

ELLETTSVILLE BOARD OF ZONING APPEALS

May 4, 2005

The Ellettsville, Indiana Board of Zoning appeals met at 7:00 p.m., Wednesday, May 4, 2005. Jack Neal called the meeting to order at the Ellettsville Fire Station Conference Room.

Jack Neal, President; Ray Freetage, Vice President; Terry Baker, Denise Knell and Geraldine McIntyre, Secretary were present. Frank Nierzwicki, Director of Planning Services was also present. Frank Nierzwicki led in the Pledge of Allegiance.

Agenda Items:

Outdoor Advertising requested a variance from the sign regulation.

Ray Freetage asked if this was the 300 square foot sign. If so, it is three times the size allowed in the code.

Ray Lady of Hoosier Outdoor Advertising explained the size of the sign proposed at the last meeting has been reduced by half. The last request was for 300 square foot.

There was a long discussion and several people spoke against the new sign proposal.

Frank Nierzwicki, Director of Planning Services, presented his report to the Board. He recommended denial of the variance. The report included a map, photo of the area on State Road 46, copy of the Town Code regarding signage and minutes of the March 6, 2003 meeting of the Plan Commission.

Ray Lady stated that when the sign was taken down for the new highway, they said it could be put back up. There was some discussion about statements and promises made by former Town Council President Dave Sorokoty. They never were able to produce minutes of such a meeting.

Bud Cross, Cross Paint and Body, objected to the sign and provided pictures of the area. He stated he had recently witnessed several accidents near the intersection at Lakeview Drive and felt the sign would add to the safety concerns of this area.

Bill Evans stated he remembered when the sign was taken down and Ray petitioned to put it on the other side of the road. It would be the size of the sign Kevin Farris had. His opinion was to stay with the original plan.

Mike Olson of Fast Lube, said “We’ve all kept our signs small, this would punish us”. Olson predicted setting the precedent of allowing the sign would turn Ellettsville into “Billboard Alley”.

Lisa Creech, Town Council Member felt the Town “needs to work with Hoosier Outdoor”. She noted several residents worked for the company and that the company has donated billboard space to local churches.

Tom Ponton of Cross Paint and Body suggested putting the sign on the flood plain by Hartstraight Road. President Neal stated the State Law forbids it since the property is zoned agriculture.

Geraldine McIntyre stated we had a group of Town Members to work on the State Road 46 plan and they set the codes for signs and other plans for the new highway and she believes we should follow their suggestion. This is why she is against this variance.

Ray Freetage spoke against allowing the sign and urged the Board to follow the code. “Next it will be 600 or 900 feet; where does it stop?”

Jack Neal said the Appeals Board is allowed to give a variance, not strictly by Code. The BZA has at times decided “yes you have to go by the Code”. Jack stated Ray Lady has come back and reduced the size of the sign.

A large discussion was held before the vote was taken. Several members of the audience stated their opinion that the variance should not be allowed.

Denise Knell made the motion to grant the 300 square foot sign. Terry baker seconded the motion. A roll call vote was taken: Jack Neal – yes; Denise Knell – yes; Terry Baker – yes; Ray Freetage – no; Geraldine McIntyre – no. Motion carried by a 3-2 vote.

Denise Knell made the motion to adjourn. Terry Baker seconded. Motion carried.