

The **Noblesville Board of Zoning Appeals** met on Monday, February 6, 2023. Members in attendance were as follows:

Mike Field .....Chairman  
 Dave Burtner .....Vice-Chairman  
 James Hanlon .....Citizen Member  
 Lauren Wahl .....Citizen Member

Others in attendance included Principal Planner Denise Aschleman, Senior Planner Kevin Martin, Associate Planner Rina Neeley, and Attorney Jonathan Hughes.

Chairman Field calls the meeting to order at 6:00 p.m.

### APPROVAL OF MINUTES

Motion by Mr. Burtner, seconded by Mr. Hanlon, to approve the January 3, 2023, meeting minutes as presented.

AYE: Burtner, Field, Hanlon. ABSTAIN: Wahl. The motion carries 3-0.

### APPROVAL OF FINDINGS OF FACT

Motion by Mr. Burtner, seconded by Mr. Hanlon, to approve the January 3, 2023, Findings of Fact for BZNA-0233-2022; BZNA-0234-2022; and BZNA-0235-2022, as presented.

AYE: AYE: Burtner, Field, Hanlon. ABSTAIN: Wahl. The motion carries 3-0.

### SWEARING IN OF 2023 BZA APPOINTMENTS

Attorney Jonathan Hughes swears in Mr. Mike Field as a member of the Board of Zoning Appeals.

### ELECTION OF OFFICERS

Motion by Mr. Burtner, seconded by Mrs. Wahl, to nominate Mike Field, current Chairman, as Chairman. AYE: Burtner, Wahl, Hanlon, Field. The motion carries 4-0.

Motion by Mrs. Wahl, seconded by Mr. Field, to nominate Dave Burtner, as Vice-Chairman. AYE: Hanlon, Burtner, Wahl, Field. The motion carries 4-0.

### CONTINUED BUSINESS

None.

### NEW BUSINESS

#### 1. BZNA-182-2022

<b>Location:</b>	9810 E 206th ST- Noblesville, IN 46062
<b>Applicant:</b>	John Schutte - Bethel Evangelical Lutheran Church
<b>Description:</b>	UDO § 4.C.: Change Of Development Plan application to allow changes to a previously approved development, on the property located at 9810 East 206th Street. This application will enable the previously approved Conditional Use to expand onto an adjacent property; in the R1 (Low Density Single Family Residential) zoning district.
<b>Staff Contact:</b>	Kevin Martin

Kevin Martin introduced himself as the Senior Planner for the City's Planning Department. He stated the property address as 9810 East 206<sup>th</sup> Street, and the fact that the request is in conjunction with the adjacent property at 20650 Cumberland Rd – the existing Bethel Evangelical Lutheran Church. Mr. Martin stated the history of the adjacent existing church use, originally approved as a conditional use by the Board of Zoning Appeals in 1997. Mr. Martin stated that the applicant is requesting a Change Of Development Plan application to allow changes to a previously approved development, to enable the previously approved Conditional Use to expand onto an adjacent property located at 9810 East 206<sup>th</sup> Street, in the R1 (Low Density Single Family Residential) zoning district. Mr. Martin detailed the existing conditions of the subject site and the proposed changes by the applicant. Bethel Evangelical Lutheran Church will operate a non-food pantry, a food pantry, and church related office space. Mr. Martin stated that staff was supportive of the request, with the recommended conditions.

Mr. Burtner questioned the need for additional right-of-way along the property, Mr. Martin stated that additional right-of-way would be required of the applicant if further improvements or expansions are made onsite.

Mr. Field invited the applicant to speak on the item.

Ms. Rising introduced himself, Mr. Field asked the applicant if he had any concern with the recommended conditions. Mr. Rising stated that they had no issue with any of the conditions.

Mr. Field opens the public hearing. Seeing no one wishing to speak, Mr. Field closes the public hearing.

**Motion by Mr. Burtner, second by Mrs. Wahl to approve application BZNA-0236-2022 based upon the following findings of fact:**

- **Is in fact a conditional use established within the specific zoning district involved.**
- **Will be harmonious with and in accordance with the general objectives or with any specific objective of the City's Comprehensive Plan and the Unified Development Ordinance.**
- **Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the same area.**
- **Will not be hazardous or disturbing to existing neighboring uses.**
- **Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.**
- **Will not create excessive additional requirements at public expense for public facilities and services and will not be detrimental to the economic welfare of the community.**
- **Will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.**
- **Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares; and**
- **Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.**

**With the following specific conditions:**

1. This approval is valid for this applicant - Bethel Evangelical Lutheran Church of Cicero - and this use only.
2. The use operations shall be consistent with the submitted plans and statements.
3. The proposed parking area shall be striped in accordance with UDO Article 10 Section 4 requirements.
4. Any future signage shall be of complementary design and aesthetic as the established signage for Bethel Evangelical Lutheran Church.
5. Any alterations to the approved building plan or site plan, other than those required by the Board of Zoning Appeals (BZA), shall be submitted to the Planning and Development Department prior to the alterations being made, and if necessary, a BZA hearing shall be held to review such changes.
6. The Applicant shall sign the Acknowledgement of Variance document prepared by the Planning and Development Department Staff within 60 days of this approval. Staff will then record this

document against the property and a file stamped copy of such recorded document shall be available in the Department of Planning and Development.

**AYE: Burtner, Hanlon, Field, Wahl. The motion carries 4-0.**

**MISCELLANEOUS**

**ADJOURNMENT**

The meeting is adjourned at 6:16 p.m.

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Mike Field, Chairman

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Caleb P. Gutshall, Secretary