

## Agenda Item #2

Case Number	BZNA-000005-2025	Property Size	1.46 acres
Address	16855 Mercantile Boulevard	Zoning	PB (Stoney Creek Commercial Center)
Owner	GMF Noblesville, LLC	Reviewer	Brett Willaman
Applicant	Garry P. Potts II	BZA Meeting	Monday, March 3, 2025

### Requested Action:

- a) UDO § 11.C.1.D.3.A – Variance of Development Standards application to allow for a second wall sign on the same street frontage of an existing wall sign.

### Recommendation:

Deny. See Findings of Facts on page 3 and Conditions of Approval on page 6.

### Table of Contents:

1. Applicant's Project Narrative
2. Site Plan
3. Sign Elevation
4. Applicant's Findings of Fact



## ANALYSIS

The subject site is a 1.46-acre improved parcel located on Mercantile Boulevard, directly east of State Road 37 and directly west of Stoney Creek Commercial Center's Lowes location. The petitioner's property is located within a Planned Business (PB) zoning district and contains 1 commercial structure. The subject property is surrounded by Planned Business commercial land uses to the north, south, and east while being located adjacent to the Town and Country Planned Development to the west. According to City records, the commercial structure was constructed in 2001 and has only been occupied by Forum Credit Union.

The petitioner filed one variance application (Exhibit 1) in association with the proposed sign to allow:

- a) for a second wall sign on the same street frontage of an existing wall sign.

The subject site has a maximum allowable signage of one sign per street frontage with two existing wall signs currently facing both State Road 37 and Mercantile Boulevard. The proposed wall sign would result in three wall signs for a single tenant building with two signs facing State Road 37 and one sign facing Mercantile Boulevard. The proposed wall sign would occupy approximately 45 square feet (6.4%) of the northwest facing wall.

## VARIANCE OF DEVELOPMENT STANDARDS FINDINGS

### AGENDA ITEM #2:

If the Board should decide to:

- DENY the requested variance to allow for a second wall sign on the same street frontage of an existing wall sign, please use the following findings of fact:

The Noblesville Board of Zoning Appeals is authorized to approve or deny variances of use from the terms of the zoning ordinance. **The BZA may impose reasonable conditions as part of its approval. A Variance of Development Standards may be approved only upon a determination in writing that the following three (3) conditions are met (see Indiana Code § 36-7-4-918.5):**

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community:

**It is likely that this variance will NOT be injurious to the public health, safety, morals, and general welfare of the community. The sign, as proposed, replicates the existing wall signs and meets the maximum signable wall area requirements. In addition, the proposed sign meets all material and illumination requirements.**

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:

**It is likely that the use and value of real estate adjacent to the subject site will NOT be affected in a substantially adverse manner by allowing the requested variance. Nearby property owners may remonstrate against this petition if they believe this request will have significant adverse effects on adjacent properties. Should nothing contrary be brought to light by adjacent owners at the public hearing, it is presumed that the approval of this variance request will not have a substantially adverse effect on the use and value of adjacent properties.**

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.

**The strict application of the terms of the zoning ordinance WILL NOT result in practical difficulties in the use of the property because there is not a compelling justification to support an additional wall sign on a single tenant building that already meets the maximum allowable signage of one sign per street frontage along State Road 37 and Mercantile Boulevard.**

## RECOMMENDATIONS

### AGENDA ITEM #2:

**DENY** the requested Variance of Development Standards to exceed the combined square footage of accessory structures based upon the following findings of fact:

- The strict application of the terms of the zoning ordinance will NOT result in practical difficulties in the use of the property.

## VARIANCE OF DEVELOPMENT STANDARDS FINDINGS

### AGENDA ITEM #2:

If the Board should decide to APPROVE the requested variance to allow for a second wall sign on the same street frontage of an existing wall sign, please use the following findings of fact:

The Noblesville Board of Zoning Appeals is authorized to approve or deny variances of use from the terms of the zoning ordinance. **The BZA may impose reasonable conditions as part of its approval. A Variance of Development Standards may be approved only upon a determination in writing that the following three (3) conditions are met (see Indiana Code § 36-7-4-918.5):**

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community:

**It is likely that this variance will NOT be injurious to the public health, safety, morals, and general welfare of the community. The sign, as proposed, mirrors the existing wall signs and meets the maximum signable wall area requirements. In addition, the proposed sign meets all material and illumination requirements.**

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:

**It is likely that the use and value of real estate adjacent to the subject site will NOT be affected in a substantially adverse manner by allowing the requested variance. Nearby property owners may remonstrate against this petition if they believe this request will have significant adverse effects on adjacent properties. Should nothing contrary be brought to light by adjacent owners at the public hearing, it is presumed that the approval of this variance request will not have a substantially adverse effect on the use and value of adjacent properties.**

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:

**The strict application of the terms of the zoning ordinance WILL result in practical difficulties in the use of the property because, while the proposed wall sign will result in three wall signs on a single tenant building, the proposed wall sign meets maximum sign area, materials, and illumination requirements.**

## RECOMMENDATIONS

### AGENDA ITEM #2:

**APPROVE** the requested Variance of Development Standards based upon the following findings of fact:

- The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
- The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and
- 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.

**With the following specific stipulations:**

1. 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 Department of Planning and Development prior to the alterations being made, and if necessary, a BZA hearing shall be held to review such changes.
2. The applicant shall sign the Acknowledgement of Variance document prepared by the Department of Planning and Development 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.

# Exhibit #1

January 14, 2025

City of Noblesville  
Board of Zoning Appeals  
16 South 10th Street, Suite B140  
Noblesville, IN 46060

RE: Forum Credit Union – 16855 Mercantile Blvd

Forum Credit Union is seeking relief from Article 11 Part C Section 1 A, which allows one (1) wall sign per street-facing elevation. The petitioner desires to install a 3<sup>rd</sup> wall sign, it is a 39.58 sq ft internally illuminated set of channel letters. The wall sign would provide better wayfinding to motorists along SR 37. The building is oriented on a 45 degree angle to the property lines thus creating 2 facades along each road frontage.

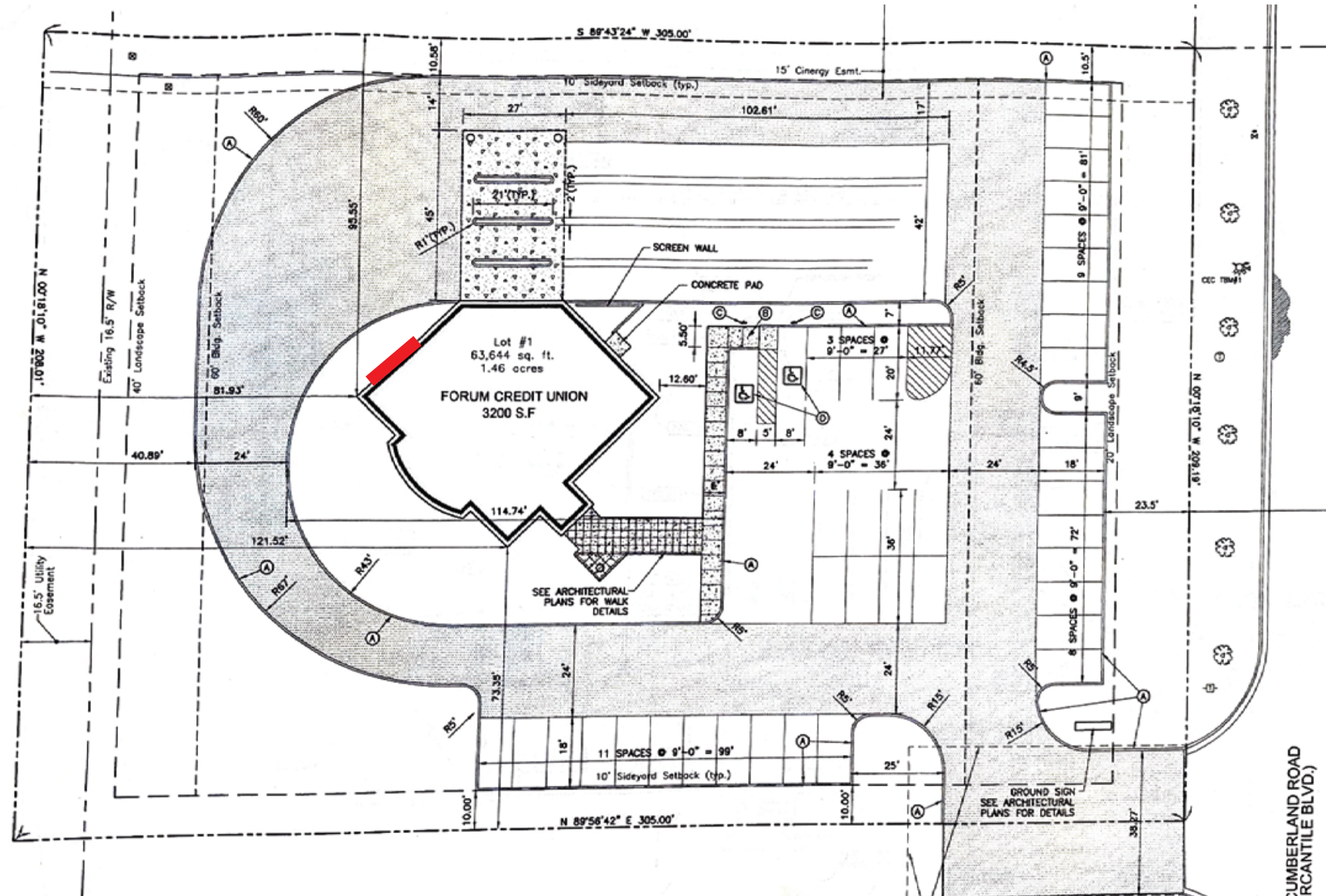
Sincerely,

Garry P Potts II  
Professional Permits  
574-229-0635  
gpotts@professionalpermits.com



# Exhibit #2

HUNTINGTON AVE.  
S.R. 37



NEW CUMBERLAND ROAD  
(MERCANTILE BLVD.)

**"DON'T DIG BLIND"** "HOLEY MOLEY" SEE "IT'S THE LAW"

INDIANA UNDERGROUND PROTECTION SERVICE INC.  
CALL TWO WORKING DAYS BEFORE YOU DIG  
**1-800-382-5544**  
CALL TOLL FREE

- LEGEND:**
- LIGHT DUTY ASPHALT PAVEMENT. SEE DETAIL 01/C7.0
  - HEAVY DUTY ASPHALT PAVEMENT. SEE DETAIL 02/C7.0
  - PROPOSED CONCRETE PAVEMENT SEE DETAIL 03/7.0
  - MONOLITHIC CURB. SEE DETAIL 04/C7.0
  - TYPICAL CURB RAMP. SEE DETAIL 05/C7.0
  - GROUND SIGN SEE DETAIL 06/C7.0

**PARKING SUMMARY:**

<b>PARKING REQUIRED:</b>	
STANDARD SPACES.....	12
HANDICAP SPACES.....	1
<b>PARKING PROVIDED:</b>	
STANDARD SPACES.....	41
HANDICAP SPACES.....	2



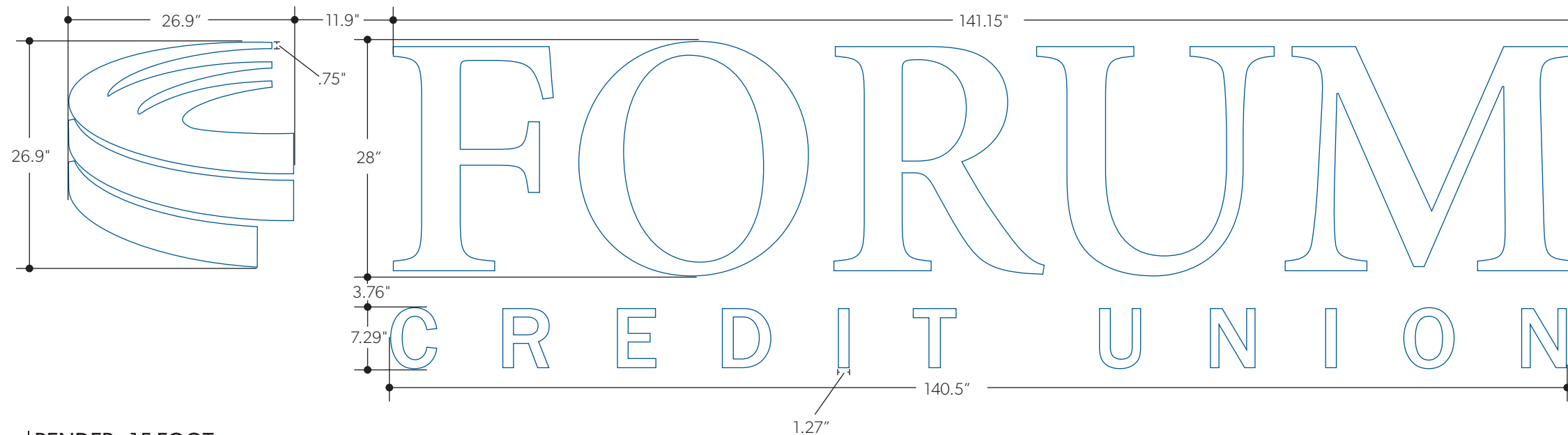
# Exhibit #3

Qty. 1  
SINGLE SIDED

EXTERIOR ILLUMINATED BUILDING SIGN - 15FOOT

**EX.01**

scale: 3/4"=1'-0"



RENDER - 15 FOOT

**EX.01**



**SPECIFICATIONS:**

Internally lit, white face (5"D) channel letters - Blue return and trimcap - flush mounted to building.

- Connect to existing electrical service at sign location.

These drawings/and or the accompanying specifications as instruments of service are the exclusive property of Signworks, Inc. and their use and publication shall be restricted to the original site for which they were prepared. Reuse reproductions or publications by any method, in whole or part, is prohibited except by written authorization from Signworks, Inc. Copyright and ownership of these plans and or specifications shall remain with the designer without prejudice and visual contact with them shall constitute Prima Facie Evidence of these restrictions. Signworks, Inc. shall be entitled to further compensation equal to one hundred and fifty (150%) of the original project fee, the total cost of production and installation per occurrence, and the reasonable costs of collection for any unauthorized use of these drawings and or specifications or any derivative works thereof.



Sales Manager: Tom E.

Designer: Sam C.

Date: 10.28.2024

PROJECT PHASE:

DEVELOPMENT

APPROVED

COLOR SWATCHES:



FILE LOCATION:

Client Folder:  
Forum Credit Union Noblesville

Project Folder: PROOFS

File Name:  
Illuminated Building Signs.ai

Customer Approval Signature

Date:

# Exhibit #4

The Noblesville Board of Zoning Appeals (BZA) is authorized to approve or deny Variances of Development Standards from the terms of the Unified Development Ordinance. The BZA may impose reasonable conditions as part of its approval. A Variance of Development Standards may be approved only upon a determination in writing that the following three (3) statements are true (see Indiana Code § 36-7-4-918.5):

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community. Explain why this statement is true in this case:

\_\_\_\_The approval of the sign will provide more identification for the building and allow people to more easily identify the building creating safer driving conditions.

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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 by the approval of this variance request. Explain why this statement is true in this case:

The approval of the sign will not adversely affect the adjacent properties. The additional sign will help identify Forum Credit Union and create safer driving conditions around all the businesses in the area.

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3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property. Explain why this statement is true in this case:

The strict application of the ordinance does not allow enough signage for the building to identified from SR 37 and Mercantile Blvd. The building is built at an angle and needs two signs facing SR37 to be seen from both northbound and southbound traffic, leaving no signs facing Mercantile Blvd. Allowing a third sign on Mercantile Blvd will identify Forum Credit Union making it easier and safer to find.

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