



EXHIBIT 7: RECOMMENDED FINDINGS: 1512-VS-17 (SIGN AREA)

If the Board is inclined to approve the variance, then the Department recommends the following written findings of fact:

Recommended Findings for Approval: A Variance of Standard may be approved under Indiana Code § 36-7-4-918.5 and the City of Westfield-Washington Township Unified Development Ordinance (Article 10.14.G.2) only upon a determination that:

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

Finding: It is unlikely that approving the requested variance would be injurious to the public health, safety, morals, and general welfare of the community. The proposed signs will be placed at locations that increase visibility to motorists attempting to locate the Property and represents a nominal increase to the property's otherwise permitted sign area.

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:*

Finding: It is unlikely the use and value of adjacent property will be affected in a substantially adverse manner. The proposed use of the property will not change, nor the scope of the business, which is currently consistent with and compatible with the surrounding area.

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

Finding: The zoning ordinance's sign standards do not necessarily recognize the unique function of an outdoor mall creating a practical difficulty in the safe signage and traffic flow of the development, particularly as a result of the upgrade of US 31. The variance should more practically accommodate these unique circumstances.

If the Board is inclined to deny the variance, then the Department recommends the following written findings of fact:

Recommended Findings for Denial:

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

Finding: The zoning ordinance currently establishes a reasonable standard for sign area. The requested variance to increase the sign area is inconsistent with other permitted signage in the community and thus would likely create an unsafe distraction for motorists.



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- 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:*

Finding: It is unlikely the use and value of adjacent property will be affected in a substantially adverse manner. The proposed use of the property will not change, nor the scope of the business.

- 3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property.*

Finding: The zoning ordinance currently establishes a reasonable standard for sign area including flexibility in the placement of permitted signs. Strict application of the ordinance would not inhibit the use of the property and thus would not be a practical difficulty.