The Board of Zoning Appeals convened at 6:00 p.m. The meeting took place via Microsoft Teams virtual meeting.

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: In-Person: Rodney Retzner, Tony Bagato, Nick Gallagher, Matt Kennedy, David Upton, Howard and Annmarie Koch, Robert Rainier, Bryan Weese. Via TEAMS: Jessie Boshell, Trevor Preddy, Kay Prange

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

Mr. Harling asked for a Motion to approve the Minutes from the February 26, 2020 meeting. Mr. Stevenson made a Motion to approve the Minutes, which was seconded by Mr. Ferrucci. The Minutes were approved, 5-0.

Public Hearings:

a. Case # VA-20-3 - RPM Collection CONTINUED FROM 4-22-20 MEETING

Greg Ewing with Dentons on behalf of RPM Collection requests approval for a Use Variance from the requirements of the Master Plan and Zoning Ordinance #110380 to allow an indoor automobile sales use. All business to be conducted on the interior. Subject property is located at 11774 Technology Drive.

Jessie Boshell, Planner II, presented the Variance request, with thanks to the Petitioner for patience with technical difficulties which caused the last meeting to be canceled. The Petitioner is classified as a car dealer but this is not a traditional car dealership. Staff recommends approval and recommends all business be conducted indoors. Bryan Weese, representing the Petitioner, is agreeable to that recommendation.

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

There was no Committee discussion. Mr. Harling asked for a Motion for VA-20-3. Mr. Ferrucci made a Motion to approve, seconded by Mr. Harling. The Motion was approved, 5-0.

b. Case # VA-20-5 - Upton Shelter

Carrington Homes on behalf of David & Mindee Upton seeks a development standards variance from the City of Fishers Unified Development Ordinance to construct a 615 square foot, 19’ tall structure at 13409 Chrisfield Lane.

Trevor Preddy, Planner II, presented the Variance request. The Uptons seek to construct an approximately 25’x25’ (600 square feet) rooved shelter with a height of 19’ on the property listed above. The shelter will contain a wet bar and cooking facilities. R2 zones limit the height of accessory structures to 15’, and further require that any structure exceeding that height have a setback equal to the height of the structure. The structure’s proposed design and placement do not meet these Standards. Staff does recommend approval.
Mr. Harling opened the meeting to Public Comment. Seeing none, he noted no remonstration.

Mr. Harling asked for a Motion for VA-20-5. Mr. Ferrucci made a Motion to approve, seconded by Mr. Fain. The Motion was approved, 5-0.

c. Case # VA-20-6 - Koch Residence

Howard Koch seeks a development standards variance from the City of Fishers Unified Development Ordinance to construct an 18.5’ by 15’, 277.5 square foot deck at 11138 Manteo Ct on the rear of the primary structure.

Trevor Preddy presented the variance request. The variance would allow the Maximum impervious surface percentage to be exceeded. R2 standards limit permitted impervious surface coverage on lots to 35%. Presently, the property is legally non-conforming. A development standards variance is required to add or change that impervious surface coverage. The deck will be located in the rear of the property and will be attached to the main structure.

Staff recommends approval.

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

In Committee discussion, Mr. Harling asked for a voluntary commitment for the deck as presented.

Mr. Harling asked for a Motion. Mr. Gillespie made a Motion to approve VA-20-6, seconded by Mr. Stevenson. The Motion was approved, 5-0.

d. Case # VA-20-7 - Kennedy Garage

Matt Kennedy seeks a development standards variance from the City of Fishers Unified Development Ordinance to permit the construction of a 30’ tall, 1,168 square foot detached 4-car garage on the residential property at 12080 Landover Ln, Fishers, IN 46037.

Trevor Preddy presented the Variance Request. The proposed garage would be on property that abuts the Hamilton Proper golf course. Staff has not suggested approval or denial, however if approved, Staff suggests that it not be used as a residence and not used for business purposes. Matt Kennedy is the petitioner. He has worked with the HOA at Hamilton Proper. The design is identical to home design. He has no interest in making it a carriage house with plumbing, etc. Mr. Kennedy did discuss the proposed additional elevations for the rear.

Mr. Harling opened the meeting to Public comment.

Robert Rainier (10720 Club Chase) represented “The Greens” homes group. His objections:

1. Detracts from neighborhood
2. Looking from rear is not favorable
3. There are no structures of that magnitude in Hamilton Proper.
4. Why 9 vehicles?

Mr. Kennedy added that the height is 7 feet shorter than the house height. Also, that side of the lot is bare now.
Mr. Harling closed the Public Comment portion of the Meeting.

In Committee discussion, Mr. Ferrucci asked about landscaping. Yes, there is full landscaping on both ends and in back. Mr. Harling noted that the choice with the larger windows is more appealing for the neighbors. He finds this alternative better than the original.

Mr. Harling asked for a Motion for VA-20-7. Mr. Fain made a motion to approve the Variance using the rear elevation with the larger windows. A Friendly Amendment was made to state that the building not be used for a residence, and not for business purposes. The Motion was seconded by Mr. Gillespie. The Motion was approved, 4-1.

As there was no other business, the meeting was adjourned at 6:41 p.m.

Respectfully Submitted by:

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Kay Prange, Recording Secretary