



## JOHNSON COUNTY

Department of Planning and Zoning  
86 West Court Street  
Courthouse Annex  
Franklin, Indiana 46131

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## MEETING AGENDA

Johnson County Board of Zoning Appeals  
March 29<sup>th</sup> 2022, 7:00 PM  
Public Auditorium, West Annex Building  
86 West Court Street, Franklin, Indiana

### CALL TO ORDER

### ROLL CALL

### APPROVAL of MINUTES

Approval of minutes from the February 22<sup>nd</sup>, 2022 meeting.

### PUBLIC HEARINGS

#### -CONTINUED PETITIONS

None.

#### -NEW PETITIONS

V-3-22. Nineveh Christian Church , 1231 W 775 . ..... Page 3

VARIANCE OF DEVELOPMENT STANDARDS of the Johnson County Zoning Ordinance to allow for an electronic variable message sign:

1. In an R-2 (Single-Family Residential) Zoning District (not permitted)
2. Approximately 75% of the total sign area containing changing electronic messages (maximum 30% permitted)
3. Approximately 100 feet from a lot used for residential purposes (300-foot setback required)

### OLD BUSINESS

None.

### NEW BUSINESS

None.

### REPORTS AND RECOMMENDATIONS

None.

### ADJOURNMENT

The next regular meeting of the Johnson County Board of Zoning Appeals is scheduled for Tuesday, April 26<sup>th</sup> 2022 at 7:00 PM.

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# Staff Report

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CASE NUMBER: V-3-22  
ADDRESS: 1231 W 775  
Section 27, Township 11, Range 4  
PETITIONER: Nineveh Christian Church, by James Cooper

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## REQUEST

VARIANCE OF DEVELOPMENT STANDARDS of the Johnson County Zoning Ordinance to allow for an electronic variable message sign:

1. In an R-2 (Single-Family Residential) Zoning District (not permitted)
2. Approximately 75% of the total sign area containing changing electronic messages (maximum 30% permitted)
3. Approximately 100 feet from a lot used for residential purposes (300-foot setback required)

## PROPERTY DESCRIPTION

This approximately 0.43-acre property is zoned R-2 (Single-family Residential) and is home to the Nineveh Christian Church Youth Building. The Nineveh Christian Church's main building, parking lot, and cemetery are east of the subject site on several parcels totaling 7.53 acres. There are small residential lots to the north, south, and west. There is a large State of Indiana owned property to the northeast and Camp Atterbury is southeast of the property.

## SIGN REGULATIONS

The Sign Regulations of the Johnson County Zoning Ordinance "provide a balanced system of signage to facilitate communication between people and their environment and to avoid visual clutter that is potentially harmful to traffic safety, property values, community appearance, and the economic vitality of Johnson County."

The Sign Regulations regulate conventional sign area, height, setback, and other specific measurable characteristics, and provide additional restrictions on electronic variable message signs (EVMS), which are generally considered to have a higher visual and aesthetic impact on their environments. Specifically, the Sign Regulations:

1. prohibit the erection of any sign with an EVMS component within 300 feet of residential use,
2. require any sign with an EVMS component to provide a minimum 35-foot setback from a public right-of-way,
3. allow a sign's EVMS component to take up no more than 30% of the total sign face.

## VARIANCE REQUEST

This request, if approved, would provide for the placement of a 6-foot-tall 32 square feet freestanding sign containing an EVMS component. The petitioner plans to construct a church identification sign with an electronic area that displays changing messages. The petitioner stated that the sign would have a minimum static display time of 8 seconds as required by the Zoning Ordinance. The sign would not include flashing, scrolling, or animated video features. There is currently no free-standing sign on the property.

The proposed sign requires granting of three variances:

1. To allow for an EVMS component which is not allowed in a residential district. The sign is located in the R-2 zoning district.
2. To allow for a larger EVMS component area than allowed. 75% of the sign area contains the EVMS component where the ordinance limits the area to 30%.
3. To allow for a lesser setback separation from an residential use. The sign would be approximately 100 feet from a residential lot where the ordinance requires 300 feet.

The Sign Regulations require at least 300 feet of separation between any sign with an EVMS component and any residential use because of the visual impact associated with EVMS signs and their assumed inappropriateness adjoining residential homes. Surrounding development consists of single-family residences on lots under 1 acre in size. The light and digital movement features associated with EVM signs can negatively impact the enjoyment of residential properties and alter the character of the area.

For these reasons, staff recommends denial of these variances.

If the BZA votes to approve the variance requests, staff recommends adding the following conditions to mitigate the impact of the sign on neighboring residential properties:

1. The sign shall not display any scrolling, flashing, animated, or otherwise moving image, and shall emit no noise.
2. The sign's image shall change at a rate no greater than once per eight seconds.
3. The electronic component of the sign shall be completely darkened from dusk to dawn.

## FINDINGS OF FACT: VARIANCE OF DEVELOPMENT STANDARDS

1. The approval will be injurious to the public health, safety, morals, and general welfare of the community.

The sign would be visible to the general public traveling on 775 S and would deviate from the character of the area.

2. The use and value of the area adjacent to the property included in the variance will be affected in a substantially adverse manner.

The light and digital movement features associated with EMV signs would negatively impact the enjoyment of the residential properties located near the sign on the west side of N 75 W.

3. The strict application of the terms of the Zoning Ordinance will not result in practical difficulties in the use of the property.

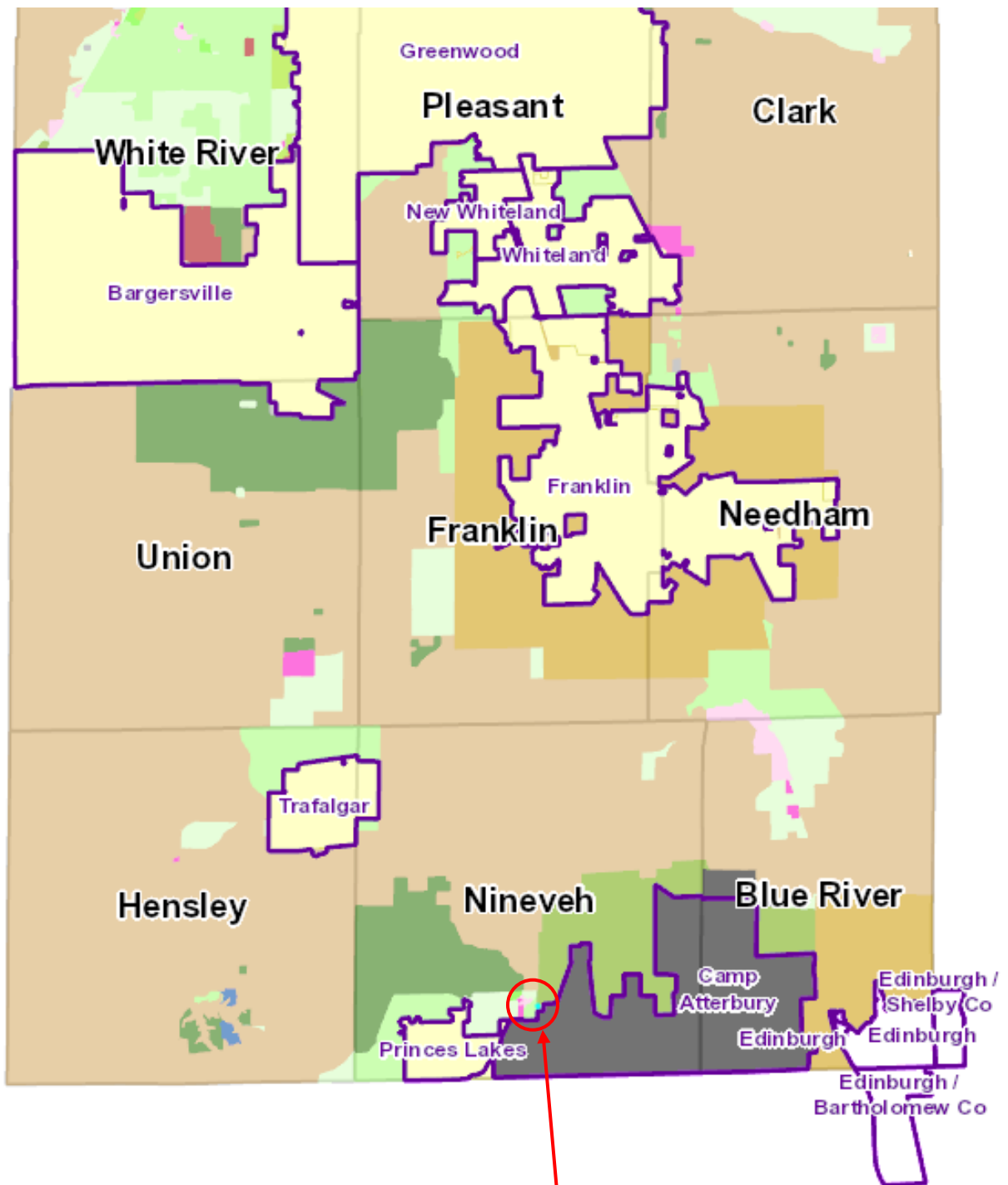
The Ordinance permits a sign of the same size, height, and distance from the road without EVMS components.

#### GENERAL INFORMATION

Applicant:	James Cooper
Owner:	Nineveh Christian Church
	PO Box 207
	Nineveh, IN 46164
Zoning:	R-2 (Single-family Residential)
Land Use:	Religious Intuition
Future Land Use:	Camp Atterbury 1-Mile Buffer

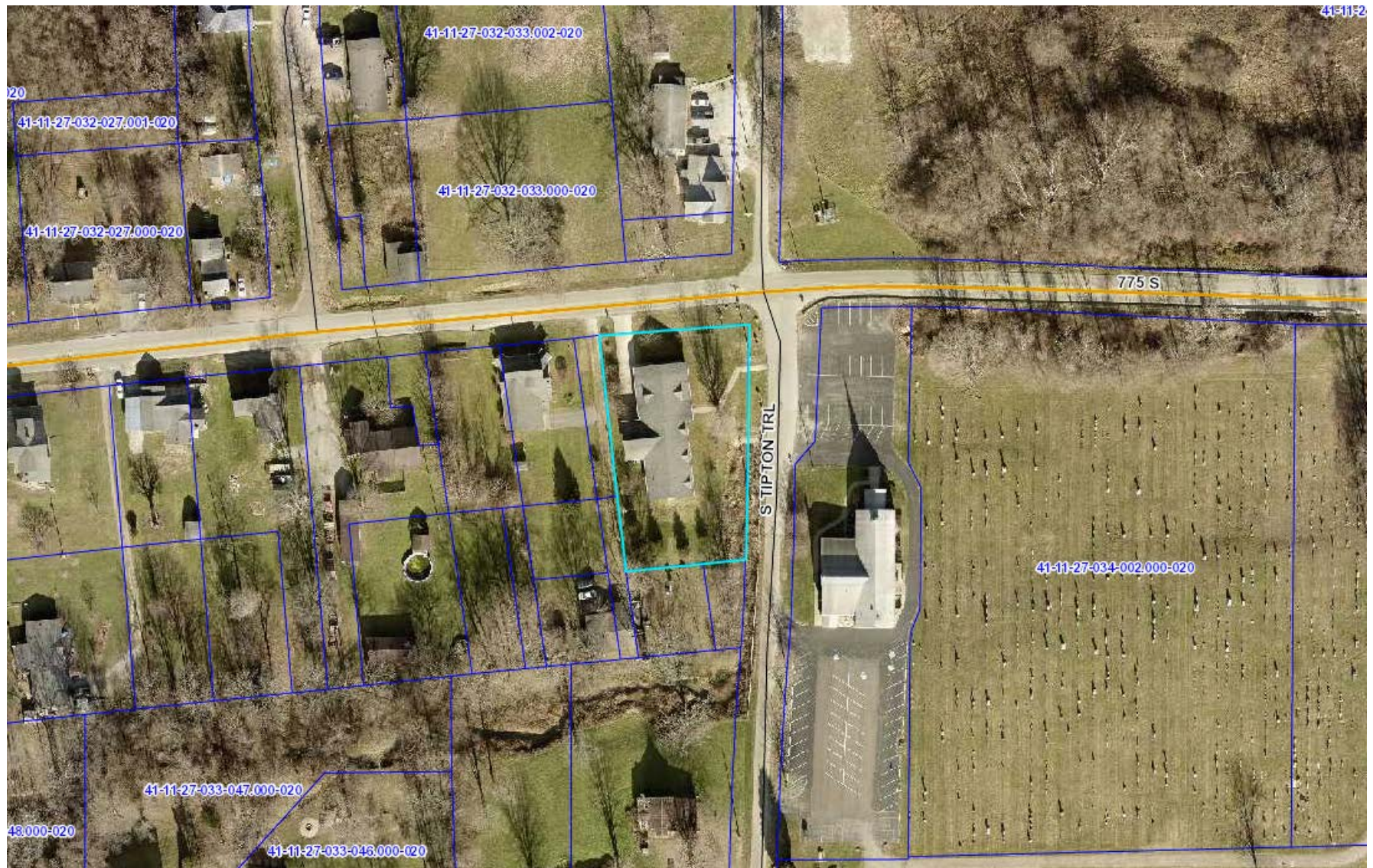
-RLS

## V-3-22 BASE MAP

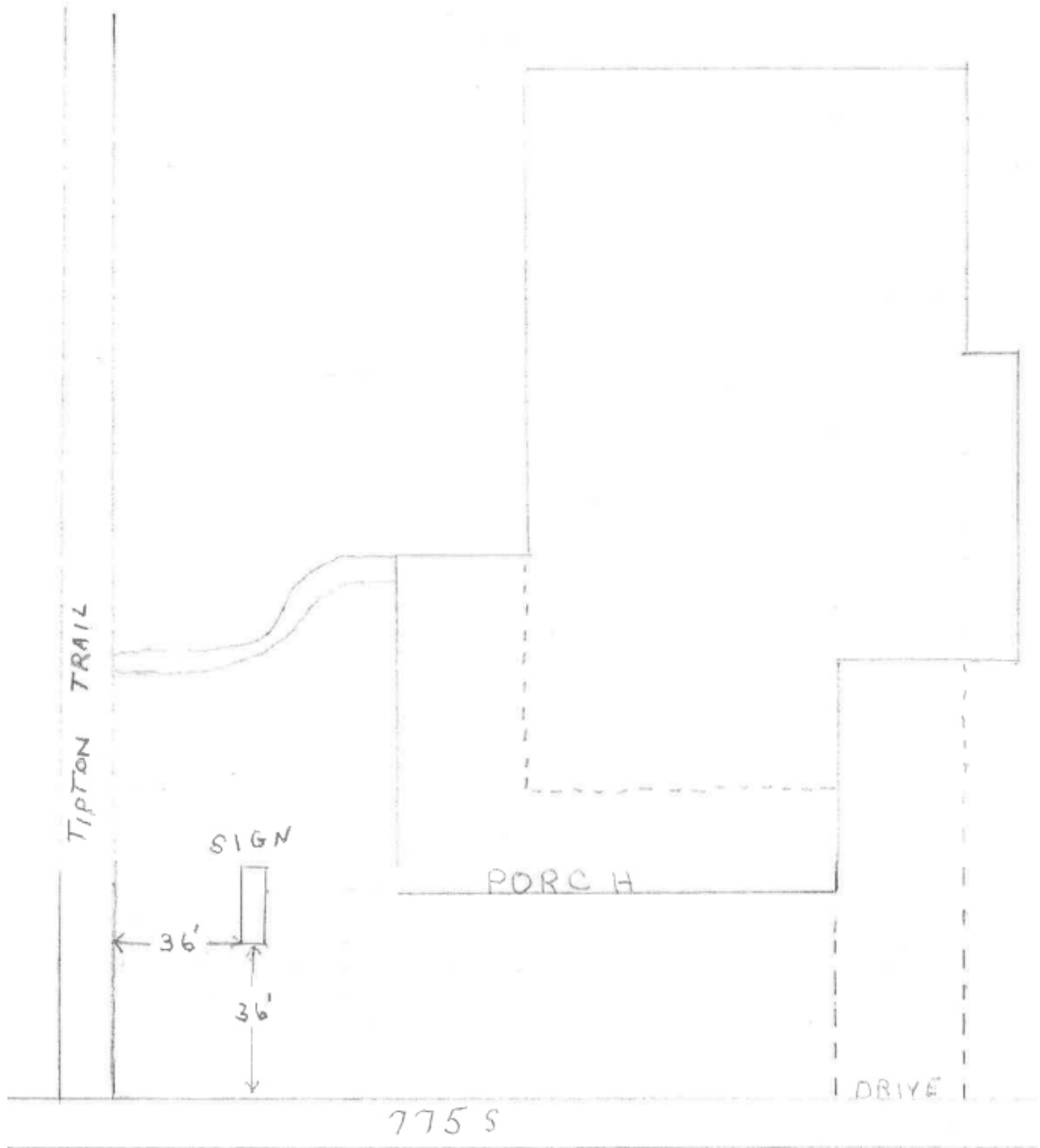


**SUBJECT SITE**

## V-3-22 VICINITY MAP



# V-3-22 SITE PLAN



**V-3-22 PROPOSED SIGN**



## V-3-22 PETITIONER'S FINDINGS OF FACT

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

Sign will not block visibility of intersecting roads. Will give information to the Community about events happening in the community and church such as dinners, school supplies for children, social gatherings and Time & Temp.

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:

Installation should have no effect on property values due to its proximity to Comp Atterbury directly to the East.

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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 property because:

For sign to be placed in the Church yard in front would be 140 feet from the roadway. Sign can not be placed on asphalt parking lot due to a 35 foot R/W on Culvert N-031 belonging to Johnson County Highway Dept.

## V-3-22 SITE PHOTOS

LOOKING WEST AT SUBJECT SITE FROM CHURCH PARKING LOT



**SOUTH OF SUBJECT SITE**



**WEST OF SUBJECT SITE**



**EAST OF SUBJECT SITE**



**NORTH OF SUBJECT SITE**

