

**CITY OF FISHERS
BOARD OF ZONING APPEALS
MINUTES
LAUNCH FISHERS AUDITORIUM
February 28, 2024**

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

A roll call was taken. Members present: Steve Ferrucci, Jeffrey Silvey, Greg Lannan and Tom Grinslade, and Howard Stevenson.

Others present: Ross Hilleary, Kevin Martin, Kay Prange, Paul Walters, Rob McMurray, Christy Cashin, Gabrielle Herin, Scott Frissell, Joe Logan, Jim and Cindy Lauyer, Brian Burtch, Sue Payne.

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

Mr. Ferrucci asked for a Motion for the approval of the previous minutes. Mr. Silvey made a Motion to approve, seconded by Mr. Grinslade. The Minutes were approved, 4-0-1.

Public Hearings:

a. Campo Outpost Variance

Parcel: 14-10-24-00-00-012.000

Address: 140 White Oaks Dr, Fishers, IN 46038

Case: VA-24-1

Request: Consideration of two Development Standard Variances from Section 3.2.3. R2 Residential District of the City's Unified Development Ordinance (UDO) to allow for a 500 square foot minimum building floor area from the 1600 square foot minimum for an owner occupied single family home and from Section 6.3.4.B.4.c. Automobile Storage Standards of the UDO to allow no garage requirements from the two-car garage requirement.

Petitioner: Samuel Pfeifer (samuel@neonarchitecture.com)

Planner: Christy Cashin, Senior Planner (cashinc@fishers.in.us)

Brian Burtch, Architect presented the site plan. A small house (cabin) is being built, one bedroom with a loft. The owner opted not to build a garage and the cabin will not be rented out. Steve Ferrucci asked how to enforce that the cabin would not become a Airbnb or VRBO. Ross Hilleary answered that Code Enforcement would report it. The Petitioner agrees. Christy Cashin presented the Staff Report. Photos of the property were shown. Staff has No Recommendation. If approved, the following conditions would apply:

1. The approval letter on file with the County
2. Dwelling only used by owners
3. No renters
4. The Existing foundation from an earlier building would be removed or used.

Mr. Ferrucci opened the Public Hearing.

Sue Payne (110 White Oaks)- This is a previous property of her family. She lives on the adjacent property. She and husband are in support. If you don't know a building is there, you wouldn't find it.

Mr. Ferrucci closed the Public Hearing.

Mr. Grinslade will vote to deny, this is too far out of standards.

Mr. Ferrucci asked for a Motion. Mr. Lannan made a Motion to approve, with the conditions listed above, seconded by Mr. Stevenson. The Motion was approved. 4-1.

b. Nevogt Residence Variances

Parcel: 13-15-02-00-25-047.000

Address: 13571 Haven Cove Ln, Fishers, IN 46055

Case: VA-24-2

Request: Consideration of Development Standard Variances from Sections 3.2.3 and 6.3.4.B.3.d of the City's Unified Development Ordinance (UDO) and the Marina PUD Ordinance #: 041210 to increase the maximum permitted impervious surface area from 35% to 46%, to permit a 2/12 and 4/12 roof pitch instead of the minimum 5/12 roof pitch required and to increase the maximum permitted height from 35 feet to 42 feet for a new single family home.

Petitioner: Joe Logan (jlogan2086@aol.com)

Planner: Gabrielle Herin, Senior Planner (hering@fishers.in.us)

Joe Logan presented the variance requests for 46% impervious surface, roof pitch, and maximum height. This is part of the Marina PUD which includes similar requests. There have been no Public Comments. Gabrielle Herin presented the Staff Report. Staff has No Recommendation for the Board. If approved, the conditions would include that the approval letter be filed with the County and all TAC comments be addressed for the replat.

Mr. Ferrucci opened the Public Hearing.

Seeing no one from the Public to speak, Mr. Ferrucci closed the Public Hearing.

Mr. Ferrucci asked for a Motion. Mr. Grinslade made a Motion to approve, with the conditions listed above, seconded by Mr. Stevenson. The Motion was approved, 5-0.

c. 14375 Brooks Edge Impervious Surface Variance

Parcel: 13-15-12-00-23-045.000

Address: 14375 Brooks Edge Ln, Fishers, IN 46040

Case: VA-24-3

Request: Consideration of a Development Standards Variance from the Southeast Fishers Planned Development Ordinance #100305E, as amended to increase the maximum permitted impervious surface area from 35% to 45% for a proposed single family home.

Petitioner: Joe Logan (jlogan2086@aol.com)

Planner: Gabrielle Herin, Senior Planner (hering@fishers.in.us)

Joe Logan presented the variance request for a 45% impervious surface. This is the result of the building plans for a 4 ½ car garage using more of the lot. Gabrielle Herin presented the Staff Report. Any runoff would go to the retention pond to the south. There have been no Public Comments. Just one phone call was received to get information about the variance. Staff has No Recommendation for the Board.

Mr. Ferrucci opened the Public Hearing.

Seeing no one from the Public to speak, Mr. Ferrucci closed the Public Hearing.

Mr. Ferrucci asked for a Motion. Mr. Grinslade made a Motion to approve with the inclusion of the approval letter to be filed with the County, seconded by Mr. Silvey. The Motion was approved, 5-0.

New Business- Mr. Ferrucci asked for a Motion to approve The 2024 Rules and Procedures. Mr. Silvey made a Motion to approve, seconded by Mr. Grinslade. The Motion was approved, 5-0.

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

Respectfully Submitted by:

Kay Prange, Recording Secretary