

# Staff Report – Board of Zoning Appeals

<b>Docket #:</b>	BZA2023-012	<b>Hearing Date:</b>	April 10, 2023
<b>Applicant:</b>	Tim Overmyer, Vanadco Signs, 10625 SR 10, Argos, IN 46501		
<b>Owner:</b>	JCBank, 125 S Chestnut Street, Seymour, IN 47274		
<b>Subject Property Address:</b>	2871 S SR 135, Greenwood, IN 46143		
<b>Staff Contact:</b>	Gabe Nelson, nelsong@greenwood.in.gov, 317-887-5231		

## Request:

The petitioner requests a variance from UDO Development Standards Section 10-03-08 L. 2. MONUMENT SIGN, CHANGEABLE COPY. Dimensions: Minimum sign face surround width: 2 ft. Petitioner requests to reduce the sign face surround from two (2) feet to zero (0) feet.

See attached Exhibit C: Site Plan

## Location:

The subject property will be Lot B-1, Block B, in the Swartz Crossing commercial subdivision, addressed as 2871 S. State Road 135. The lot fronts along the east side of State Road 135 and is directly across the highway from the vacant building formerly occupied by Marsh Grocery Store.

See attached Exhibit A: Aerial Location Map and Exhibit E: Legal Description

## Surrounding Land Uses:

- The Site: CM (Commercial Medium), JCBank
- North: CM (Commercial Medium), Undeveloped Commercial
- East: CL (Commercial Large), Other portions of Swartz Crossing/Retention Pond
- South: CL (Commercial Large), VisionQuest (future)
- West: C-3 (General Commercial, Bargersville), Mixed commercial

See Exhibit B: Zoning Map

## Indiana Code Reference(s):

- Section 36-7-4-918.5 (Dimensional Variances)

## Statutory Criteria:

- Indiana Code Section 36-7-4-918.5 Dimensional/Development Standard Variances may be approved only upon a determination in writing that:
  1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.
  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.
  3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property.

- Indiana Code Section 8-21-10-3 No Hazard to Air Navigation (if applicable)
  1. The structure is regulated under Indiana Code 8-21-10-3 and the Board of Zoning Appeals has received a copy of the Determination of No Hazard to Air Navigation issued by the Federal Aviation Administration and the Board of Aviation Commissioners has been delivered notice in accordance with Indiana Code 8-21-10-3 not less than sixty days before the proposal is considered.

#### **Greenwood Code References:**

Unified Development Ordinance, Sec. 10-03-08. L. 2. MONUMENT SIGN, CHANGEABLE COPY. Dimensions: Minimum sign face surround width: 2 ft

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

The proposed sign is located in a commercially zoned area and will meet the proper setbacks to insure vehicular visibility.

Staff Comment: The BZA previously approved the same variance for a different sign on this property (BZA2022-025).

Exhibit D: Sign Rendering

#### **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:**

The adjacent properties are zoned commercial and the proposed sign will meet side yard setbacks.

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

The bank would prefer this smaller sign to be a similar look to the main ID sign for aesthetic purposes.

#### **4. The structure is/is not regulated under Indiana Code 8-21-10-3 for hazard air navigation.**

Not Applicable

#### **Comments and Findings:**

Staff does not find issue with the applicant's statements of reason. Last year the BZA approved this exact same variance from sign surround materials for the same property, so it would seem prudent that a second monument sign on this property would be of the same style. In addition, the sign surround offers little more than extra weight and stress on the sign and little in the way of aesthetics.

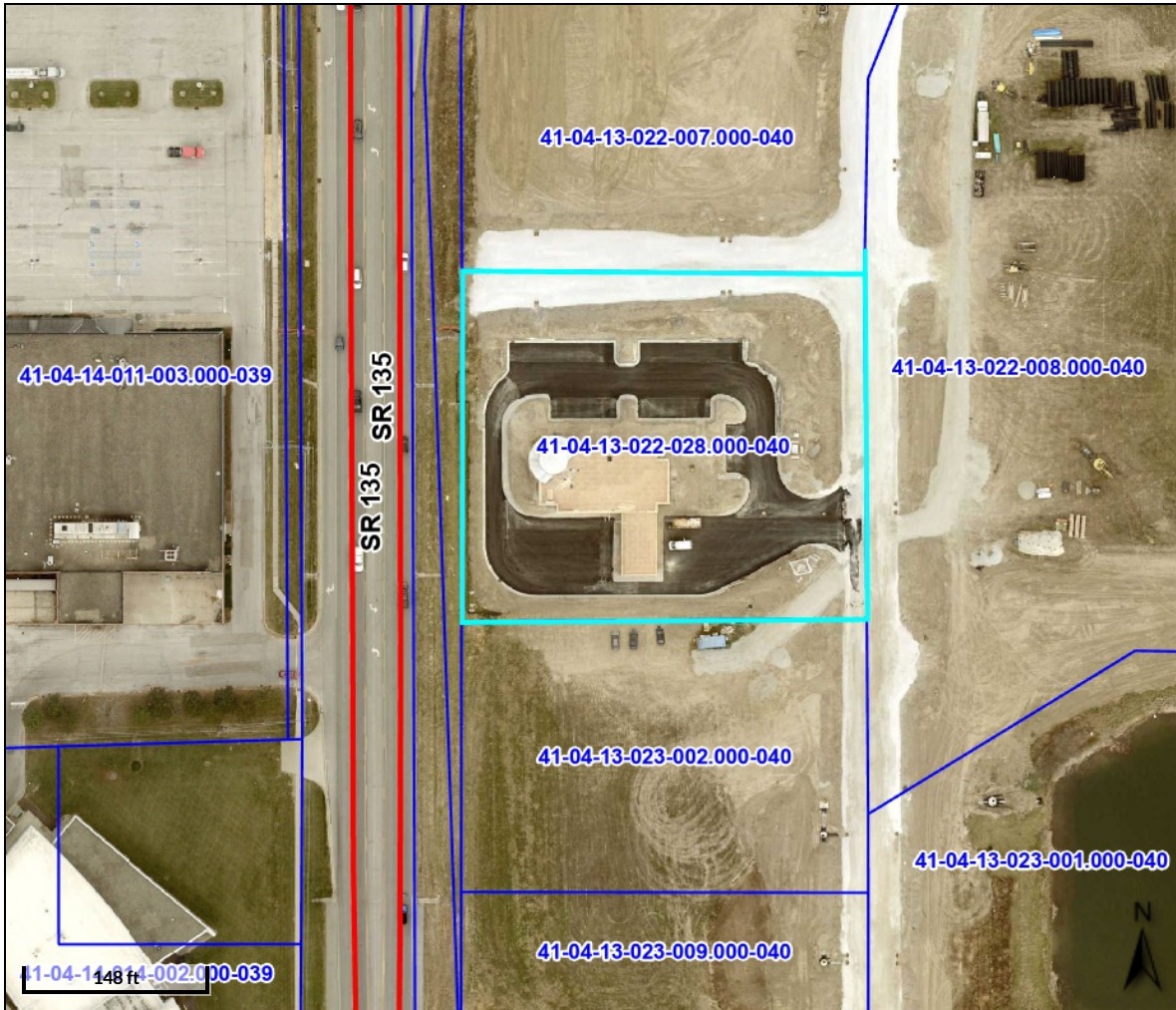
#### **Summary and Proposed Conditions:**

Staff provides a positive recommendation for the variance with the following condition.

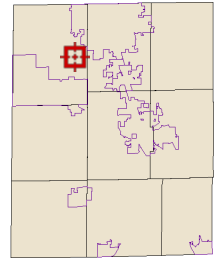
1. The sign shall substantially conform to the renderings depicted in Exhibit D

#### **Attachments:**

Exhibit A: Aerial Location Map  
Exhibit B: Zoning Map  
Exhibit C: Site Plan  
Exhibit D: Sign Rendering  
Exhibit E: Legal Description



#### Overview



#### Legend

- Parcels
- Roads**
  - ACCESS RAMP
  - HIGHWAY
  - INTERSTATE
  - LOCAL
  - MAJOR ARTERIAL
  - MAJOR COLLECTOR
  - MINOR ARTERIAL
  - MINOR COLLECTOR
  - PRIVATE ROAD

<b>Parcel ID</b>	41-04-13-022-028.000-040	<b>Alternate ID</b>	41-04-13-022-028.000-040	<b>Owner Address</b>	JACKSON COUNTY BANK
<b>Sec/Twp/Rng</b>	n/a	<b>Class</b>	Com Full service banks		125 CHESTNUT STREET
<b>Property Address</b>	S STATE RD 135	<b>Acreage</b>	1.958		SEYMOUR, IN 47274
	GREENWOOD				
<b>District</b>	040				
<b>Brief Tax Description</b>	REPLAT OF SWARTZ CROSSING COMMERCIAL SUB BLOCK B				

(Note: Not to be used on legal documents)

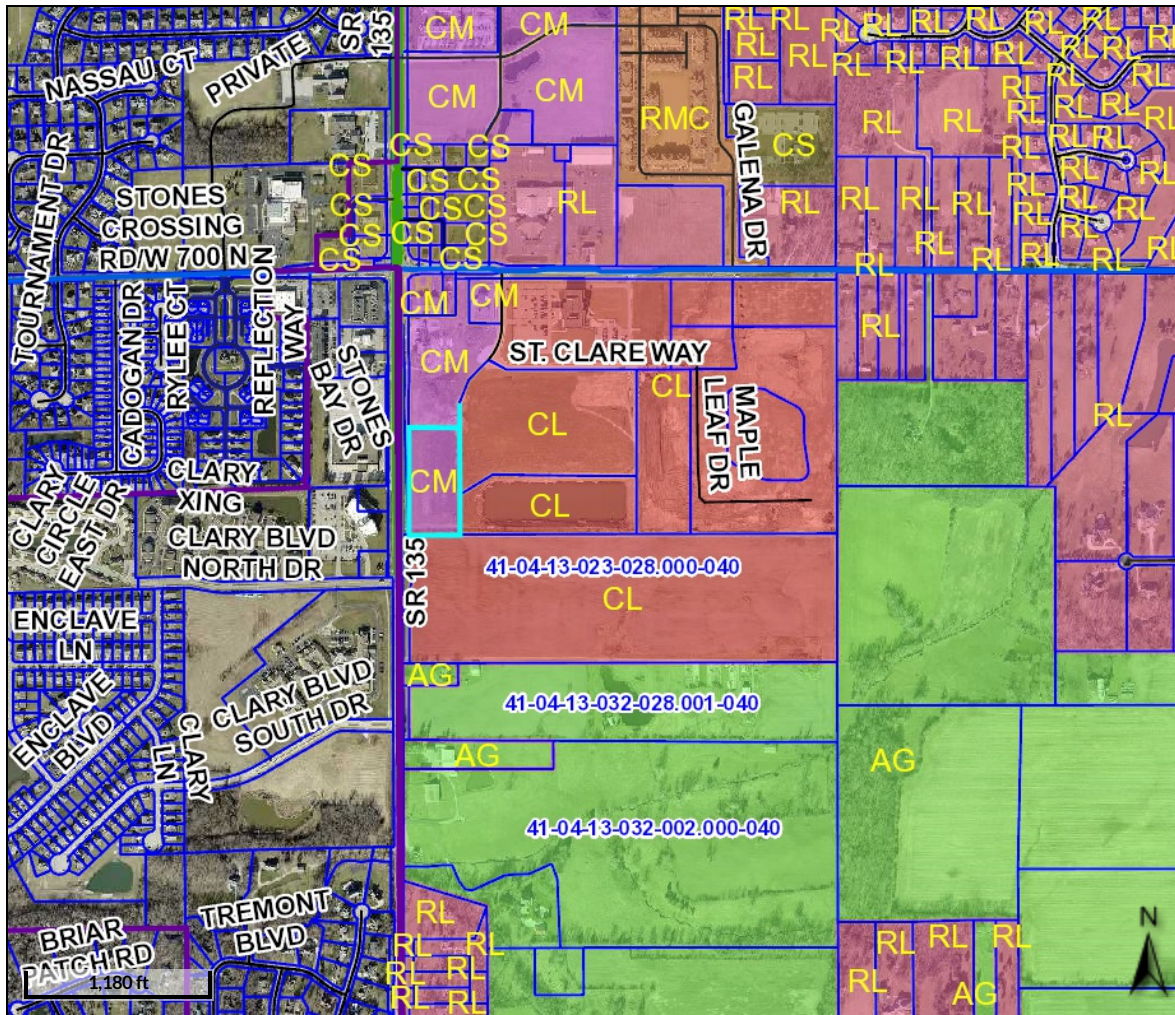
**DISCLAIMER:** Johnson County maintains this World Wide Web site to enhance public access to information. This site is continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. Johnson County makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user. The material on this site comes from a variety of sources. We do not control or guarantee the accuracy, relevance, timeliness or completeness of any outside information. Further, the inclusion of pointers to particular items is not intended to reflect their importance nor is it an endorsement of any of the views expressed or products or services offered. Maps and data are provided for informational purposes only.

Date created: 4/5/2023

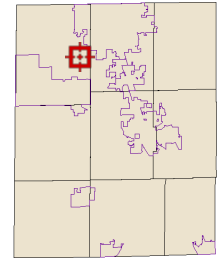
Last Data Uploaded: 4/5/2023 9:10:11 AM

Developed by  **Schneider**  
GEOSPATIAL





## Overview



## Legend

- Cities
- Parcels
- Roads**
  - ACCESS RAMP
  - HIGHWAY
  - INTERSTATE
  - LOCAL
  - MAJOR ARTERIAL
  - MAJOR COLLECTOR
  - MINOR ARTERIAL
  - MINOR COLLECTOR
  - PRIVATE ROAD
- Greenwood Zoning**
  - AC
  - AG
  - CL
  - CM
  - CS
  - IC
  - IL
  - IM
  - OT
  - OTR
  - PA
  - PUD
  - RA
  - RL
  - RM
  - RMC
  - RMH
  - UNKNOWN

Parcel ID	41-04-13-022-009.000-040	Alternate ID	41-04-13-022-009.000-040	Owner Address	SWARTZ CROSSING DEVELOPMENT LLC 300 S MORTON ST FRANKLIN, IN 46131
Sec/Twp/Rng	n/a	Class	Agri Vacant land		
Property Address	S STATE ROAD 135 GREENWOOD	Acreage	4.808		





## LANDSCAPE PLAN

## PROPOSED BANK BRANCH

SHEET SP301

LMA/JMA

CHECKED

LMA

DESIGNED

DATE

DECEMBER 2021

BY

APPR.

REVISIONS

DATE

BY

REVISIONS

DATE

BY

DATE

NO

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

51

52

53

54

55

56

57

58

59

60

61

62

63

64

65

66

67

68

69

70

71

72

73

74

75

76

77

78

79

80

81

82

83

84

85

86

87

88

89

90

91

92

93

94

95

96

97

98

99

100

101

102

103

104

105

106

107

108

109

110

111

112

113

114

115

116

117

118

119

120

121

122

123

124

125

126

127

128

129

130

131

132

133

134

135

136

137

138

139

140

141

142

143

144

145

146

147

148

149

150

151

152

153

154

155

156

157

158

159

160

161

162

163

164

165

166

167

168

169

170

171

172

173

174

175

176

177

178

179

180

181

182

183

184

185

186

187

188

189

190

191

192

193

194

195

196

197

198

199

200

201

202

203

204

205

206

207

208

209

210

211

212

213

214

215

216

217

218

219

220

221

222

223

224

225

226

227

228

229

230

231

232

233

234

235

236

237

238

239

240

241

242

243

244

245

246

247

248

249

250

251

252

253

254

255

256

257

258

259

260

261

262

263

264

265

266

267

268

269

270

271

272

273

274

275

276

277

278

279

280

281

282

283

284

285

286

287

288

289

290

291

292

293

294

295

296

297

298

299

300

301

302

303

304

305

306

307

308

309

310

311

312

313

314

315

316

317

318

319

320

321

322

323

324

325

326

327

328

329

330

331

332

333

334

335

336

337

338

339

340

341

342

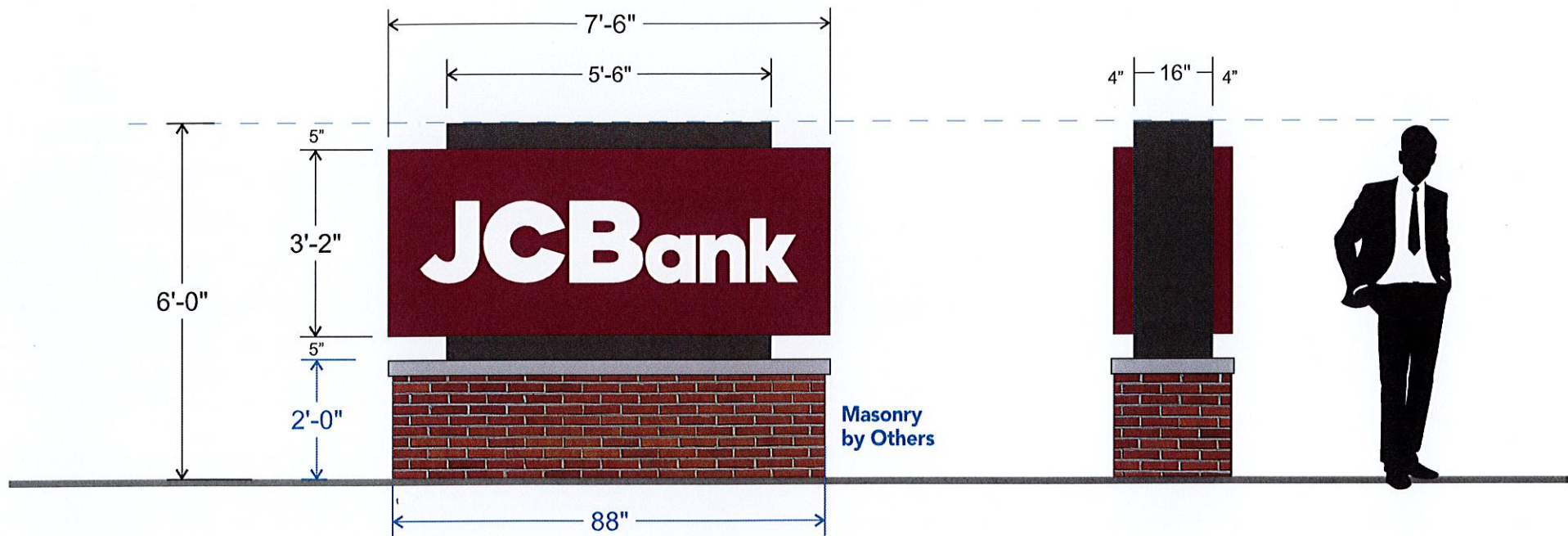
343

344

345

346





10625 STATE RD. 10 • ARGOS, IN • 46501 | [vanadco.com](http://vanadco.com)

All drawings/designs/derivatives: ©2022, Vanadco Signs, Inc., All Rights Reserved. Due to the limitations of the printing process, printed colors can vary from actual colors.

ARTWORK APPROVED BY:

Internally Illuminated Auxiliary Sign  
Routed Aluminum Faces with Push-Through Copy

APPROVAL DATE:

SCALE: 3/8"=1'

DATE: 10-25-2022

FILE: JCBank Greenwood Small ID A.cdr

## Legal Description

Part of the Northwest Quarter of Section 13, Township 13 North, Range 3 East, White River Township, Johnson County, Indiana, described as follows:

Block 8 of replat of Swartz Crossing Commercial Subdivision as recorded as instrument number 2019-009111 in Johnson County recorder's office.

Containing 4.808 acres, more or less