

**Shelby County Board of Zoning Appeals  
Meeting Minutes  
March 12, 2024**

**Members Present:**

Kevin Carson  
Terry Knudson  
Dave Klene  
Jim Douglas  
Megan Hart

**Members Absent:**

None

**Staff Present:**

Desiree Calderella – Planning Director  
Jason Clark – Board Attorney

**Call to Order and Roll Call:**

Jim Douglas called the meeting to order at 7:00 pm in Room 208 A at the Court House Annex, Shelbyville.

**Approval of Minutes:**

Kevin Carson made a motion to approve the minutes from February 13, 2024. Dave Klene seconded the motion. The minutes were approved 4-0.

**Old Business:**

**BZA 24-05 – BRENDAN RIGGS: USE VARIANCE – To allow for private recreational use as the primary use of property in the A2 (Agricultural) District. Located at 7900 N 250 E, Shelbyville, Hanover Township.**

Kevin Carson made a motion to adopt the Findings of Fact indicated in the March 12, 2024, meeting materials and Terry Knudson seconded the motion. The Findings of Fact indicated in the meeting materials were adopted 4-0.

**New Business:**

**BZA 24-07 – EVANGELICAL UNITED CHURCH OF CHRIST: DEVELOPMENT STANDARDS VARIANCES – To allow for a ground sign having animated components [UDO Sec. 5.73 E 1 c] and a total of two ground signs on one property in the IS (Institutional) District [UDO Sec. 5.74 B 2 a]. Located at 2630 S Miller St, Shelbyville, Addison Township.**

Desiree Calderella read the petition into the record and stated that Staff recommends approval with stipulations.

Sylvia Spurling, President of the Church Council, represented the petitioner. She explained that the church had installed the existing sign in 1967, and that manually changing the letters on that sign has posed a safety and physical burden on older church members. She indicated that the existing sign exceeds County sign size requirements, however, the proposed sign would comply with County sign size requirements. She indicated that the sign would display messages pertaining to the church and occasionally other messages, such as advertisements for Clearview Subdivision events. She stated that Cain Signs would install the sign.

The Board opened the hearing for public comment. There was none. The Board closed the public comment portion of the hearing.

Kevin Carson stated that the proposed sign is not out of character with other electronic signs that the BZA has approved for churches and schools.

Kevin Carson made a motion to vote on the petition with stipulations and Dave Klene seconded the motion. The petition was **APPROVED 5-0** with **stipulations:**

- 1. The content of the sign shall change no more than once every thirty seconds and shall transition by an instant change/slideshow effect. The sign shall not include motion picture capabilities.**
- 2. The sign shall include a sensor or other device that automatically determines the ambient illumination and be programmed to automatically dim according to ambient light conditions.**
- 3. The EMC portion of the sign shall be turned off between 10 PM and 5 AM.**
- 4. The brightness level for any digital display shall be calibrated for less than 0.2-foot candles above ambient light levels, as measured at the right-of-way line.**
- 5. The "default" setting shall be a black screen in the event of a malfunction.**
- 6. The base of the sign shall match the color and materials of the primary structure (church building).**
- 7. These stipulations of variance approval shall be recorded with the land in the Shelby County Recorder's office.**

Terry Knudson made a motion to adopt the Findings of Fact indicated in the Staff Report and Megan Hart seconded the motion. The Findings of Fact indicated in the Staff Report were adopted 5-0.

**BZA 24-08 – FLAT ROCK CHRISTIAN CHUCH: DEVELOPMENT STANDARDS VARIANCES – To allow for a telecommunication facility having a lattice design [UDO Sec. 5.80 C 3], not designed to blend in with the natural surroundings of the environment [UDO Sec. 5.80 C 2], not designed to accommodate both the applicant’s antennas and two additional users’ antennas [UDO Sec. 5.80 C 5 b], and without landscaping [UDO Sec. 5.80 C 8].**

Desiree Calderella read the petition into the record and stated that Staff recommends approval.

The petitioner was not present to represent the petition.

Kevin Carson made a motion to dismiss the petition based on lack of petitioner to speak on the case and Dave Klene seconded the motion. The petition was **DISMISSED 5-0**.

**Discussion**

**V23-14 – DANNY & MARIA RIGDON: ZONING VIOLATION. Update on progress to correct violation. Located at 5879 N PR 660 W, Fairland, Brandywine Township.**

Danny Rigdon indicated that he had begun filling the basement with pea gravel and expected to have the basement filled by the end of the week.

**V23-16 – BRIAN & JOANNE KLUNK: ZONING VIOLATION. Corrected zoning violation. Located at 5943 S SR 9, Shelbyville, Shelby Township.**

Desiree Calderella explained that she had taken measurements and had confirmed that the property owner had reduced the height of the fence and had moved the fence out of the right-of-way. She stated that the property is in compliance.

**Adjournment:**

With no further business to come before the Board, Dave Klene moved to adjourn, and Terry Knudson seconded the motion. The meeting was adjourned.

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President	Date
Jim Douglas	

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Secretary	Date
Kevin Carson	