

**MARTINSVILLE BOARD OF ZONING APPEALS**  
**MEETING MINUTES**  
**August 22, 2006**

Chairman Dee Terrell called the regular meeting of the Martinsville Board of Zoning Appeals to order at 6:00 PM on Tuesday, August 22, 2006, in the Council Chambers of City Hall, Martinsville, IN.

**ATTENDANCE**

Those members present were:

Robert C. Beesley  
Mike Kirsch, Vice Chairman  
Marilyn Siderewicz, Secretary  
Dee Terrell, Chairman  
Rod Bray, Attorney

**Z-06-06-01.** Morgan Hospital and Medical Center, 2209 John R. Wooden Drive, Martinsville, IN.

Requested a variance from the Development Standards to include the sign height, total square foot of a sign, and closer to the property lines than the required setbacks.

TABLED at the June 27, 2006, meeting.

TABLED at the July 25, 2006, meeting.

Attorney Peter Foley made the request presentation to the Board of Zoning Appeals. A packet of pictures with the proposed sign was presented to the Board along with a sheet containing the findings of fact pertaining to the variance request. Also present at the meeting were Karen Overpeck, Verdia Parke, members of the hospital board, Tom Laux, Hospital Administrator, and Mike Pflum from Sign Solutions.

Mr. Foley said the sign would not exceed 80 ft. and will probably be closer to 76 or 78 ft. It would have an electronic message board, which would offer medical center information, temperature, and time information. The sign would be a public service. The hospital needs the higher sign to overcome its position in a valley and allow it to be seen clearly on Indiana 37. The sign is not for a single thing but is for a hospital, an emergency room, a cancer center, and physicians' building. Mr. Foley further stated the necessity of seeing early.

Mr. Tom Laux, CEO of the hospital, said it would contain public information and would be needed for directions. He felt it would help to access the health care. A further point made was that the sign would help prospective workers to find the facility.

Ms. Verdia Parke, hospital board member for seven years and director of nursing for 38 years, reiterated the value of having the sign. She further stated that a number of people are unable to find the hospital and it is important to find the hospital for care and job opportunities. There would be a revolving electronic message with important preventive care and safety issues.

**REMONSTRATORS:** None.

Chairman Dee Terrell said he felt there is presently a good view on entering the community, and he was concerned about the precedent being set with this variance.

Mr. Foley said it is a large sign but will provide a public service. He felt the sign would be tailored to the needs of the location.

Mike Pflum, Sign Solutions, pointed out that he had used the Bynum sign for comparison.

Robert C. Beesley asked how the sign was lighted, how the sign message is changed, and how much wind would the sign handle.

Mr. Pflum replied that the light is controlled internally, the message is done by radio waves with the hospital having an in-house computer control, and the adjusted base is twice as safe as any other sign.

Mike Kirsch asked how the sign would look from the south side and how tall would it be above the trees.

Mr. Pflum replied that the sign couldn't be seen as far south, the trees block the view and there are severe elevation drops.

Marilyn Siderewicz said that she felt the sign would be helpful to locate the hospital for an emergency, especially for older people.

**MOTION:**

Robert C. Beesley moved to accept all three variances as presented with the findings of fact for Variance from Development Standards as requested by the Morgan Hospital and Medical Center. The motion was seconded by Marilyn Siderewicz and failed to pass with a vote of 2 in favor and 2 opposed. Dee Terrell and Mike Kirsch cast the opposing votes.

Dee Terrell and Mike said their reasons for voting no on the request was that the sign was too big and too tall.

Attorney Rod Bray informed the Board that the request for Z-06-06-01 would need to be tabled until the September 26, 2006, meeting of the Board of Zoning Appeals since the vote was 2 to 2.

It was the unanimous vote of the Board to table the request for Z-06-06-01 until the September 26, 2006, meeting of the Board of Zoning Appeals.

**Z-06-08-01.** Samuel E. Finney, 1995 Sunrise Street, Martinsville, IN.

Requested a Variance from the Development Standards to reduce the front building setback line from 25' to within 20', and across the 30' rear setback line, at 1995 Sunrise Street.

Mr. Finney told the Board that he wanted to construct a detached garage with a reduced front yard setback on property located at 1995 Sunrise Street. He distributed a drawing of the area in question and findings of fact sheet.

City Engineer, Ross Holloway, had no objections to the request.

**REMONSTRATORS:**

Don Kinsler, neighbor. Mr. Kinsler stated that he was in favor of the variance. He felt the addition of a garage would help to decrease the number of cars on the street and would provide a place for the boat to be parked.

**MOTION:** Robert C. Beesley made a motion to accept the request for Variance from Development Standards to reduce the front building setback line from 25' to 20', and across the 30' rear setback line at 1995 Sunrise Street as requested by Samuel E. Finney. The Findings of Fact were acceptable. (See attached sheet.) The motion was seconded by Marilyn Siderewicz and passed unanimously.

**Z-06-08-02.** Phil E. Kirk, 102 Schnaiter Lane, Martinsville, IN.

Requested a variance from Land Use to allow the operation of a transmission repair shop, at 110 Schnaiter Lane.

Attorney Rod Bray read a letter asking that the request of Z-06-08-02 be dismissed.

**Z-06-08-03.** Terri Alexander, 333 W. Washington Street, Martinsville, IN.

Requested a Variance from the Development Standards to reduce the front setback along Jackson Street from 40' to 20'. Also reduce the side yard setback along the east side of the property, from 20' to 5'. The property at 333 W. Washington Street is zoned I-1 (Light Industrial).

Mr. Ross Drapalik made the presentation to the Board. Drawings of the area were distributed as well as findings of fact sheets.

Mr. Drapalik said that his client was asking for a variance from development standards and a reduction in the front yard setback from 40' to 20' along the Jackson Street side of the property and a reduction in side yard setback along the east side of the property from 20' to 5' on property located at 333 West Washington Street. This is the old Black's Lumber Company property. The proposed building is for competitive gymnastics. Parking will not be an issue since age levels and several different sessions distribute the competition.

Ross Holloway, City Engineer, said that when looking at the site plan he would check the parking area.

**REMONSTRATORS:**

Joanne Stuttgart, Member of Martinsville Plan Commission, said she thought it was a great idea. She feels it will be a site enhancement with landscaping and fencing.

**MOTION:** Mike Kirsch made a motion to approve the request for variance from Development Standards to reduce the side yard setback along the east side of the property from 20' to 5', located at 333 West Washington Street, as per the finding of fact sheet (see attached sheet). The motion was seconded by Robert C. Beesley and passed unanimously.

**MINUTES:**

The minutes of the May 23, 2006, June 27, 2006, and July 25, 2006, meetings were approved upon a motion by Robert C. Beesley and a second by Mike Kirsch. Motion passed unanimously.

**ADJOURNMENT:**

There being no further business, the meeting adjourned.

The next scheduled meeting of the Martinsville Board of Zoning Appeals will be Tuesday, September 26, 2006, at 6:00 PM.

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Dee Terrell, Chairman

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Marilyn Siderewicz, Secretary

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Robert C. Beesley, MD

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Rod Bray, Attorney

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Mike Kirsch, Vice Chairman

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Keith Sighting (ABSENT)