



## BOARD OF ZONING APPEALS FINDINGS OF FACT

APPLICATION(S): BZNA-0161-2023

PROPERTY ADDRESS: 3200 Sheridan Road, Noblesville, Indiana

A Variance of Development Standards application was submitted to the Noblesville Planning Department for the above referenced location. The application submitted by Jacob Jennings requested that approval be granted to a Variance of Development Standards application pursuant to Unified Development Ordinance §11.C.1.D.3 to allow a ground sign on a property with an existing building that does not meet the minimum thirty-five (35) foot setback from the adjacent right-of-way. The Noblesville Board of Zoning Appeals conducted a hearing regarding this application on December 4, 2023. After testimony was given and evidence was presented to the Board, a motion to APPROVE was made, and the motion carried 5-0.

### VARIANCE OF DEVELOPMENT STANDARDS FINDINGS

In its deliberations, the Noblesville Board of Zoning Appeals weighed the evidence associated with the following criteria and made the following findings in granting the request for a Variance of Development Standards. Indiana Code §36-7-4-918.5 states that a Variance of Development Standards may be approved only upon a determination in writing that the following are true:

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. This variance is to allow the installation of a ground sign that identifies the business location to motorists traveling on Sheridan Road (SR-38). It is believed that the sign will alleviate sudden braking patterns for those that are unfamiliar with the location of the business (Providence Home & Garden Center).**
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 not anticipated that this variance for the installation of a ground sign will affect the use and value of real estate adjacent to the subject site in a substantially adverse manner. Nearby property owners may remonstrate against this petition if they believe this request will have significant adverse effects on 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 per the UD0, a ground sign on this property would be allowed if the property width is greater than 100 feet and the building has a 35-foot setback. Providence Home and Garden Center is located within a remodeled farmhouse. The original house was constructed nearly 70 years ago and has a 0-foot setback. Due to the existing landscaping and the design, shape and orientation of the building, the installation of one wall sign would not efficiently identify the business to motorists traveling in both directions on Sheridan Road (SR-38).**

The findings of fact contained herein are adopted by the Noblesville Board of Zoning Appeals on January 3, 2023.

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Mike Field, Chairman

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Caleb Gutshall, Secretary