

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

Mike FieldChairman
 Dave BurtnerVice-Chairman
 James HanlonCitizen Member
 Lauren WahlCitizen 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 6:02 p.m.

APPROVAL OF FINDINGS OF FACT

Motion by Mr. Burtner, seconded by Mrs. Wahl, to approve the February 6, 2023 Findings of Fact for BZNA-0236-2022 as presented.

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

NEW BUSINESS

1. BZNA-182-2022

Location:	1448 Conner Street
Applicant:	Bob Goins (applicant)
Description:	UDO § 9.G.3.H.3. – Board to consider an extension of the time limit for the temporary use of storage containers on a property within the GB (General Business) zoning district.
Staff Contact:	Kevin Martin

Kevin Martin introduced himself as the Senior Planner for the Noblesville Planning Department. He stated the property address as 1448 Conner Street, east of 14th Street. He stated that the applicant has requested an extension of the time period allowed for a temporary use permit to allow two (2) containers for storage at north side of the building. He explained that staff is allowed to approve a temporary use for up to 60 days and the extension of the allowed time period would be at the discretion of the Board. Mr. Martin stated that the containers have been onsite and in use for a few months. He continued that the applicant requested a total of one (1) year for the use of temporary storage containers on the property and that the containers would be removed by November 1, 2023. Mr. Martin stated that staff was supportive of the request, with the recommended conditions.

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

Mr. Bob Goins of 4450 W 900 S, Pendleton, Indiana introduced himself as the representative of Meyer Foods Management Company, the business in a building known as the Farm located at 1448 Conner Street. He stated that the temporary containers are for the storage of tables, chairs and other equipment used in association with services held by Northview Church. He stated that Northview Church is a tenant that uses their meeting or event space on the weekends.

Mr. Field asked the applicant if he had any concern with the recommended conditions. Mr. Goins stated that they had no issue with any of the conditions.

Mr. Field opened the public hearing.

Mr. Charlie Connett, 1463 Logan Street, introduced himself as the neighbor that lives immediately behind the existing building. He requested clarification about the proposed project and asked what happens on November 1st. He also mentioned an ongoing code compliance complaint regarding the lighting on the subject property.

Mr. Martin answered that the temporary storage containers would need to be removed from the site by November 1st.

Ms. Aschleman, Principal Planner for Noblesville Planning Department, interjected that there is an open building permit for a storage addition in the courtyard and a 20' x 24' storage addition on the east side of the existing building near the location of the storage containers. She stated that the temporary containers will no longer be needed once construction is completed.

Mr. Hanlon asked the applicant who he talked to at the City about his complaint.

Ms. Aschleman stated that he (Mr. Connett) spoke with Justin Hubbard, Code Compliance Manager. She stated that the subject property should be in compliance, but it took a while to manufacture the light shields for the existing light fixtures.

Mr. Connett commented that he guessed it met requirements.

Seeing no additional parties wishing to speak, Mr. Field closes the public hearing.

Motion by Mrs. Wahl, second by Mr. Burtner to approve application TEMP-0048-2023 based upon the following findings of fact:

- Will not be detrimental to the public health, safety, and general welfare, will be compatible with adjacent uses, and will not adversely affect the surrounding neighborhood by means of odor, dust, light, noise, traffic, or other nuisances.
- Will not create negative impacts on existing buffers, landscaping areas, traffic movements, pedestrian circulation patterns, or operation of the permanent primary use of the property, where applicable.
- Does not unreasonably reduce the number of parking spaces available for use in connection with permanent uses located on the property in question, and does not render handicap parking spaces unusable.
- Has not been cited for violations of the City of Noblesville Code of Ordinances or is otherwise currently in violation.} ORD #37-10-20

With the following specific conditions:

1. The operation shall be located on this site only from the approved date to November 1, 2023.
2. The operation shall be located in approximately the same location as identified on the site plan submitted and attached to this request.
3. The lot shall be put in clean condition devoid of temporary use remnants upon termination of the temporary period.
4. No signage shall be attached to the temporary structures.
5. The Temporary Use Permit shall be displayed at all times during the use's approval period and shall be placed in a location on-site that is easily visible to the public.
6. Any alterations to the approved 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.

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

MISCELLANEOUS

ADJOURNMENT

The meeting is adjourned at 6:12 p.m.

Mike Field, Chairman

Caleb P. Gutshall, Secretary