

**MINUTES OF THE LAWRENCE
BOARD OF ZONING APPEALS
AUGUST 21, 2018**

MEMBERS PRESENT: Rebecca Lightle, Celeste Jaffe, Arthur Duszyski, Mike Payton and Brent Addington

STAFF PRESENT: Renea Rafala (Secretary), Larry Calloway (Marion County DMD)

COUNCIL PRESENT: none

Rebecca Lightle called the meeting to order at 7:00pm

APPROVAL OF MINUTES FROM JULY 17, 2018:

The motion for approval was made by Arthur Duszyski, seconded by Celeste Jaffe, and passed with a 5-0 vote

SPECIAL REQUESTS, WAIVERS OR WITHDRAWALS:

18-LSV-10 ~ 7320 Pendleton Pike ~ requested continuance to the 9/18/18 hearing with notice. Motion for continuance with notice by Celeste Jaffe, seconded by Arthur Duszyski and passed with a 5-0 vote

OLD BUSINESS:

None

New Business:

18-LUV-12 ~ 6333 LEE RD

Petitioners' representative, Kyra Rimsans, presented the case for a Variance of Use of the Consolidated Zoning and Subdivision Ordinance, Chapter 744, Art IX, Section 04.F.1 to allow an EVMS (not permitted) and Chapter 744, Art IX, Section 04.F.2.d to allow an EVMS within 600 feet of a protected district

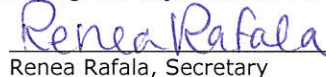
Larry Calloway, Marion County DMD, recommends denial
William Anthony, City of Lawrence, recommends approval

After discussion the Board voted and approved the petition with a 3-2 vote and the following commitments:

1. The Electronic Variable Message Sign (the "EVMS") will be turned off between ten o'clock p.m. and six o'clock a.m. each day.
2. The EVMS will not flash or have scrolling messages; it will change instantaneously from one static message to another.
3. The EVMS screen will change messages no faster than every six seconds.
4. The EVMS screen will be one consistent static image during the rush hours of seven thirty o'clock a.m. to nine o'clock a.m. (7:30-9:00 a.m.) and four o'clock p.m. to six o'clock (4:00-6:00 p.m.) during the weekdays (Monday-Friday).
5. The EVMS screen shall not have monochromatic messages or messages with a dominant color of red, yellow or green due to potential interference with a signalized intersection.
6. The EVMS shall utilize a Datroniks system, or similar system, which shall automatically regulate brightness and dim the message when appropriate.
7. The variance is granted to the Metropolitan School District of Lawrence Township and should the Subject Property be sold, the variance shall automatically terminate.

There being no other business before the board the meeting was adjourned at 7:35pm


Rebecca Lightle, Chair


Renea Rafala, Secretary

These minutes are not intended to be verbatim. They are a summary of discussions held, with the exception of the motions. An audiotape is made which provides a detailed record.