The Board of Zoning Appeals convened at 6:00 p.m.

A roll call was taken and those members present were: Warren Harling, Chuck Gillespie, Howard Stevenson, Steve Ferrucci, Rick Fain

Members absent: None

Others present: Rodney Retzner, Kay Prange, Megan Schaefer, Trevor Preddy, Larry Lannan, Tim and Jane-Ann Mattingly, Lyman Eaton

Mr. Harling confirmed quorum and called the meeting to order.

Election of Officers, Appointments, and Designations- Mr. Harling asked for a Motion to open the meeting to Nominations, which was made by Mr. Gillespie, seconded by Mr. Harling.

I. Election of President- Mr. Gillespie nominated Warren Harling as President of the Fishers BZA. All members seconded. Mr. Harling was elected President, 5-0.

II. Election of Vice President- Mr. Harling nominated Chuck Gillespie as Vice-President of the Fishers BZA, seconded by Mr. Ferrucci. Mr. Gillespie was elected Vice-President, 5-0.

III. Appointment of Secretaries (Tony Bagato, Megan Schaefer, Ross Hilleary, Andrew Magee, Jessie Boshell, Gary Huddleston, Trevor Preddy). Mr. Gillespie made a Motion to appoint, seconded by all members. The appointments were approved, 5-0.

IV. Appointment of Recording Secretary (Kay Prange)- Mr. Ferrucci made a Motion to appoint, seconded by all members. The appointment was approved, 5-0.

V. Designation of Plan Commission Legal Counsel (Krieg DeVault)- Mr. Stevenson made a Motion to designate, seconded by all members. The designation was approved, 5-0.

VI. Designation of Commission Legal Publications (Noblesville Times and The Current)- Mr. Gillespie made a Motion to Designate, which was seconded by all members. The designation was approved, 5-0.

Mr. Harling then closed the Election portion of the meeting.

Mr. Harling asked for a Motion to approve the Minutes from the October 23, 2019 meeting. Mr. Gillespie made a Motion to approve the Minutes, which was seconded by Mr. Stevenson. The Minutes were approved, 5-0.

Public Hearings:

a. Case # VA-20-1 – 13573 E. 116th St.

Tim Mattingly requests approval of a Development Standards Variance from section(s) 6.2.2.A and 6.2.2.C.3 to permit construction of a detached two-car garage. The Subject property is to the southeast of the intersection of E 116th St & Olio Rd, located at 13573 E 116th St.

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Tim Mattingly is requesting a Development Standards Variance in order to build a detached 2-story garage. The accessory structure allowed space on the property is maximized due to a pole barn existing on the site. Mr. Mattingly presented the site plan which is Estate Zoned.

Mr. Harling opened the meeting to Public Comment. Seeing none, he noted no remonstration.

Trevor Preddy, Planner II, presented the Staff Report and Construction plans. Staff recommends approval.

Mr. Harling opened the meeting to Committee discussion. Mr. Ferrucci noted that a letter regarding this property has been received from Mr. Zinkman, a neighbor, noting that the property is well maintained and the construction of a new garage will help keep the property maintained. He asked that this be added to the record.

Mr. Harling asked for Motion for VA-20-1. Mr. Ferrucci made a Motion to approve with the condition that the approval letter be recorded and subject to plans presented, seconded by Mr. Gillespie. The Motion was approved, 5-0.

b. Case # VA-20-2- Meds To You

Consideration of a Variance of Use from Section 5.1.5. Permitted Use Table of the City of Fishers Unified Development Ordinance (UDO) to allow a mail order pharmacy in a R2 Residential Zoning District. Property is located at 10119 Hamilton Hills Lane.

Lyman Eaton presented the Use Variance Request for this property to be a closed-door pharmacy, Meds To You. This is a pharmacy that is closed-door, not open to the public, currently operating in the Castleton area. This Eaton family home was previously granted a use Variance in 2019 under VA-19-25 for a tea room but the business has backed out. It has been determined that the Eaton family home will now be used for this purpose.

Mr. Harling opened the meeting to Public Comment. Seeing none, he noted no remonstration.

Megan Schaefer, Planner III, presented the Staff Report. There are no interior or exterior changes. Staff recommends approval.

In Committee Discussion, Mr. Gillespie inquired about security. Mr. Eaton stated that security is in place 24/7. Mr. Ferrucci asked about signage- there will be no signs. Mr. Stevenson asked about growth- Mr. Eaton, a Pharmacist, is the only employee at this time and the max would be 8. Mr. Harling asked if there would be any truck deliveries. All deliveries will be via FedEx or UPS. The discuss then went to the parking situation and that the current parking on the property is 15 cars with overflow at the Balmoral Clubhouse. Mr. Harling wants to ensure that if more than 15 employees are anticipated that a new parking plan be submitted to staff.

Mr. Harling made a Motion to approve VA-20-2, with the following voluntary commitments:
   a. No signage
   b. Limit to 15 employees. If exceeded, petitioner will submit new parking plan to staff.
   c. The approval letter will be recorded. The approval runs with the business.
   d. Subject to plans as presented.

The Motion was seconded by Mr. Stevenson. The Motion was approved, 5-0.

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New Business: Rules of Procedure

When the Town of Fishers became the City of Fishers, a 6-member BZA board was adopted. However, the Rules of Procedure were never updated. Mr. Harling expressed concern that there could be a 3-3 tie if adopted. He asked for Continuation to next month for Staff review.

Mr. Harling made a Motion to Continue the New Business Rules of Procedure update. Mr. Stevenson seconded. The Motion was approved, 5-0.

As there was no other business, the meeting was adjourned at 6:30 p.m.

Respectfully Submitted by:

[Signature]
Kay Prange, Recording Secretary

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