



CITY OF FISHERS AGENDA

In accordance with the Americans with Disabilities Act (ADA), the City of Fishers will, upon request, provide appropriate aid (i.e. interpreters) and/or assistance leading to effective participation for people with disabilities. Anyone who requires such assistance should [email Kelly Lewark](#), Office Manager, no later than 48 hours before the scheduled event or call at (317) 595-3487.

The public may [stream the meeting online](#). Members of the public may [submit comments online](#).

BOARD/COMMISSION: Board of Zoning Appeals – Fishers Meeting

DATE: 2/28/2024, at 6:00 PM

DIRECTIONS: Launch Fishers, 12175 Visionary Way, Fishers, Indiana 46038

1. Call to order / Pledge of Allegiance

2. Roll Call

3. Approval of Previous Minutes

a. 1-24-24

4. 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)

b. Nevogt Residence Variances

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

Address: 13571 Haven Cove Ln, Fishers, IN 46055

Case: VA-24-2Request: Consideration of Development Standard Variances from Sections 3.2.3 and 6.3.4.B.3.d of the City's UnifiedDevelopment 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)

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)

5. New Business

6. Staff Communication

7. Board Signatures – Findings of Fact

8. Adjournment

**CITY OF FISHERS
BOARD OF ZONING APPEALS
MINUTES
LAUNCH FISHERS AUDITORIUM
January 24, 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. Howard Stevenson was not present.

Others present: Ross Hilleary, Rodney Retzner, Kay Prange, Tracy Gaynor, Christy Cashin, David Turk, Chris Cunningham, Sue Anthony Follmer, Tim O'Connor, Tsvangirai Hege, Jack Follmer.

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.

a. Election of Officers, Appointments, and Designations:

- a. Election of Chairperson - Mr. Ferrucci asked for a nomination for President/Chairperson of the BZA. Mr. Grinslade nominated Mr. Ferrucci, seconded by Mr. Silvey. The nomination was approved, 4-0.**
- b. Election of Vice-Chairperson – Mr. Ferrucci made a nomination for Mr. Stevenson to be Vice-President/Vice Chairperson of the BZA, seconded by Mr. Silvey. The nomination was approved, 4-0.**
- a. Appointment of Secretaries (Ross Hilleary, Gabrielle Herin, Christy Cashin, Kevin Martín)- approved, 4-0.**
- c. Appointment of Recording Secretary (Kay Prange and Kelly Lewark)- approved, 4-0.**
- d. Designation of Plan Commission Legal Counsel (Krieg DeVault)- approved, 4-0.**
- e. Designation of Commission Legal Publications (Noblesville Times, The Current, Hamilton County Reporter)- approved, 4-0.**

b. Public Hearings:

a. 8958 E 96th Street Drive-Thru Variance

Parcel: 15-15-07-00-00-016.015

Address: 8958 E 96th Street

Case: VA-23-34

Request: Consideration of a Development Standard Variances. One from Section 2.C.2.a Preliminary Development Plan of the Lantern Pines Ordinance #090391A to allow a restaurant drive through within the Health Science Centre area of the PUD and a Land Use Variance from Section 5.4.8.D.2.b. Use Regulations of the City's Unified Development Ordinance (UDO) to allow drive-up window, exterior menu board, and speakers, associated with a restaurant or coffee house, within 400 feet of any building zoned or used for residential purposes.

Petitioner: Matthew Land (matt@wtb-lawyers.com)

Chris Cunningham (Petitioner) presented the Variance request. The building is on 96th St., in the Lantern Pines PUD. The tenant at the southmost end of the building was formerly a Starbucks that moved its operation in order to gain a drive-thru lane. The request is to allow the drive-thru, menu board, and speakers.

Christy Cashin presented the Staff Report. The parking on the South parking lot by 96th St. would be removed, still leaving the correct amount of parking spaces for the other tenants in the building. Stacking would take place on the south and east sides of the building. The east side runs along the back of the building. Engineering and Fire are OK with the proposal. The lane is narrow. Two emails have been received from residents of Covington Estates - lights and noise are the concerns. There were questions about what the new business would be. Unknown at this point. Staff has no recommendation for the Board.

Mr. Ferrucci opened the Public Hearing.

Tim O'Connor (9724 Covington Blvd.) - he is the Attorney for the Covington Estates HOA. Concerns are noise pollution and light pollution. Asked for Hardscape to block both at the Southeast corner. Space is right.

Mr. Ferrucci closed the Public Hearing.

In Board discussion, the members discussed the land on the east side. Would deliveries conflict with the stacking? Mr. Cunningham stated that all deliveries to existing tenants go through the front doors. Have they considered widening that lane? That would require another variance. Mailbox would be relocated. Mr. Ferrucci asked if the Petitioner will commit to the hardscape, and Mr. Cunningham agreed to that commitment. Mr. Silvey asked if they had consulted with a professional about the back doors, possible railings to protect people exiting the back doors, and the traffic. The Petitioner has not.

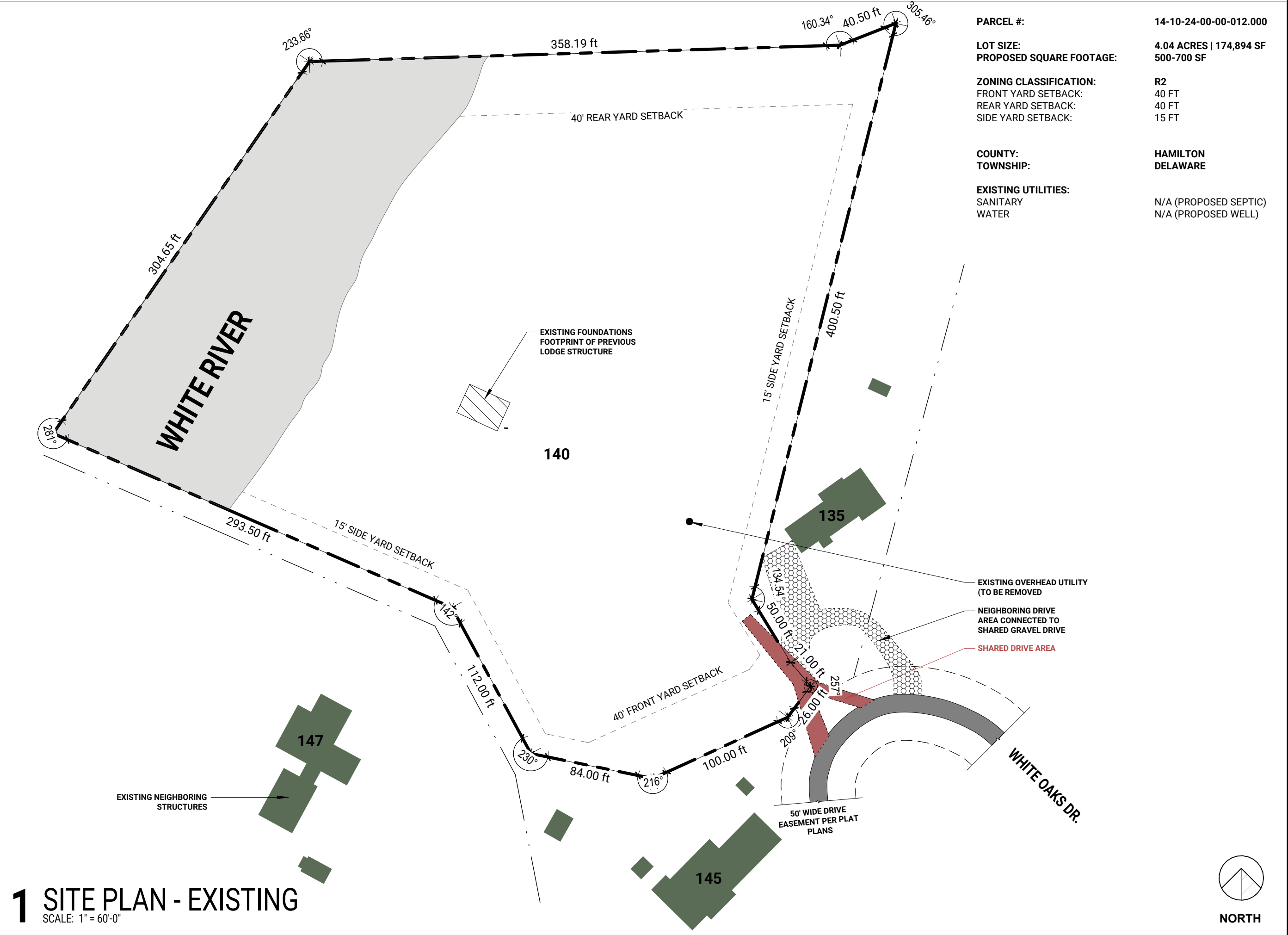
Mr. Ferrucci asked for a Motion. Mr. Grinslade made a Motion to approve with the inclusion of the approval letter and the additional landscape and hardscape to protect the homes in Covington Estates, seconded by Mr. Lannan. The Motion was approved, 3-1.

New Business- Ross Hilleary presented the update to the 2024 Rules and Procedures. It is currently in review at Krieg DeVault. Asking all Board members to review for a vote next month.

Adjournment As there was no other business, the meeting was adjourned at 6:25 p.m.

Respectfully Submitted by:

Kay Prange, Recording Secretary



955 Hosbrook Street
Indianapolis, IN 46203
317.332.7174
info@neonarchitecture.com
www.neonarchitecture.com

CAMPO OUTPOST

140 WHITE OAKS DR.
FISHERS, IN 46038

Date: 01/12/2024

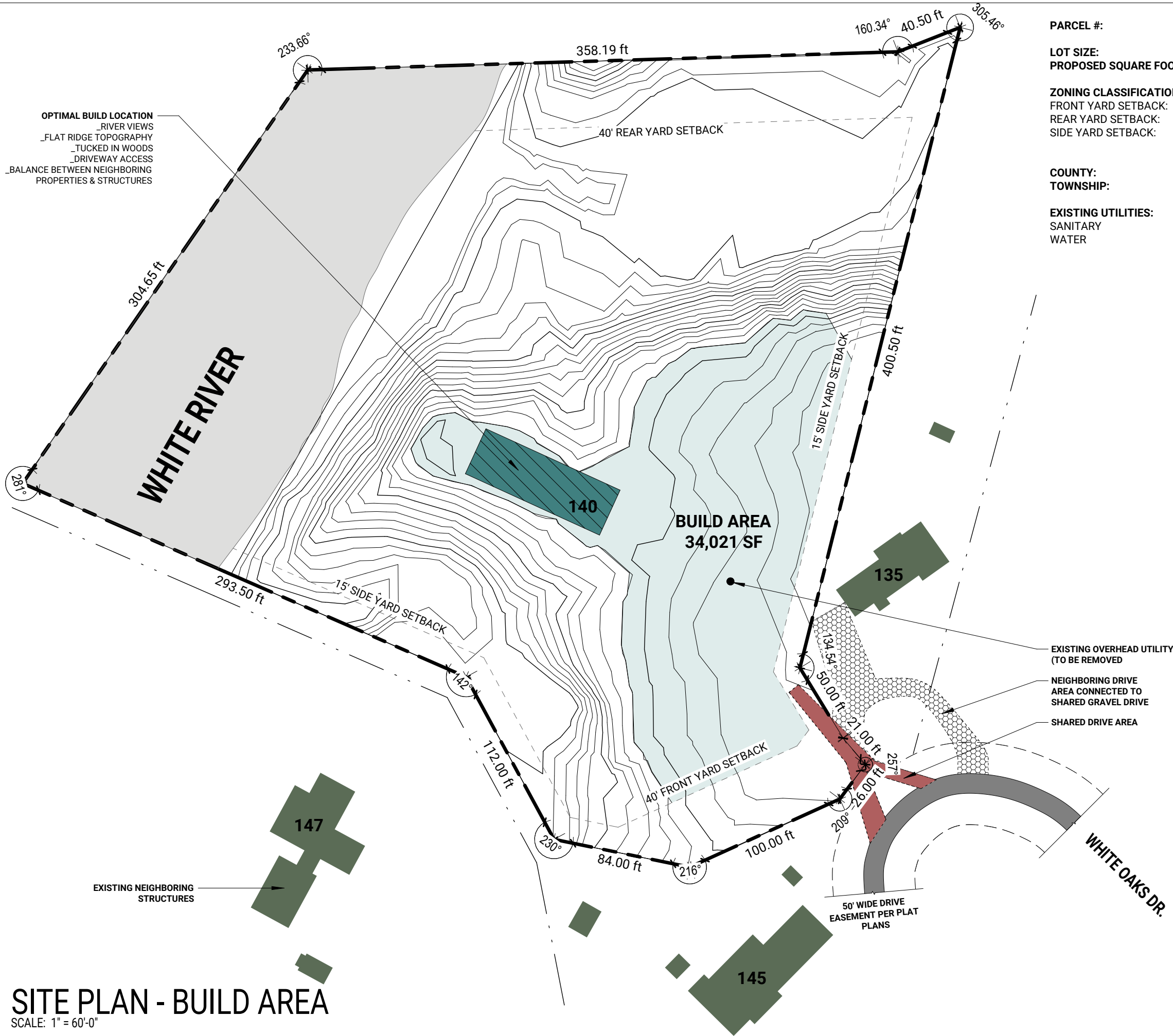
SITE PLAN

A001.1

Scale: 1" = 60'-0"



NORTH



PARCEL #:	14-10-24-00-00-012.000
LOT SIZE:	4.04 ACRES 174,894 SF
PROPOSED SQUARE FOOTAGE:	500-700 SF
ZONING CLASSIFICATION:	R2
FRONT YARD SETBACK:	40 FT
REAR YARD SETBACK:	40 FT
SIDE YARD SETBACK:	15 FT
COUNTY:	HAMILTON
TOWNSHIP:	DELAWARE
EXISTING UTILITIES:	N/A (PROPOSED SEPTIC)
SANITARY	N/A (PROPOSED WELL)
WATER	



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info@neonarchitecture.com
www.neonarchitecture.com

CAMPO OUTPOST

140 WHITE OAKS DR.
FISHERS, IN 46038

Date: 01/12/2024

SITE PLAN

A001.2

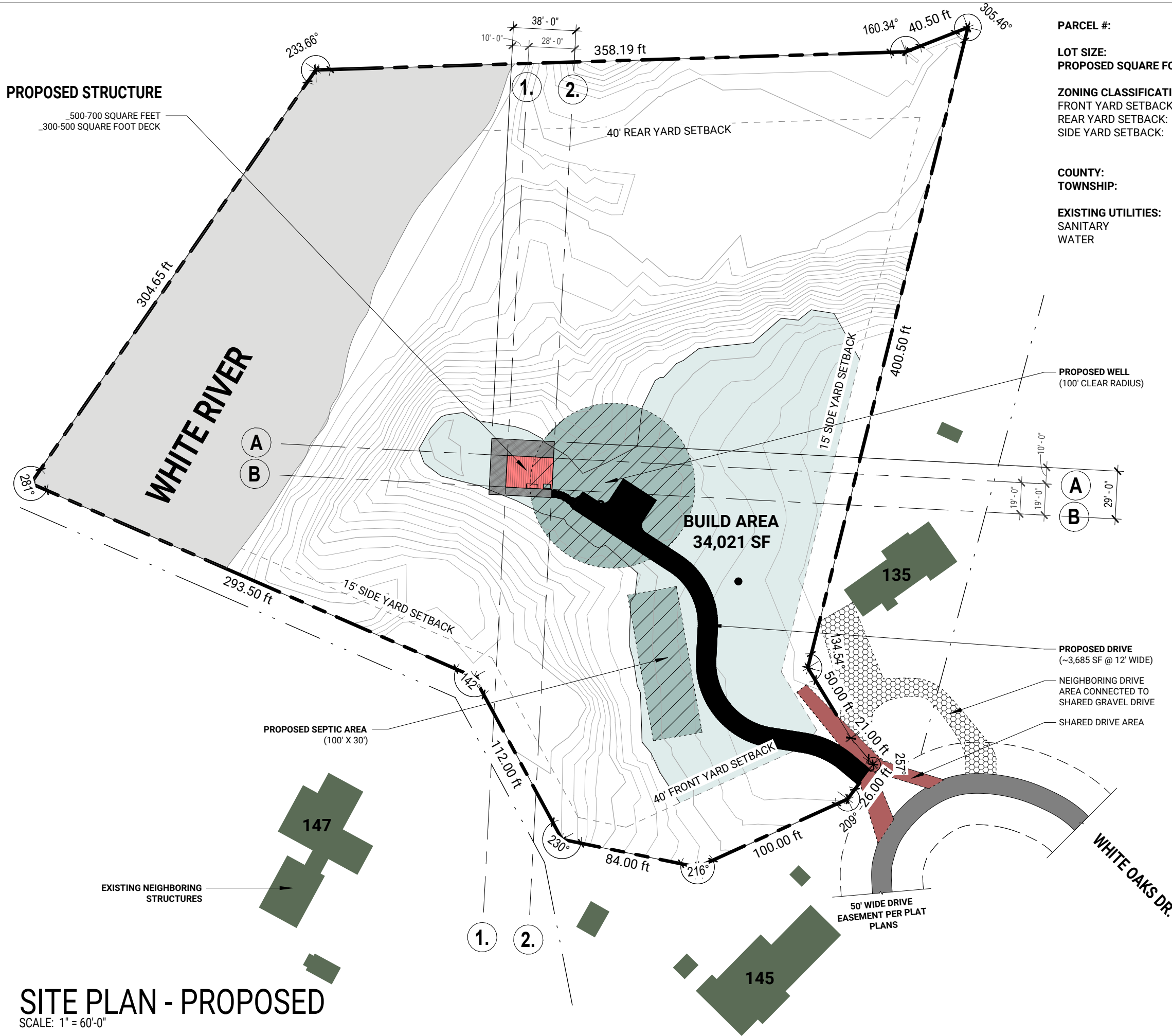
Scale: 1" = 60'-0"



NORTH

PROPOSED STRUCTURE

_500-700 SQUARE FEET
_300-500 SQUARE FOOT DECK



PARCEL #:

14-10-24-00-00-012.000

LOT SIZE:
PROPOSED SQUARE FOOTAGE:

4.04 ACRES | 174,894 SF
500-700 SF

ZONING CLASSIFICATION:
FRONT YARD SETBACK:
REAR YARD SETBACK:
SIDE YARD SETBACK:

R2
40 FT
40 FT
15 FT

COUNTY:
TOWNSHIP:

HAMILTON
DELAWARE

EXISTING UTILITIES:
SANITARY
WATER

N/A (PROPOSED SEPTIC)
N/A (PROPOSED WELL)



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www.neonarchitecture.com

CAMPO OUTPOST

140 WHITE OAKS DR.
FISHERS, IN 46038

Date: 01/12/2024

SITE PLAN
PROPOSED

A001.3

Scale: 1" = 60'-0"



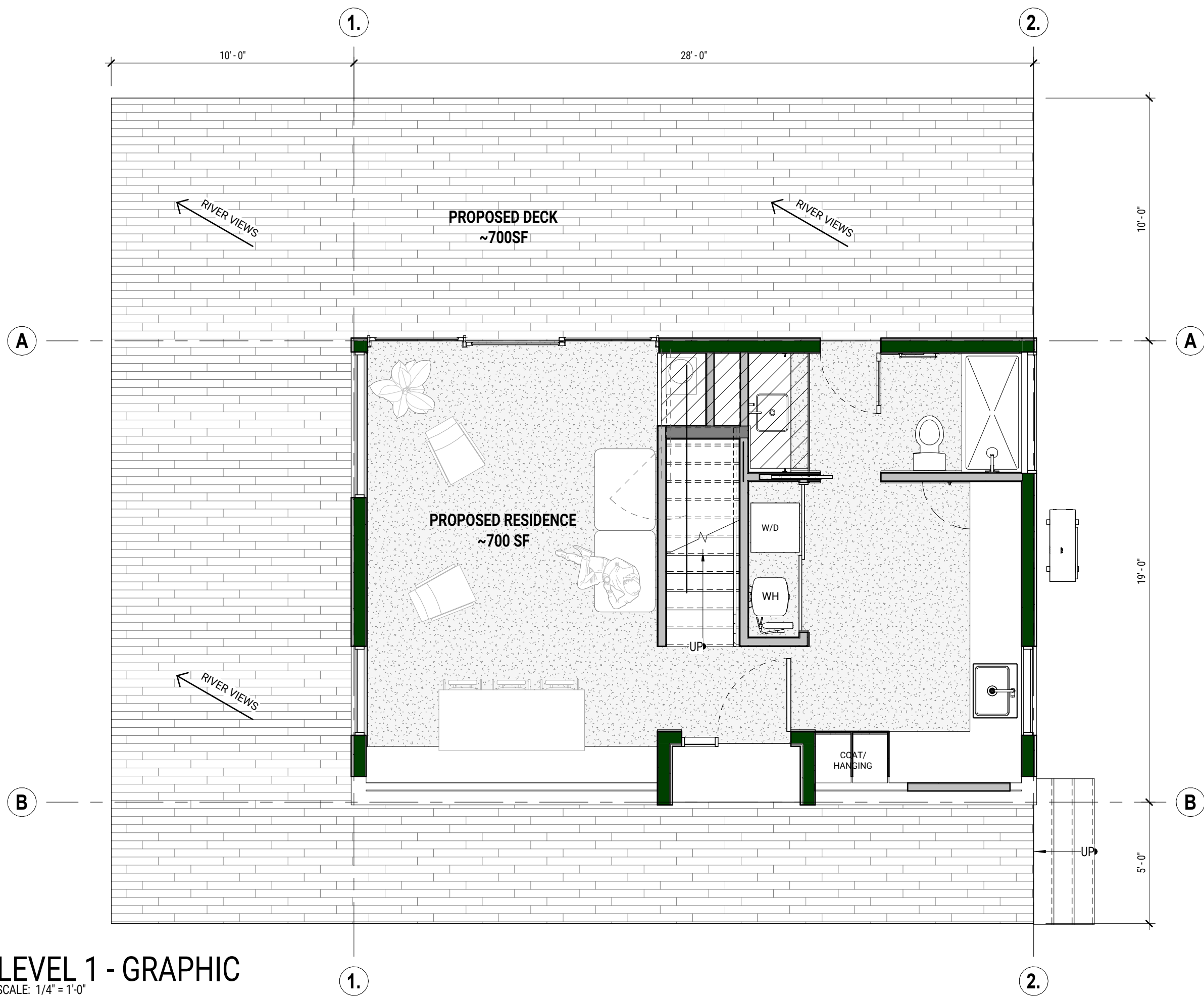
NORTH

1 SITE PLAN - PROPOSED

SCALE: 1" = 60'-0"

1 LEVEL 1 - GRAPHIC

SCALE: 1/4" = 1'-0"



CAMPO OUTPOST

140 WHITE OAKS DR.
FISHERS, IN 46038

Date: 01/12/2024

PLAN

A100.1

Scale: 1/4" = 1'-0"



NEON
ARCHITECTURE

955 Hosbrook Street
Indianapolis, IN 46203
317.332.7174
info@neonarchitecture.com
www.neonarchitecture.com

CAMPO OUTPOST

140 WHITE OAKS DR.
FISHERS, IN 46038

Date: 01/12/2024

ELEVATIONS

A200.1

Scale:



Board of Zoning Appeals Staff Report

Meeting Date: February 28, 2024

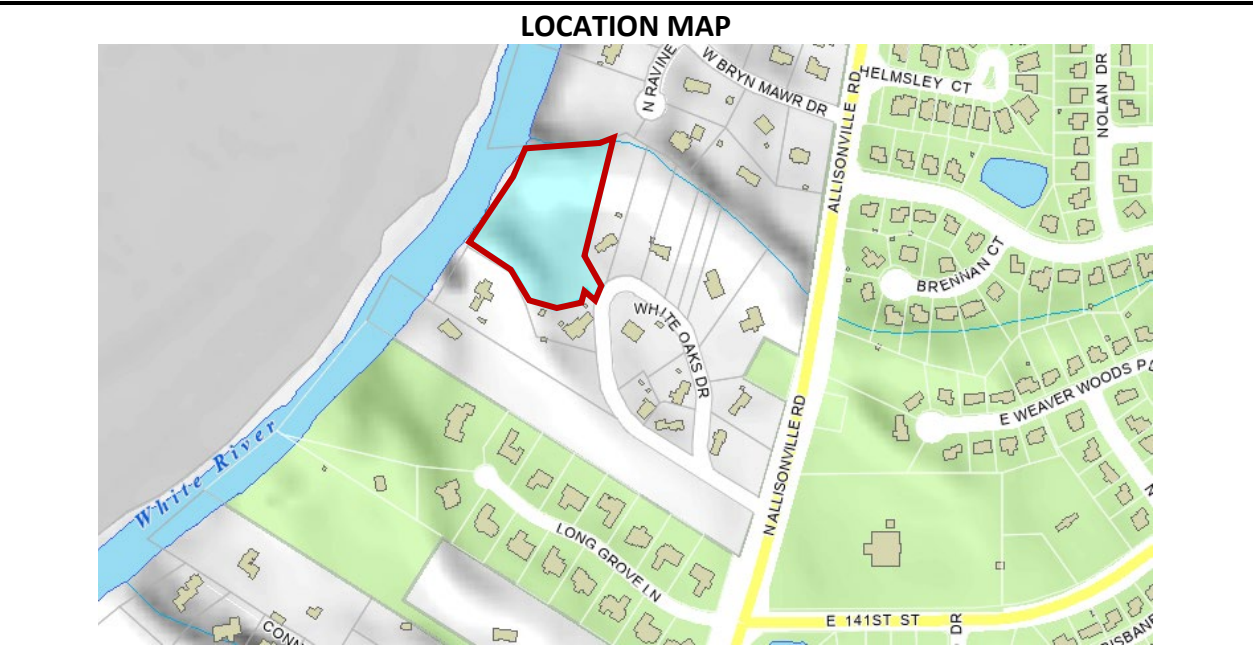
DEPARTMENT CONTACT: Christy Cashin (cashinc@fishers.in.us)	CASE NUMBER: VA-24-1
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PETITIONER: Samuel Pfeifer (samuel@neonarchitecture.com)	PROPERTY ADDRESS/LOCATION: 140 White Oaks Dr.
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REQUEST: Consideration 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.

APPLICABLE REGULATIONS: City of Fishers UDO	EXISTING ZONING: R-2 Residential District	FISHERS 2040: Low Density Suburban Residential and Open Space
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LOT SIZE: 3.4 Acres



STAFF RECOMMENDATION

☐ Approve
 ☐ Continue
 ☐ Deny
 ☒ No Recommendation

ZONING HISTORY:

This property is an unannexed Hamilton County property under the City of Fishers R-2 residential zoning district.

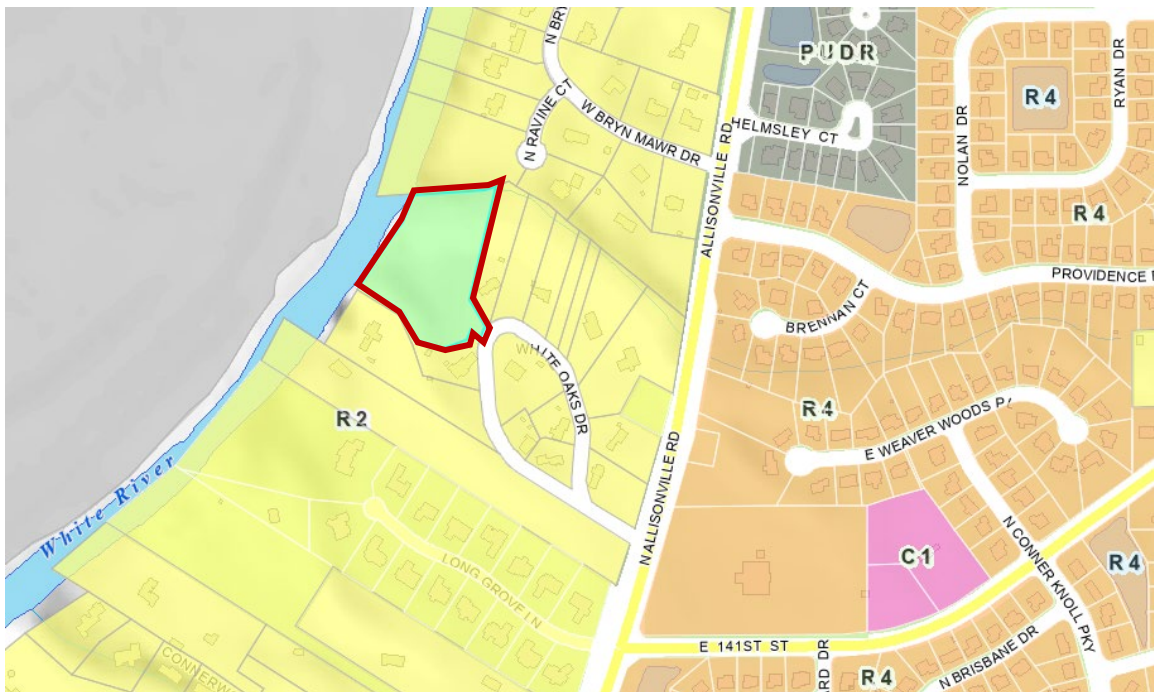
SURROUNDING ZONING & LAND USE:

North: R-2 Residential District (single family residential)

East: R-2 Residential District (single family residential)

South: R-2 Residential District (single family residential)

West: White River and beyond that is vacant land in Carmel, Indiana



SUMMARY OF PUBLIC COMMENTS:

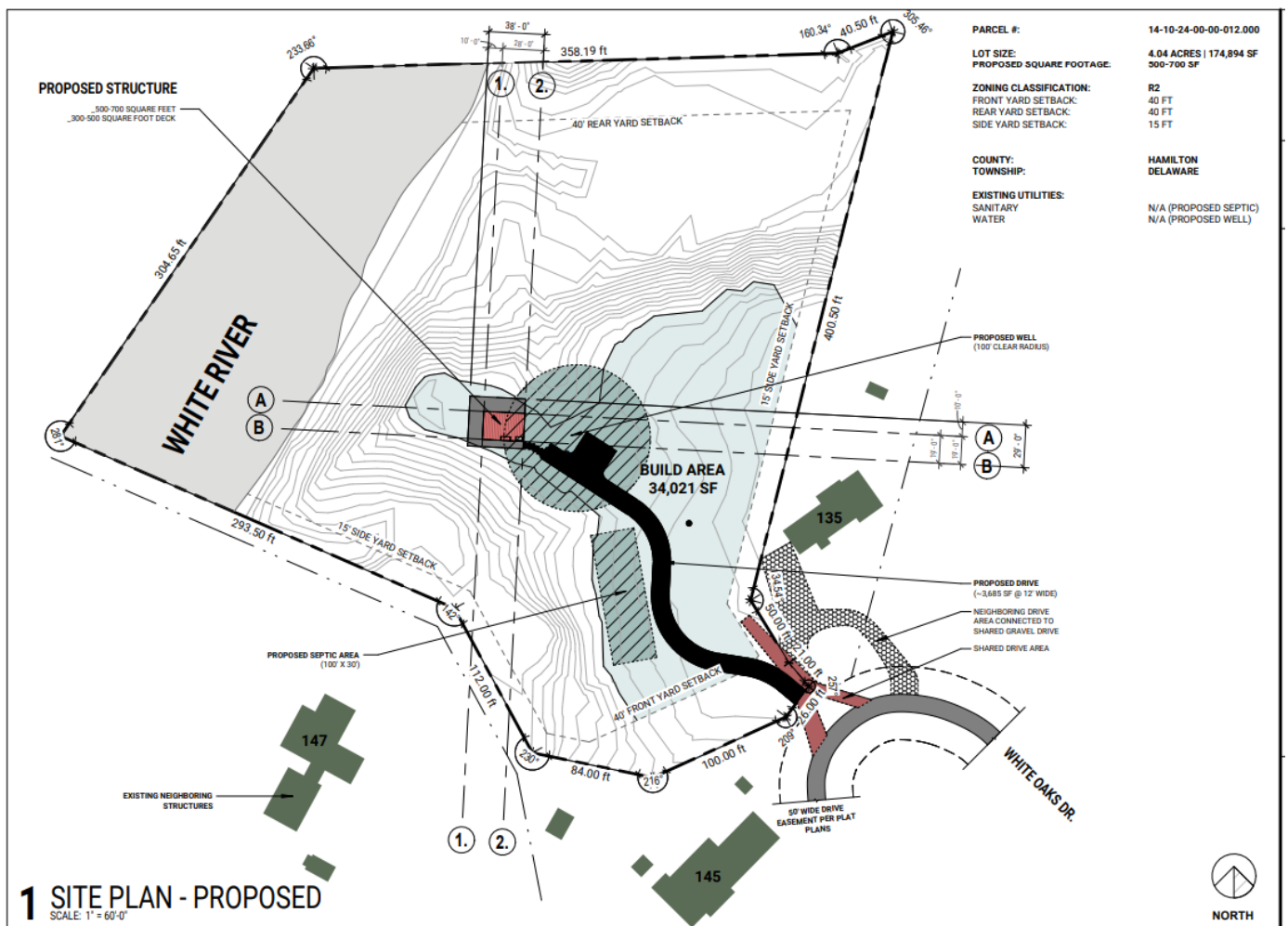
At the time of writing this staff report, no public comments were received.

PETITION OVERVIEW:

Summary of Request

The petitioner is requesting Development Standards variances to allow a 500-700 square foot dwelling with no garage requirements for an owner-occupied single-family home on 3.4 acres of unannexed land. The property has varying terrain creating a difficult building environment. The buildable area on the property is approximately 34000 square feet, with most of the building area directly abutting the neighboring property to the east.

The proposed dwelling location is set in the middle of the property and proposes a driveway with a shared entrance and a parking pad near the proposed dwelling.



Site plan with topography



Aerial view of the property



Proposed dwelling

Fishers 2040 Comprehensive Plan

The Fishers 2040 Plan identifies this area as Low Density Suburban Residential and Open Space. The variance request aligns with this vision.



STAFF RECOMMENDATION:

Staff has no recommendation for this request.

If the Board approves this Variance staff request the following conditions:

1. The Approval Letter and related documentation be recorded on the property with the Hamilton County Recorder's Office.
2. This dwelling will be used only by the property owner(s) or guests of the property owner(s).
3. The dwelling will not be rented out for profit.
4. Any existing foundation on the property will be removed or used as part of the new structure.

STAFF RECOMMENDATION

☐ Approve ☐ Continue ☐ Deny ☒ No Recommendation



NEVOGT RESIDENCE
LOT 488/489 CAMBRIDGE
ARCHITECTURAL DRAWING
DATE: 07-08-23
BY: A1

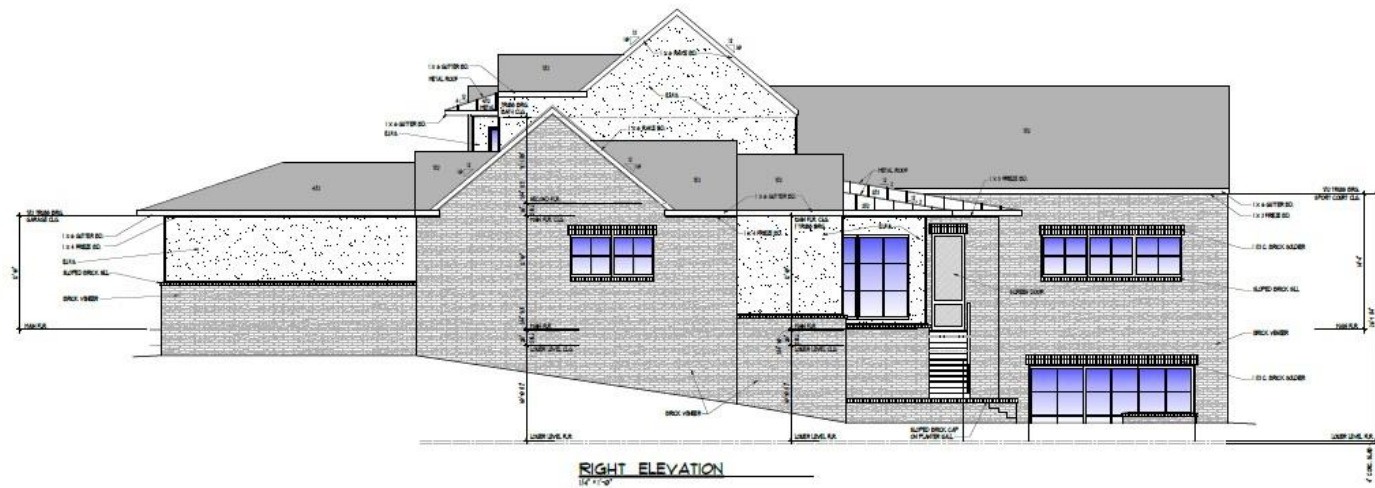
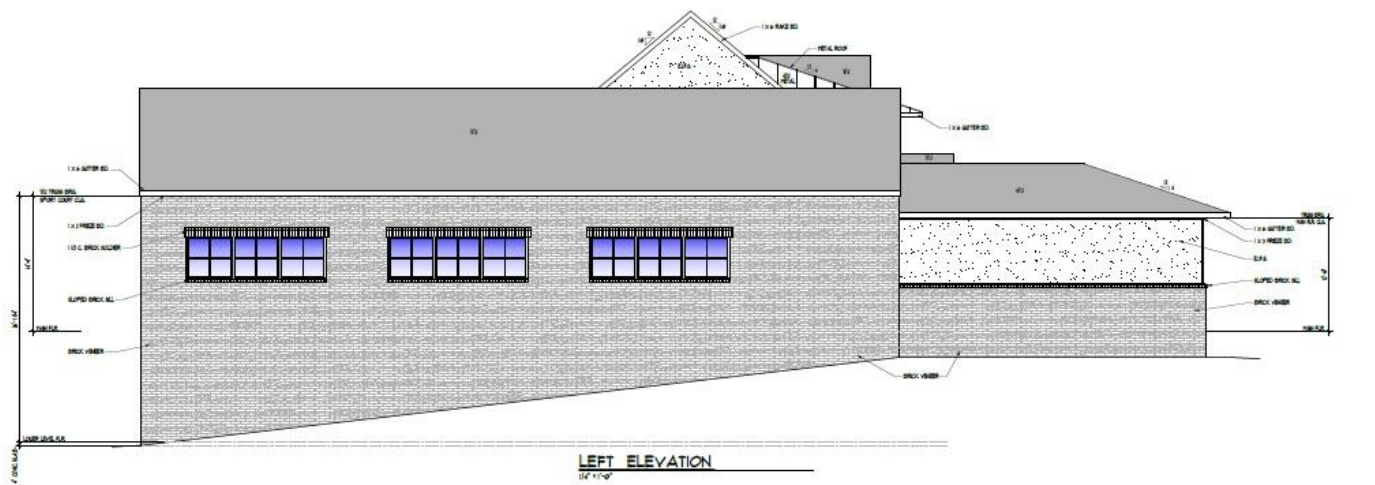
NEVOGT RESIDENCE
LOT 488/489 CAMBRIDGE

317.582.1430
40 1st STREET N.W.
CAMBRIDGE, IN 46032
TAX 317.582.1487

DATE: 07-08-23
BY: A1

SHEET NUMBER

A1



THESE PLANS WERE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A LICENSED ARCHITECT IN THE STATE OF ILLINOIS. I AM NOT PROVIDING THESE PLANS TO ANY OTHER PARTY WITHOUT MY WRITTEN CONSENT. I AM NOT PROVIDING THESE PLANS TO ANY OTHER PARTY WITHOUT MY WRITTEN CONSENT. I AM NOT PROVIDING THESE PLANS TO ANY OTHER PARTY WITHOUT MY WRITTEN CONSENT.

NEVOGT RESIDENCE
LOT 488/489 CAMBRIDGE

DC
BUILDING DESIGN GROUP
317.582.1430
401 1st STREET N.W.
CAMBRIDGE, IN 46001
DAN 317.582.1430
dave@dcbuildingdesign.com
www.dcbuildingdesign.com

DATE: 07-28-23
08-14-23

SHEET NAME: NEVOGT 488-489.DWG

SHEET NUMBER

A2



Board of Zoning Appeals Staff Report

Meeting Date: February 28, 2024

DEPARTMENT CONTACT:

Gabrielle Herin (hering@fishers.in.us)

CASE NUMBER:

VA-24-2

PETITIONER:

Joe Logan, (jlogan2086@aol.com)

PROPERTY ADDRESS/LOCATION:

13571 Haven Cove Ln

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.

APPLICABLE REGULATIONS:

UDO Sections 3.2.3 &
6.3.4.B.3.d and
Marina PUD Ord No. 041210

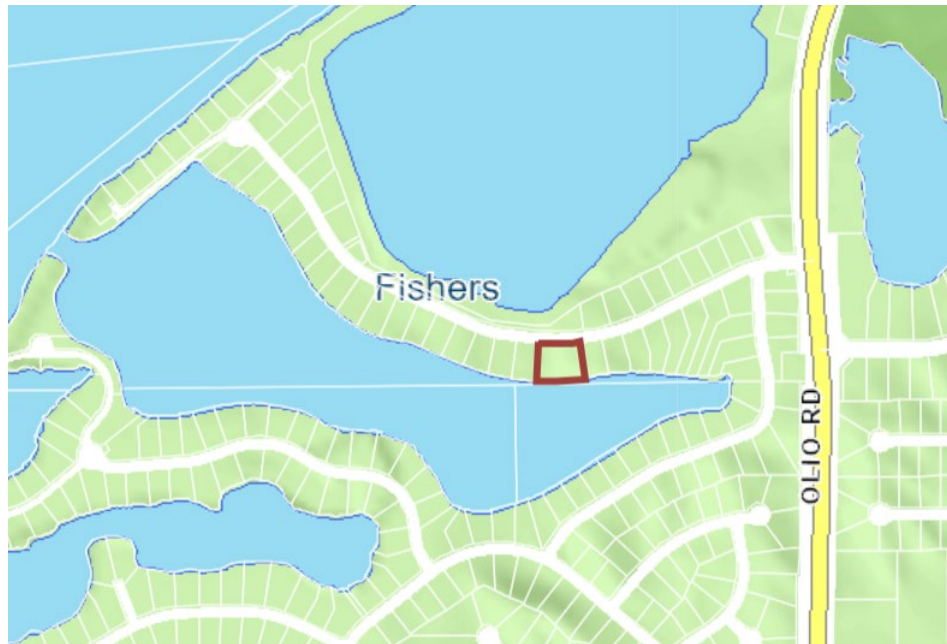
EXISTING ZONING:

Marina PUD (Ord. No.
041210)

FISHERS 2040:

Suburban Residential

LOT SIZE: Approx. 0.84 acres

LOCATION MAP

STAFF RECOMMENDATION

☐ Approve

☐ Continue

☐ Deny

☒ No Recommendation

ZONING HISTORY:

The area known as the Marina PUD (Ordinance #: 041210) was rezoned to PUD-M in 2010. The PUD refers back to the Unified Development Ordinance (UDO) R2 development standards for the maximum permitted surface area and height of the home. The minimum permitted roof pitch is based on architectural standards in the UDO.

SURROUNDING LAND USE & ZONING:

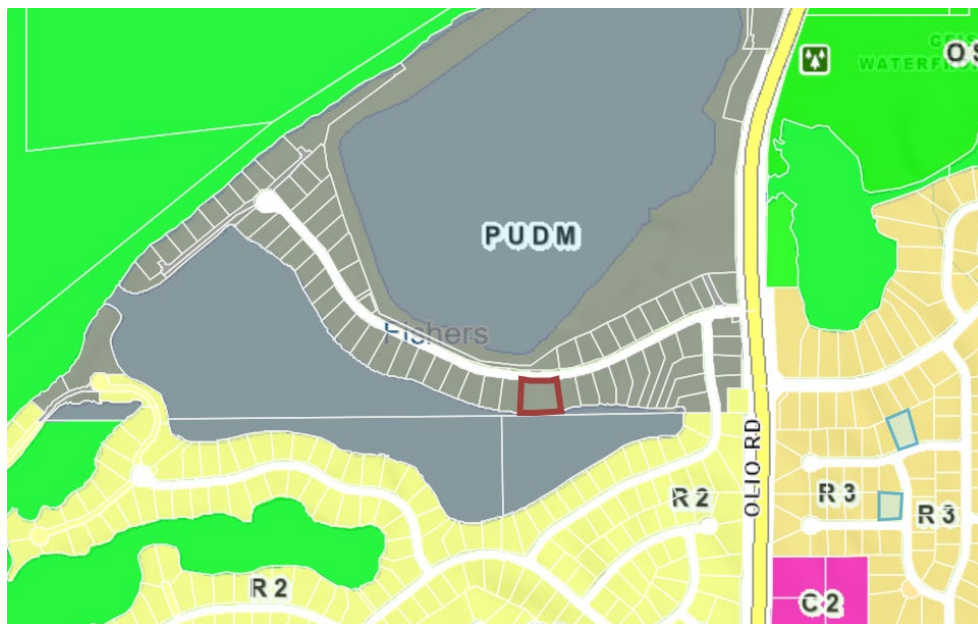
North: PUD-M (Traditional Single Family, Land Owned by Utility Company for Reservoir)

East: PUD-M, R3 (Traditional Single Family)

South: PUD-M, R2 (Geist Reservoir, Traditional Single Family)

West: PUD-M (Traditional Single Family)

Zoning Map



SUMMARY OF PUBLIC COMMENTS:

At the time of writing this staff report, no public comments have been received.

PETITION OVERVIEW:

Summary of Request

Joe Logan, on behalf of the Nevogts, is requesting several Development Standards Variances for a custom-built home:

- To increase the lot's maximum impervious surface coverage from 35% to 46%
- To increase the maximum height of the home to 42 feet
- To permit a 2/12 and 4/12 roof pitch instead of the minimum required 5/12

Concurrently, he is applying for a secondary plat (replat) to combine Lots 488 and 489. The lots have been combined with the county.

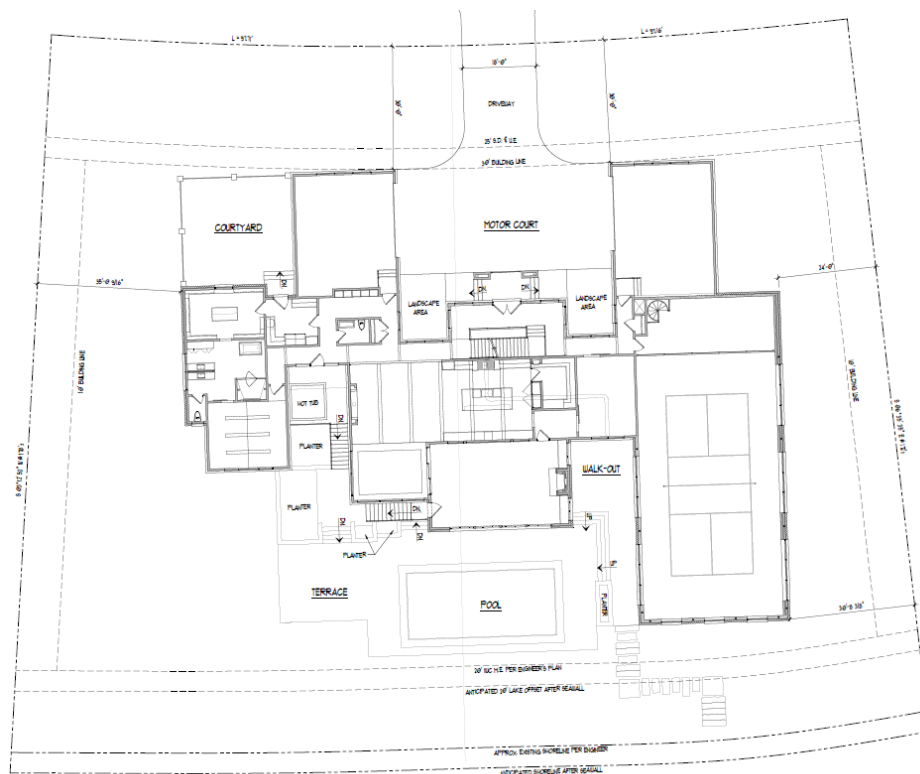


Figure 1. Layout of the house on the lot.

The impervious surface area maximum is exceeded because of the four-car garage and pool. Staff confirmed he would need to increase his impervious surface coverage to 46% and that the increase would not cause a concern from the Stormwater department.



Figure 2. Front and rear elevations of the proposed custom-built home.

Fishers 2040

The Fishers 2040 Plan identifies this area as Suburban Residential. The variance request aligns with this vision.



STAFF RECOMMENDATION:

Staff has no recommendation for this request.

If the Board approves this Variance Staff requests the following conditions, and any others sought by the Board:

1. The Approval Letter and relative documentation be recorded on the property with the Hamilton County Recorder's Office.
2. All TAC Comments have been addressed for the Secondary Plat replat of Lots 488 and 489.

STAFF RECOMMENDATION

☐ Approve ☐ Continue ☐ Deny ☒ No Recommendation

3114 W Tulip Tree Drive
Greenfield, IN 46140
317-363-8167
djr.hbs@gmail.com

PLOT PLAN

Prepared For:
Timothy Homees, LLC

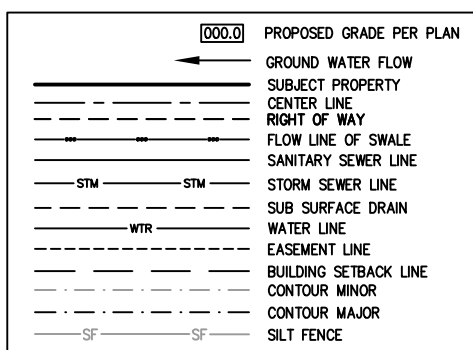
Property Description:

Lot Number 94 in Brooks Park,
Section 2, an Addition in Hamilton
County, Indiana, as per plat thereof
recorded as Instrument Number
2007014127 found in the Office of
the Recorder of Hamilton County,
Indiana.

Address: 14375 Brooks Edge Lane



LOT# 94
15,015 S.F.
Scale: 1"=30'



NOTE:
BUILDER TO ENSURE POSITIVE
FLOW AWAY FROM STRUCTURE.

EROSION CONTROL NOTE:

- EROSION CONTROL NOTE:**
1. Builder shall maintain in good repair all existing erosion control measures necessary to soil erosion for said site during the construction period. Refer to the erosion control for the home builder publication by IDNR Division of Soil Conservation for additional information.
 2. Finished grades to be in conformance with subdivision grading plan and plot plan; Excess soil to be disposed of in approved fill area.
 3. All sediment tracked onto roadway to be removed by scraping at the end of each work day.
 4. All disturbed areas to be permanently seeded after finished grading has occurred.
 5. All sediment control practices to be maintained during construction process to ensure proper functioning.

LOCATION OF UTILITIES AND THE
LATERALS ON PLOT PLAN ARE
GENERAL LOCATIONS PER PLAN AND
SHOULD BE VERIFIED IN THE FIELD.

THIS PLOT PLAN WAS PREPARED BASED ON INFORMATION TAKEN FROM RECORD PLATS, SUBDIVISION PLANS, RECORD DRAWINGS AND PLANS PROVIDED BY CLIENT. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY SITE CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY HOME BUILDER SERVICES LLC OF ANY DISCREPANCIES.

NOTE: PER TOWN OF FISHERS "STANDARDS FOR DESIGN AND CONSTRUCTION OF BUILDING SEWERS" THE LOWEST ELEVATION TO HAVE GRAVITY SANITARY SERVICE MUST BE A MINIMUM OF ONE (1) FOOT ABOVE THE LOWEST TOP OF CASTING ELEVATION OF EITHER THE FIRST UPSTREAM OR DOWNSTREAM MANHOLE ON THE PUBLIC SEWER TO WHICH THE CONNECTION IS TO BE MADE.

IF THE VERTICAL SEPARATION CANNOT BE MAINTAINED, THEN THE HOMEOR BUILDINGOWNER MUST INSTALL EITHER AN I&A TANK OR A GRINDER/EFFLUENT PUMP

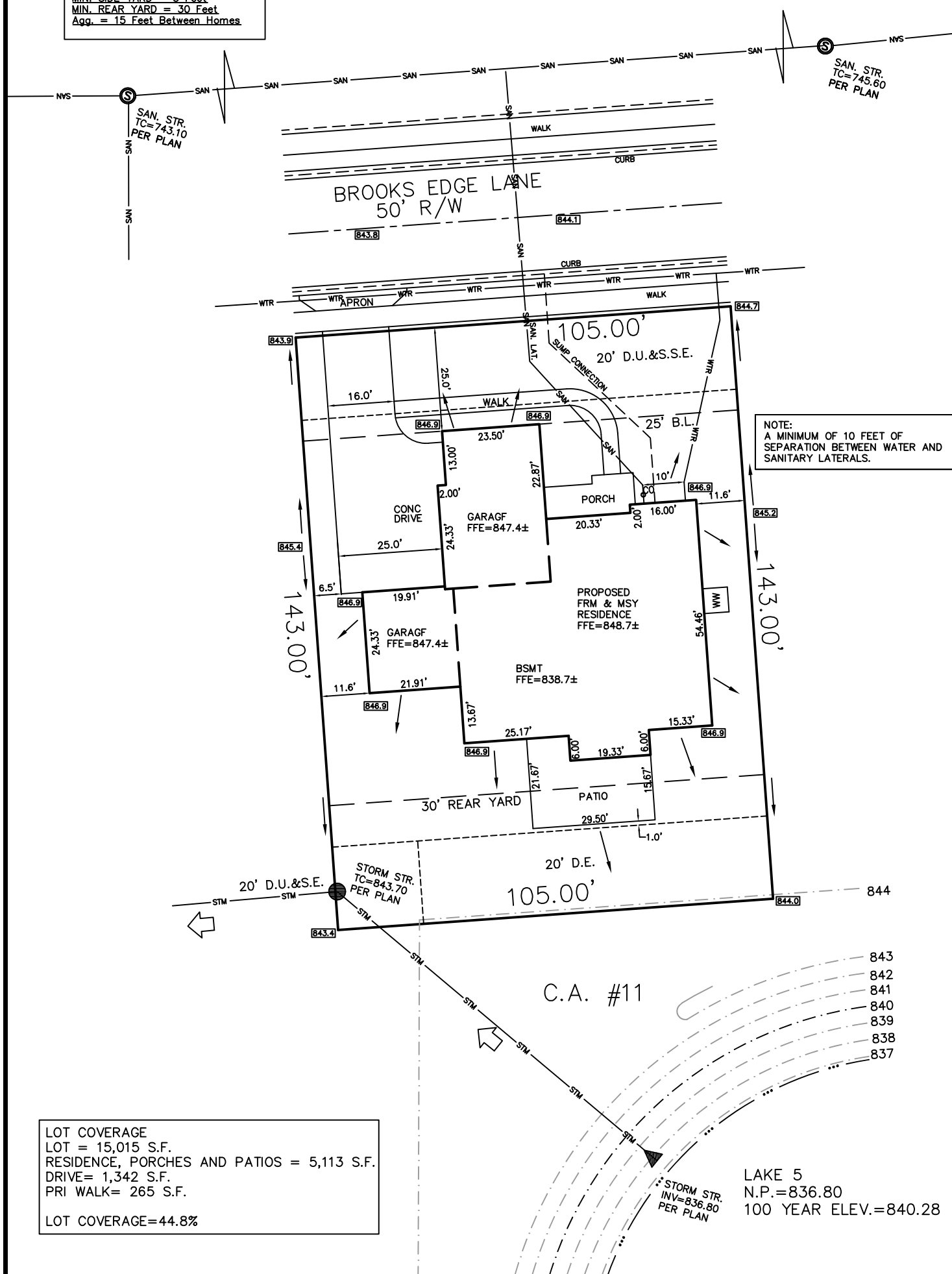
NOTE: ELEVATIONS MUST BE SET TO ENSURE DRAINAGE AWAY FROM MANHOLES AND TOP OF CASTING ELEVATIONS SET AT TWO TENTH (0.20) FEET ABOVE FINISHED GRADE

TOWN OF FISHERS DOES NOT
PERMIT CLEAR WATER
SOURCES TO DISCHARGE INTO
SANITARY SEWERS.

NOTE: PAVEMENT OR CONCRETE, INCLUDING DRIVEWAYS AND SIDEWALKS, MUST NOT BE CONSTRUCTED ON OR WITHIN ONE(1) FOOT HORIZONTAL DISTANCE OF ANY SANITARY SEWER CASTING. THE ONLY EXCEPTION IS A TYPE 2 CLEAN-OUT CASTINGIN A SIDEWALK OR DRIVEWAY.

MINIMUM SETBACKS

MIN. SIDE YARD = 5 Feet
MIN. REAR YARD = 30 Feet
Agg. = 15 Feet Between Homes



0274

Date: Jan. 3, 2024



Board of Zoning Appeals Staff Report

Meeting Date: February 28, 2024

DEPARTMENT CONTACT:

Gabrielle Herin, Senior Planner
hering@fishers.in.us

CASE NUMBER:

VA-24-3

PETITIONER:

Joe Logan (jlogan2086@aol.com)

PROPERTY ADDRESS/LOCATION:

14375 Brooks Edge Ln, Fishers, IN 46040

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.

APPLICABLE REGULATIONS:

Exhibit H of Ord. No.
100305E

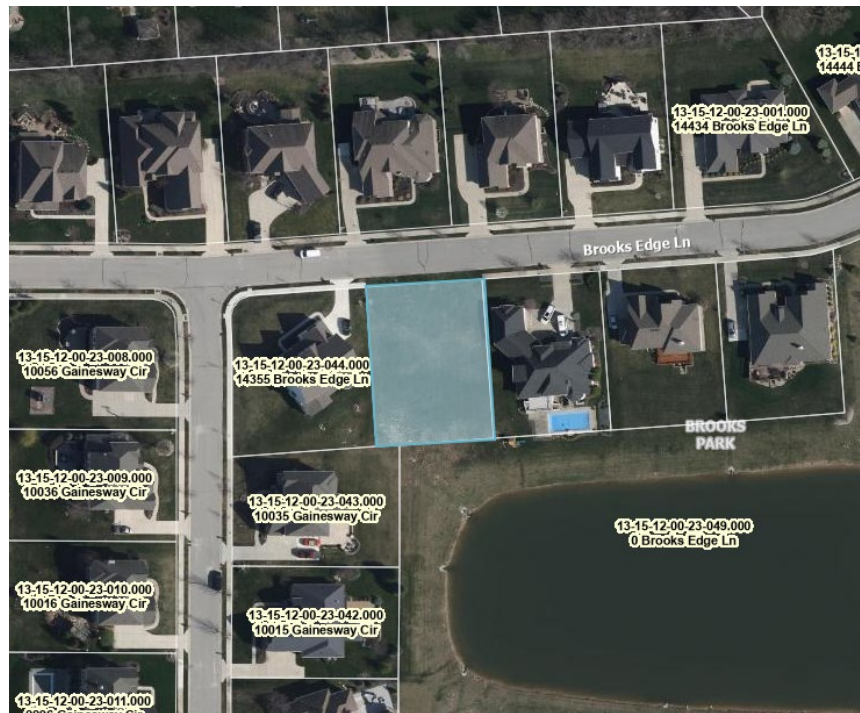
EXISTING ZONING:

Southeast Fishers PUD
(Ord. No. 100305E)

FISHERS 2040:

Suburban Residential

LOT SIZE: 0.34 acres

LOCATION MAP**STAFF RECOMMENDATION**

☐ Approve

☐ Continue

☐ Deny

☒ No Recommendation

ZONING HISTORY:

The area known as the Southeast Fishers PUD (Ordinance #: 100305E) was rezoned to PUD-M in 1980. This specific parcel is part of the area consisting of traditional single-family homes or Area B-1 (Ord. No. 100305E).

SURROUNDING LAND USE & ZONING:

North: PUD-M (Traditional Single Family)

South: PUD-M (Retention Pond)

East: PUD-M (Traditional Single Family)

West: PUD-M (Traditional Single Family)

Zoning Map



SUMMARY OF PUBLIC COMMENTS:

At the time of writing this staff report, there was a phone call. Meredith Barker from 14355 Brooks Edge Lane reached out to the planner inquiring about the project on February 19, 2024. She wondered if the owners would add a pool or deck in addition to the single-family home and whether her view of the pond would be obstructed. She also asked for the site plan.

PETITION OVERVIEW:

Summary of Request

The petitioner is requesting a Development Standards Variance to increase the lot's maximum impervious surface coverage from 35% to 45% for a proposed single family home.

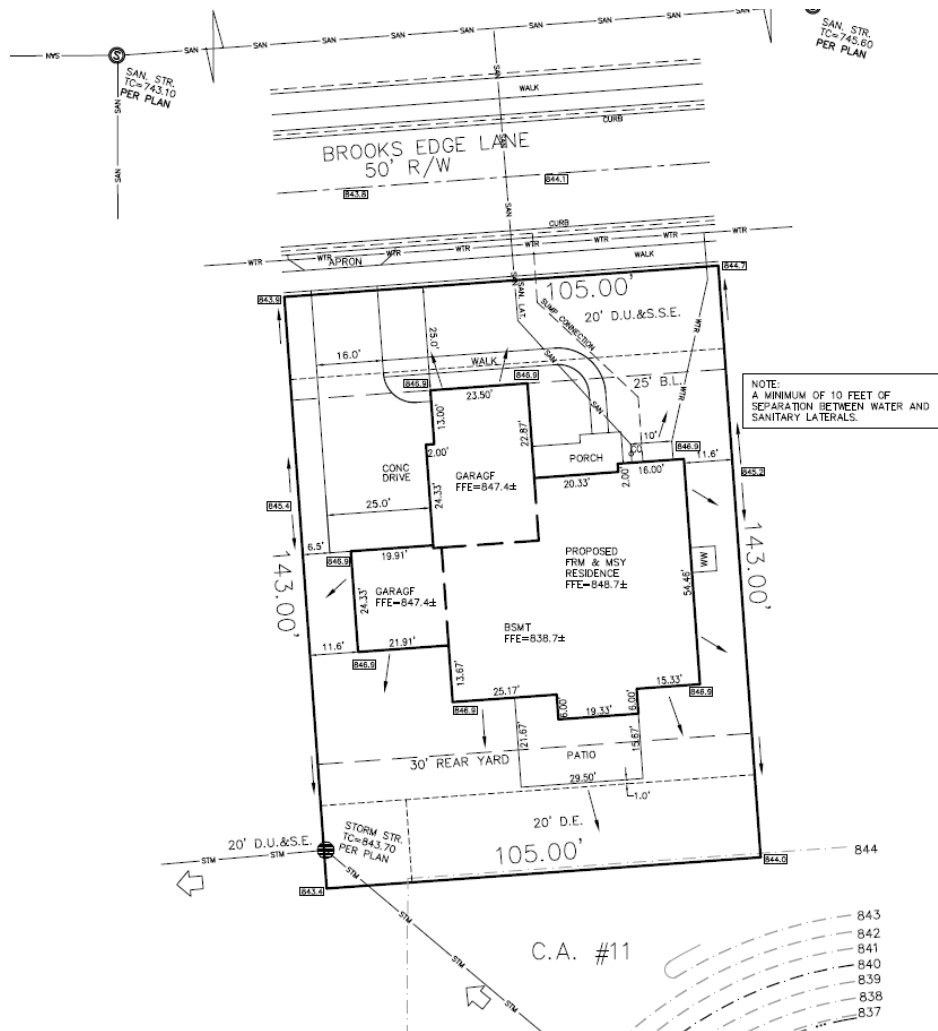


Figure 1. Layout of the house on the lot.

Fishers 2040

Fishers 2040 identifies the future land use of this lot to be suburban residential.

Fishers 2040 Future Land Use Map



STAFF RECOMMENDATION:

Staff has no recommendation for this request.

If the Board approves this Variance Staff requests the following conditions, and any others sought by the Board:

1. The Approval Letter and relative documentation be recorded on the property with the Hamilton County Recorder's Office.
-

STAFF RECOMMENDATION

☐ Approve ☐ Continue ☐ Deny ☒ No Recommendation