics should be used if the motion is to approve a variance.]

And, I move that this approval be made subject to the following conditions:

[note #3: If the majority votes <u>against</u> a motion to approve a variance, a subsequent motion should be made for findings of fact to reflect that the Petitioner did not establish the three requirements of state law to have been met. This motion should indicate which requirement(s) were not met or cite reasons stated in the staff report, if the staff recommendation was against approval.]

### **DECISION**

(After a second is made to the motion and a vote is taken, the presiding officer makes the following announcement): "It is therefore the decision of this body that this variance petition is approved / denied (and if conditions have been imposed)...subject to the conditions made a part the adopted motion."

# **CASE SUMMARY**

### DEVELOPMENT STANDARD VARIANCE

Case: 2024- 2220

John Ayers on behalf of Hendricks County Board of Commissioners

Stephen Kromkowski, DLZ

Request: Seeking a variance of the requirement for permitted building materials for

street facade (UDO, Section 4.03.D.4.a.iv.)

Location: 1100 South County Road 300 East

Acreage: 50 acres

**Zoning:** Industrial Light (IL)

**Staff Summary:** 

The petitioner is requesting a variance from the permitted building materials requirement to allow the use of a combination of metal panels and masonry. The Unified Development Ordinance (UDO) mandates that 80% of each street-facing façade, excluding doors and windows, must be constructed using materials such as brick, stone, fiber cement board, wood siding, composite lap siding, or architectural concrete. Additionally, no more than 20% of the façade may consist of metal, which is the primary material proposed for these buildings.

The design incorporates a variety of materials to create an aesthetically appealing appearance and to avoid the look of an industrial warehouse. This request pertains to the new Hendricks County Highway Maintenance Garage Facility.

Following the certificate of mailing, staff received no inquiries regarding this request.

The site is located in a relatively rural area designated by the Town for potential light industrial development. Considering the diverse use of materials and the significant setback of the buildings from the public right-of-way, staff has no objection to approving this variance request.

## BZA options include the following actions for each request:

-Approve the variance request
-Deny the variance request
-ariance request with conditions or modification

-Approve the variance request with conditions or modifications



# **Danville BZA**

49 North Wayne Street | Danville, IN 46122 317-745-4180 | www.danvilleindlana.org

Date of Hearing: 1-22-25	App. No.: 2024-2220	
Board of Zoning Appeals Action:	Fee:	
	Received By:	

## APPLICATION FOR APPROVAL (Check all that apply)

☐ Appeal ☐ Special Exception	☐ Use Variance ☐ Development Standard Vari	DEC 2 0 2
Please fill out the form in its entirety		# <b>5 6 7</b> 0 8
* Please fill out the form in its entirety  Applicant (s)DLZ Indiana, LLC		_
Address (s) 2211 E Jefferson Blvd, South Be	end, IN 46615	
	Email (s) <u>skromkowski@dlz.com</u>	
Owners (s) Hendricks County Board of Comn	nissioners	
Address (s) 355 S Washington St. #100 Danvi	ille, IN 46122	
Phone (s) (317) 745-9236	Email (s) c/o jayers@co.hendricks.in.us	
Address (s) 355 S Washington St. #G20 Dany		
hone (s) <u>(317)</u> 745-9236	Email (s) jayers@co.hendricks.in.us	
ddress of Subject Property: 1100 South Coun	ty Road 300 East Danville, IN 46122	
	Number of Lots: _ 1	
	Current Zoning District: Industrial- Light	
02-3-13-51w-200-005	$\mathcal{D}$ .	
equested Action From The Danville BZA: Varia	nce for requirements within Section 4.03, item 4a, iv	·
Perm	itted Building Material for Street Facades.	
STATE OF INDIANA )		
) SS:		
ENDRICKS COUNTY)		
The undersigned certifies that the above informatio	n is true and correct to the best of his (her) knowledge.	
	Signature of Owner/Applicator (s)	
	Title of Applicant	

# Section 4.03. Architectural and Site Design Standards Permitted Building Materials

# **FINDINGS OF FACT**

DEC 2 0 2024

### **DEVELOPMENT STANDARD VARIANCE**

Address: 1100 South County Road 300 East Danville, IN 46122

	The approval will not be injurious to the public health, safety, morals and general welfare of the
	community. The proposed project reflects a variety of materials including metal panels and masonry to
	meet the needs of the facility.
2.	The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:
	Given the Industrial-Light district and building use and function, the use of the selected material is appropriate and will not adversely impact the overall character of the area or potential for future
	development. Building is set back from the right of way by approximately 330'-0" and portions o finte
	development. Building is set back from the right of way by approximately 550-5 and portions of inte
	building are obstructed from view by secured fencing. Public entry to building s clearly defined and
	provides a recognizable point of entry which complies with BZA standards, including the use of
	masonry.
3.	The strict application of the terms of the zoning ordinance will constitute an unnecessary
	hardship if applied to the property for which the variance is sought because:
	The majority of the metal panel system will be visually shielded along the east side and E300 with
	fencing as well as a berm. The strict application of these terms would require the design team to revisit
	the scope of work for the project, and may not meet the needs of the parties involved using the facility,
	resulting in unnecessary hardship. The portions of the building within the fenced area utilizes a variety
	of metal panels to provide visual interest and avoid a non-distinct industrial warehouse image. The
	Public entry area is masonry and complies with the required standards

# BOARD OF ZONING APPEALS DANVILLE, INDIANA

# ACTION ON PETITION FOR A VARIANCE FROM DEVELOPMENT STANDARDS

### **MOTION**

I move that we **approve** / **deny** the variance sought by Stephen Kromkowski, DLZ & John Ayers, on behalf of Hendricks County Board of Commissioners, petitioner in BZA petition 2024-2220 to allow alternative varying building materials (UDO Section 4.03.D.4.iv.) in the IL zoning district. This petition has **satisfied** / **not satisfied** the requirements for variances under state law for the following reasons:

1.	The approval will / will not be injurious to the public health, safety, morals, and general welfare of the community  a) for the reason(s) stated in the staff report;  b) for the reason(s) stated in Petitioner's proposed findings of fact; and/or
	c) because:
2.	The use and value of the area adjacent to the property included in the variance will / will not be affected in a substantially adverse manner  a) for the reason(s) stated in the staff report;  b) for the reason(s) stated in Petitioner's proposed findings of fact; and/or  c) because:
3.	The strict application of the terms of the Zoning Ordinance will / will not result in practical difficulties in the use of the property  a) for the reason(s) stated in the staff report;  b) for the reason(s) stated in Petitioner's proposed findings of fact; and/or  c) because:

[note #1: An adverse finding on any one of the above requires Board denial of the variance.] [note #2: None of the words in bold italics should be used if the motion is to approve a variance.]

And, I move that this approval be made subject to the following conditions:	

[note #3: If the majority votes <u>against</u> a motion to approve a variance, a subsequent motion should be made for findings of fact to reflect that the Petitioner did not establish the three requirements of state law to have been met. This motion should indicate which requirement(s) were not met or cite reasons stated in the staff report, if the staff recommendation was against approval.]

### **DECISION**

(After a second is made to the motion and a vote is taken, the presiding officer makes the following announcement): "It is therefore the decision of this body that this variance petition is approved / denied (and if conditions have been imposed)...subject to the conditions made a part the adopted motion."

# **CASE SUMMARY**

# DEVELOPMENT STANDARD VARIANCE

Case: 2024-2221

John Ayers on behalf of Hendricks County Board of Commissioners

Stephen Kromkowski, DLZ

Request: Seeking a variance of the requirement for trim and historic details (UDO,

Section 4.03.D.4.d)

Location: 1100 South County Road 300 East

Acreage: 50 acres

**Zoning:** Industrial Light (IL)

**Staff Summary:** 

The petitioner is requesting a variance related to the use of trim and historic details. The Unified Development Ordinance (UDO) requires trim to delineate rooflines, porches, windows, and doors on all elevations for properties within the Corridor Protection Overlay District. However, this property is not located within the Overlay District, making this variance unnecessary.

As a result, the petitioner must withdraw this request from consideration.

# **CASE SUMMARY**

# DEVELOPMENT STANDARD VARIANCE

Case:

2024-2222

John Ayers on behalf of Hendricks County Board of Commissioners

Stephen Kromkowski, DLZ

Request:

Seeking a variance of the requirement roof eaves (UDO, Section 4.03.D.5.d)

Location:

1100 South County Road 300 East

Acreage:

50 acres

Zoning:

Industrial Light (IL)

### **Staff Summary:**

The petitioner is seeking a variance from the requirement for roof eaves to project from the building wall a minimum of 12 inches. The building will include parapet walls or gutters and downspouts and meet manufacturers' standards for a pre-engineered building.

After the certificate of mailing, staff did not receive any inquiries regarding this request.

Given the type and aesthetics of the proposed buildings, staff does not objection to this request.

## BZA options include the following actions for each request:

-Approve the variance request
-Deny the variance request
-Approve the variance request with conditions or modifications



# **Danville BZA**

49 North Wayne Street | Danville, IN 46122 317-745-4180 | www.danvilleindlana.org

Date of Hearing: 1- ススース イ	App. No.: 2021-2222
Board of Zoning Appeals Action:	App. No.: Doll 2007
APPLICATION FOR APPROVAL ( ☐ Appeal ☐ Special Exception ☐ Use Val	
	DEC 2 0 2024
* Please fill out the form in its entirety	
Applicant (s) DLZ Indiana, LLC	
Address (s) 2211 E Jefferson Blvd, South Bend, IN 466	315
Phone (s)(574) 236-4400 Email (s)	skromkowski@dlz.com
Owners (s) Hendricks County Board of Commissioners  Address (s) 355 S Washington St. #100 Danville, IN 461	
Phone (s)(317) 745-9236	c/o jayers@co.hendricks.in.us
Owners' Representative (Subdivider, if any) and /or Registered I  Address (s) 355 S Washington St. #G20 Danville, IN 46  Phone (s) (317) 745-9236 Email (s)	122
Address of Subject Property:1100 South County Road 30	
Area (in acres): 50 acres	
Parcel ID#: 32-11-13200-005.000-002 Curre 02-3-13-51w-200-005	nt Zoning District: <u>Industrial- Light</u>
Requested Action From The Danville BZA: Variance for requ	uirements within Section 4.03, item 5d
STATE OF INDIANA ) ) SS: HENDRICKS COUNTY ) The undersigned certifies that the above information is true and	forrect to the best of his then knowledge.
Z	

# **FINDINGS OF FACT**

DEC 2 0 2024

## **DEVELOPMENT STANDARD VARIANCE**

Address: 1100 South County Road 300 East Danville, IN 46122

1.	The approval will not be injurious to the public health, safety, morals and general welfare of the community because:		
	The approval will not be injurious to the public health, safety, morals and general welfare of the		
	community. A 12" overhang is not applicable to this building type and the current proposed overhang		
	will meet the needs of the facility.		
2.	The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:		
	It is anticipated that the edge conditions will include parapet walls or gutters and downspouts, and will be		
	manufacturer's standards for a pre-engineered building. Building aesthetic will align with the building use.		
	The building location is located with an Light Industrial zone; material and configuration align with		
	anticipated buildins within this zone.		
3.	The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought because:		
	The building overhang requirement is not applicable to this type of industrial building and the strict		
	application of these terms would require all parties to revisit their scope of work for the project and		
	involved use of the building, resulting in unnecessary hardship.		

# BOARD OF ZONING APPEALS DANVILLE, INDIANA

# ACTION ON PETITION FOR A VARIANCE FROM DEVELOPMENT STANDARDS

#### **MOTION**

I move that we **approve** / **deny** the variance sought by Stephen Kromkowski, DLZ & John Ayers, on behalf of Hendricks County Board of Commissioners, petitioner in BZA petition 2024-2222 to allow roof eaves with no overhang (UDO Section 4.03.D.5.d.) in the IL zoning district. This petition has **satisfied** / **not satisfied** the requirements for variances under state law for the following reasons:

1.	The approval will / will not be injurious to the public health, safety, morals, and general welfare of the community  a) for the reason(s) stated in the staff report;
	b) for the reason(s) stated in Petitioner's proposed findings of fact; and/or
	c) because:
2.	The use and value of the area adjacent to the property included in the variance will / will not be affected in a substantially adverse manner  a) for the reason(s) stated in the staff report;
	b) for the reason(s) stated in Petitioner's proposed findings of fact; and/or c) because:
3.	The strict application of the terms of the Zoning Ordinance will / will not result in practical difficulties in the use of the property  a) for the reason(s) stated in the staff report;  b) for the reason(s) stated in Petitioner's proposed findings of fact; and/or  c) because:

[note #1: An adverse finding on any one of the above requires Board denial of the variance.]
[note #2: None of the words in bold italics should be used if the motion is to approve a variance.]

And, I move that this approval be made subject to the following conditions:	

[note #3: If the majority votes <u>against</u> a motion to approve a variance, a subsequent motion should be made for findings of fact to reflect that the Petitioner did not establish the three requirements of state law to have been met. This motion should indicate which requirement(s) were not met or cite reasons stated in the staff report, if the staff recommendation was against approval.]

### **DECISION**

(After a second is made to the motion and a vote is taken, the presiding officer makes the following announcement): "It is therefore the decision of this body that this variance petition is approved / denied (and if conditions have been imposed)...subject to the conditions made a part the adopted motion."

# Beacon Town of Danville, IN



Overview



#### Legend

Roads

**Parcels** 

Danville Corporate Boundary

Parcel ID

32-11-13-200-

ID 005.000-003

Sec/Twp/Rng 0013-0015-1W

**Property** 

Address

District **Brief Tax Description** 

Acreage 50.0

Class

Town Of Danville

Pt Ne 1/4 13-15-1w 50.0AC Conservancy

2.33-3-2

25/26 ANNEX FROM 002-313512-200005 (Note: Not to be used on legal documents)

Alternate 17-3-13-51W-200-005

COUNTY

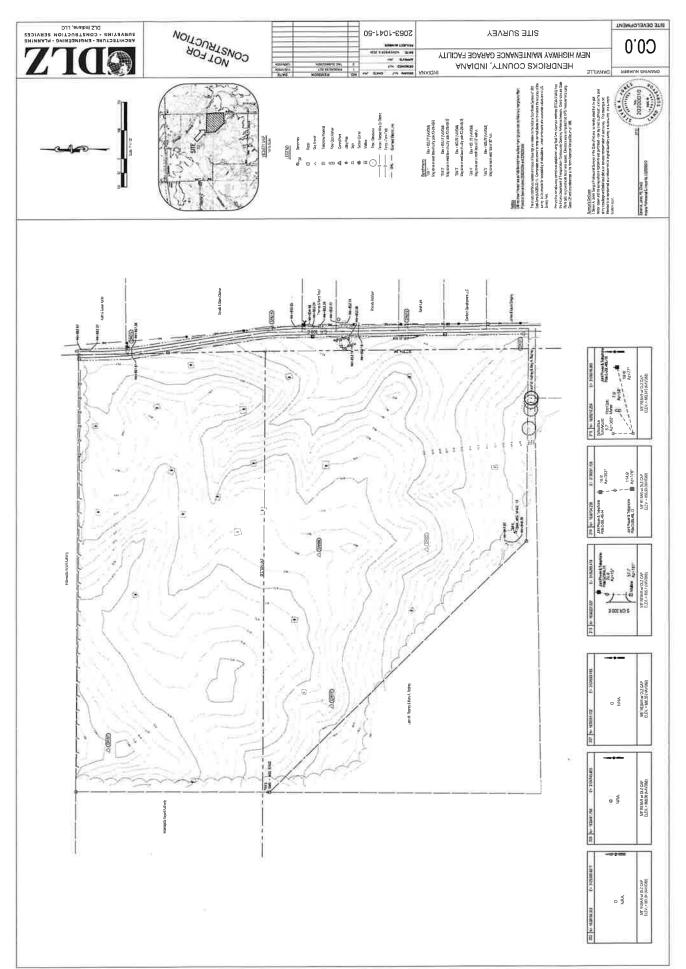
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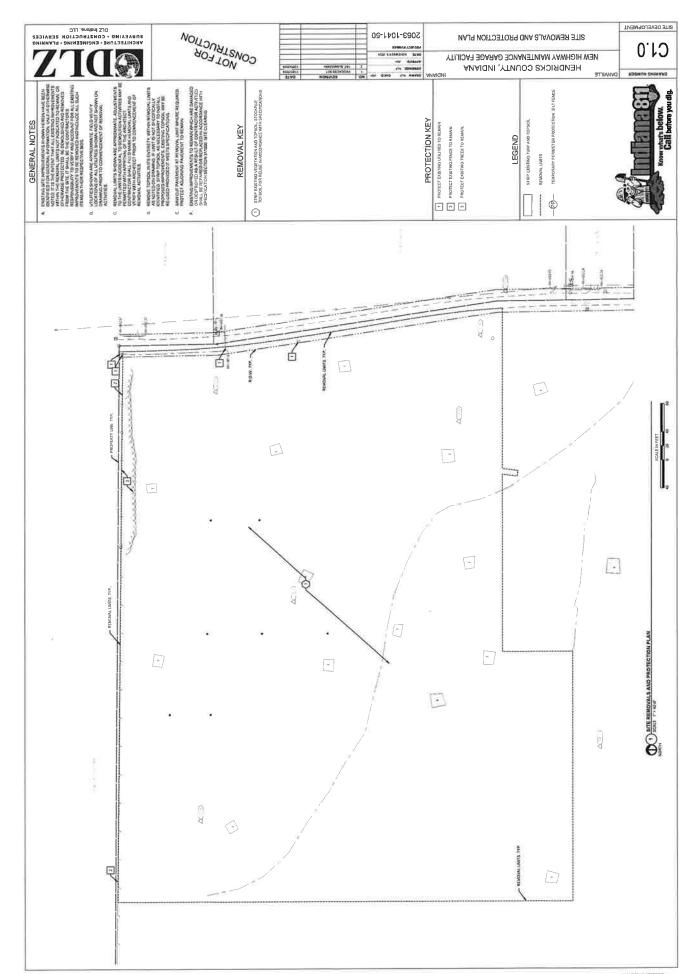
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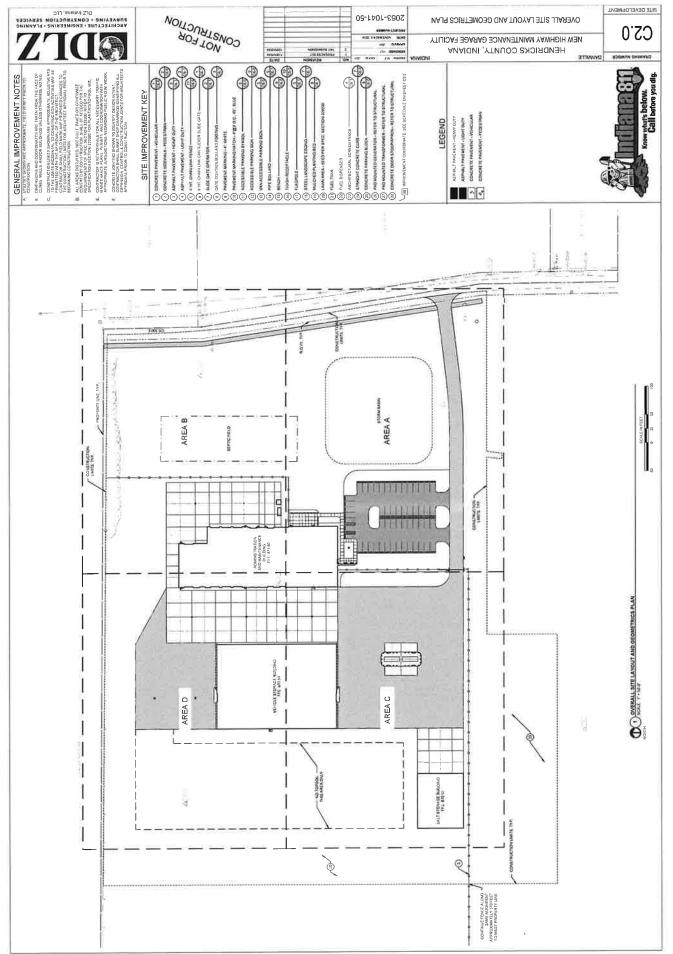
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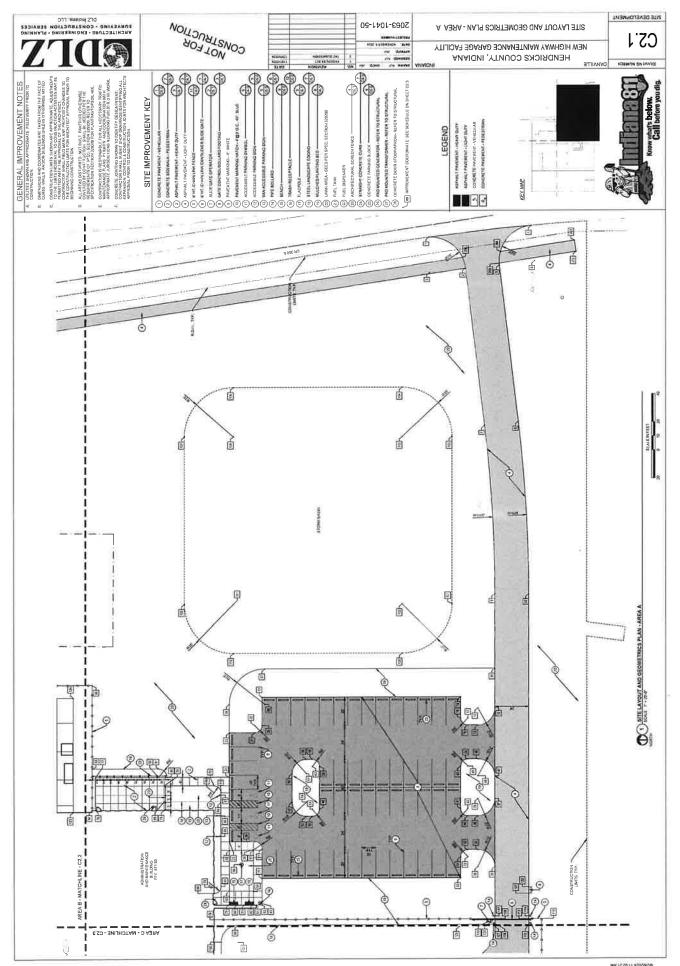
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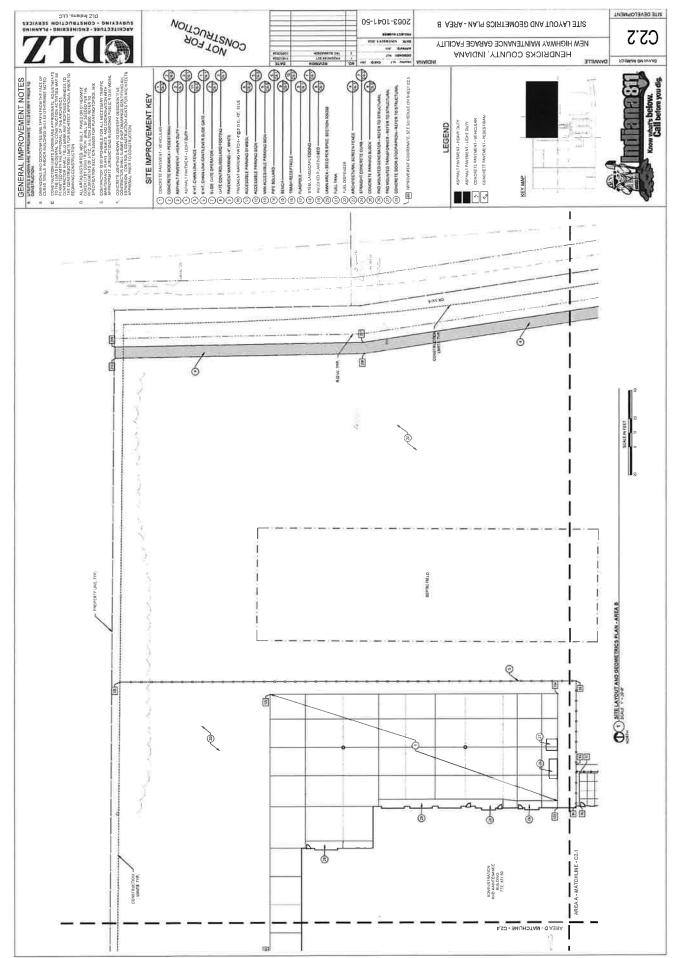
Owner Address HENDRICKS COUNTY BOARD OF COMMISSIONERS 355 S WASHINGTON ST Danville, IN 46122

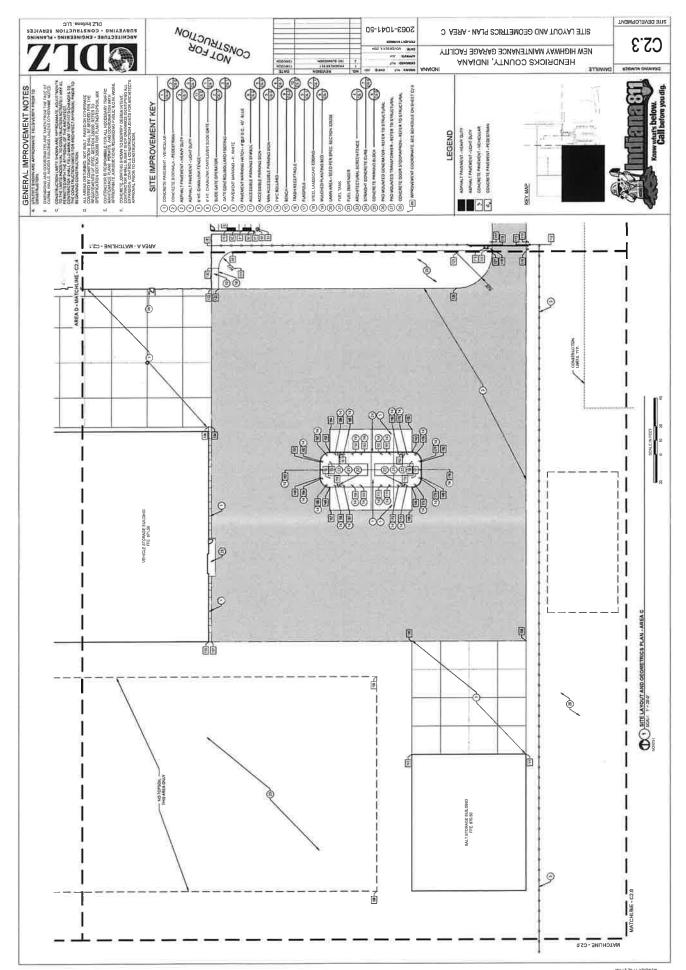


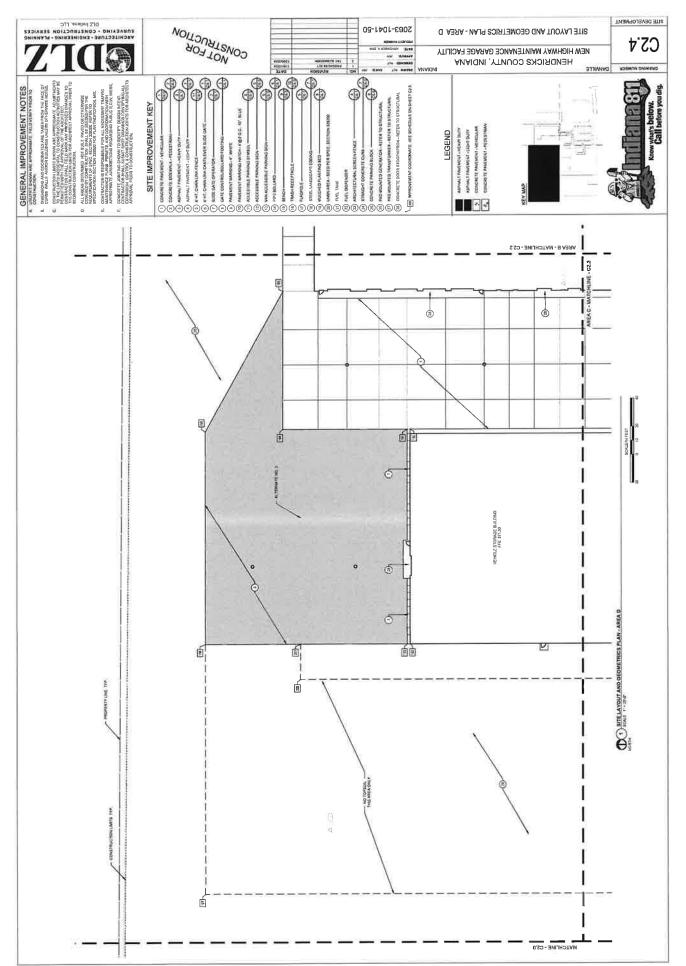








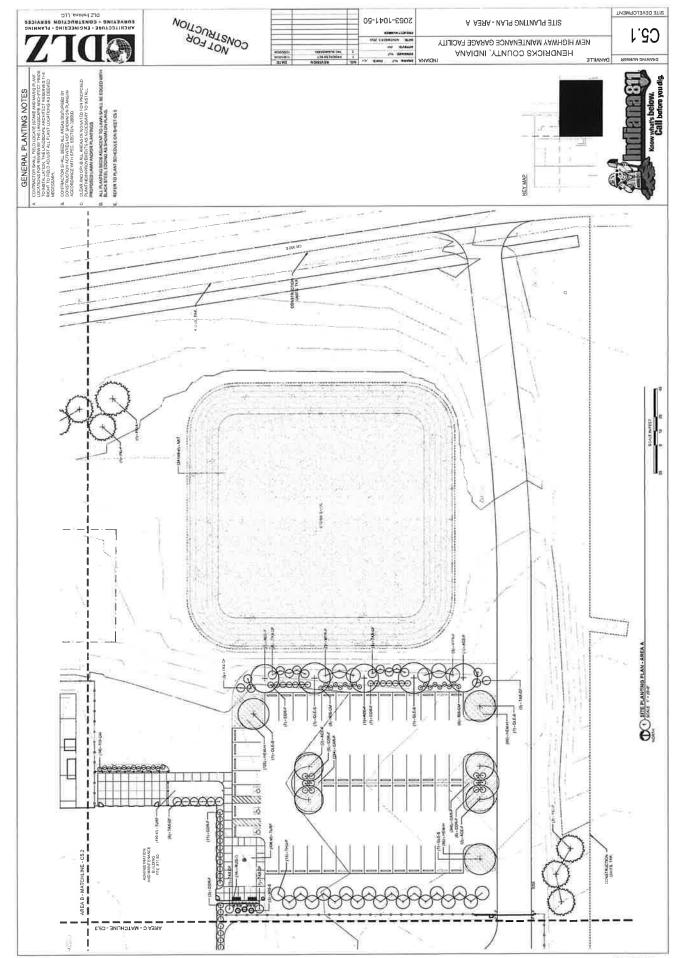


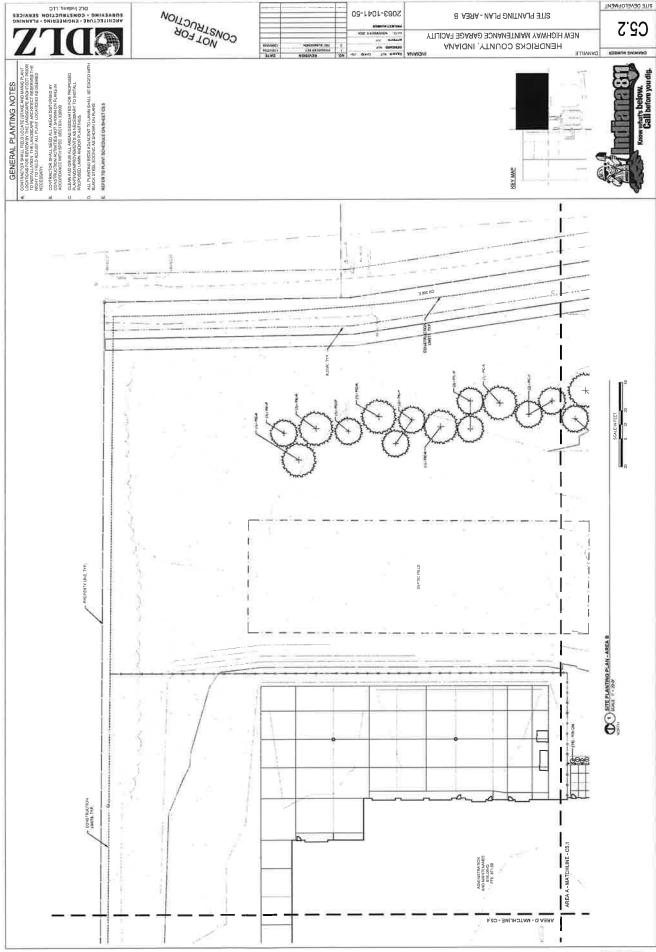


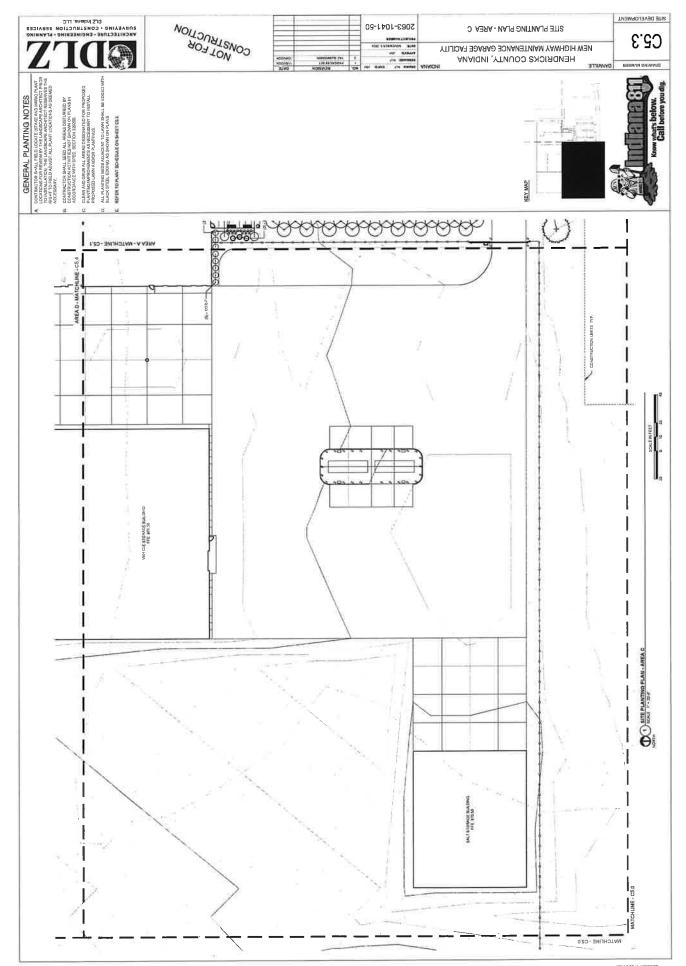
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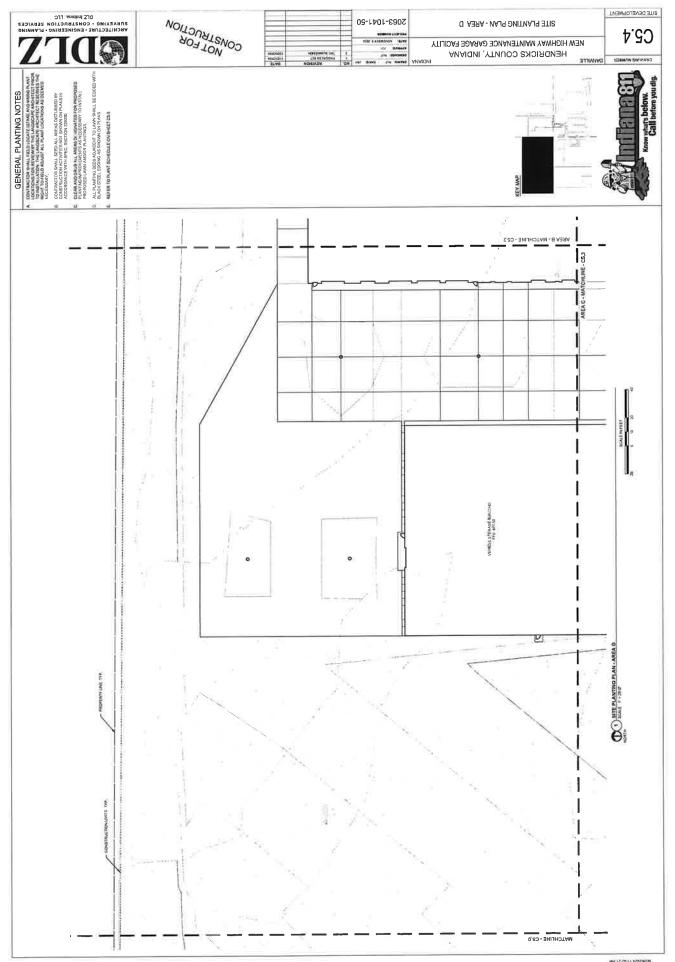
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PLANT SCHEDULE

2063-1041-50

NEW HIGHWAY MAINTENANCE GARAGE FACILITY
HENDRICKS COUNTY, INDIANA

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OVERALL FIRST FLOOR PLANS HIGHWAY MAINTENANCE FACILITY CAMPUS НЕИРВІСКЅ СОПИТУ, ІИРІРИР

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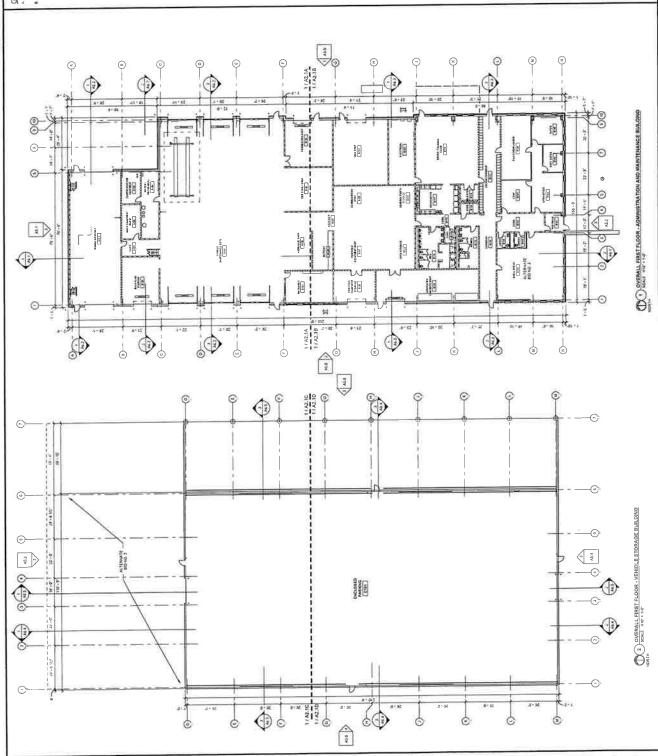
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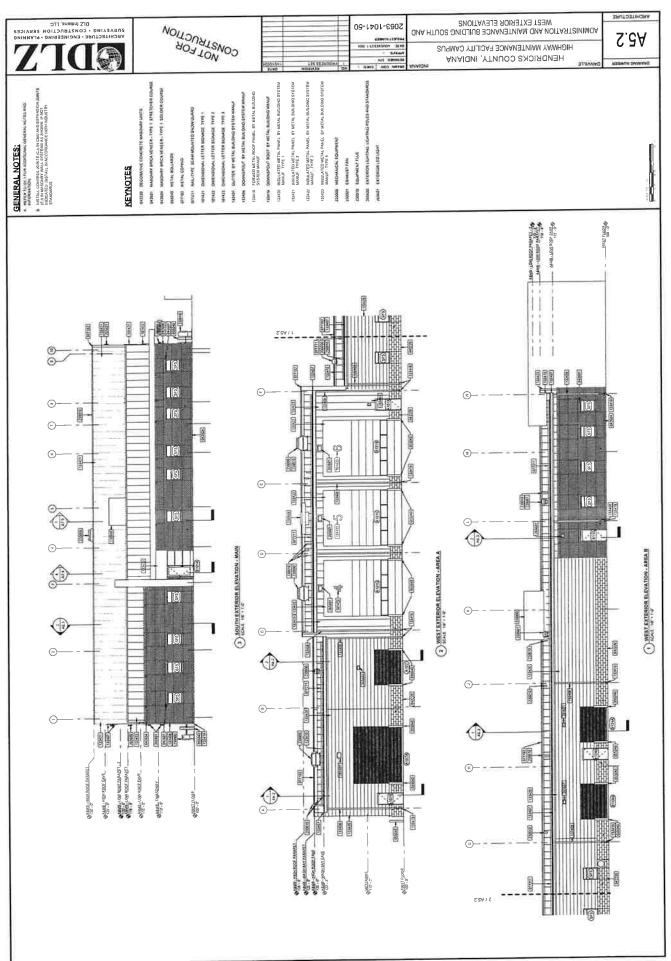
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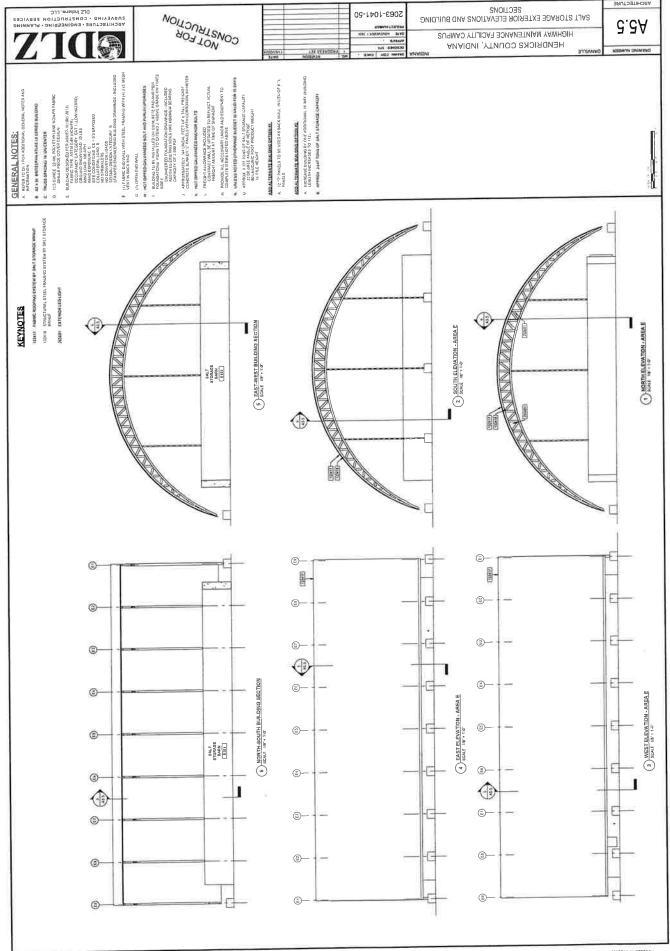


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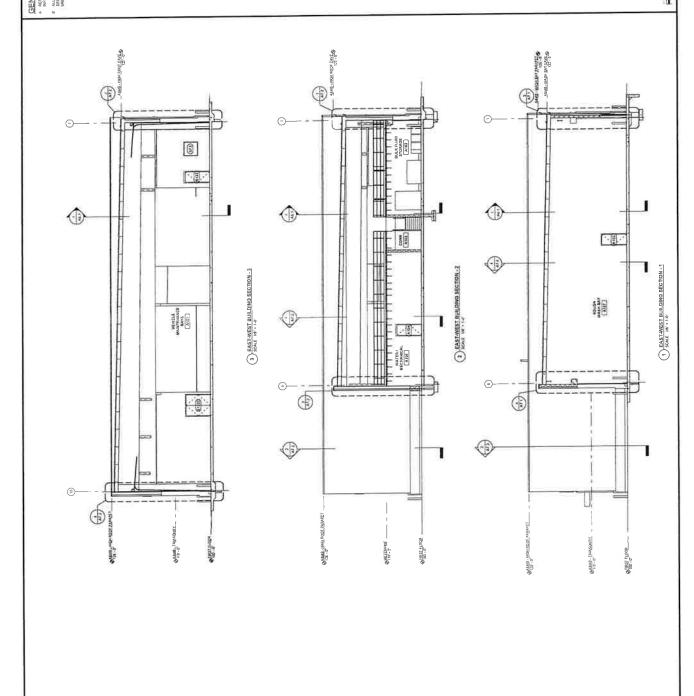
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2063-1041-50

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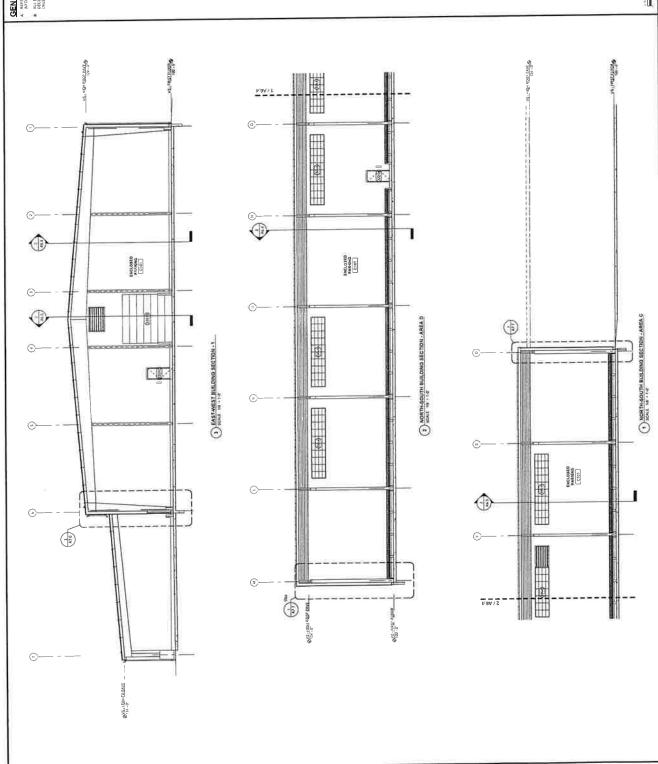
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