



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: 3/22/2023, 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. 2-22-23
- 4. Public Hearings**
 - a. Ritchey Reserve (Trash Receptacle)
 - Parcel: 14-14-12-00-001.002
 - Address: 7889 E 106th St, Fishers, IN 46038
 - Case: VA-23-1
 - Request: Consideration of a Development Standards Variance from Section 6.2.8.f and Section 6.18.2.B of the City's Unified Development Ordinance (UDO) to permit a trash receptacle facing a residential zone with an eight (8) foot fence and landscaping to screen from view of 106th Street. Continued

from the February BZA meeting with the addition of the 8' fence to help screen the enclosure gates.

- Petitioner: Anvir Purewal, Representative (apurewal@realamericallc.com)
- Planner: Megan Vukusich, Director of Planning & Zoning (vukusichm@fishers.in.us)

b. Parcel: 15-11-30-00-01-004.000

- Address: 13417 Britton Park Road Fishers, IN 46038
- Case: VA-23-6
- Request: Consideration of a Development Standards Variance from Section 6.17.6 of the City's Unified Development Ordinance (UDO) to allow for an increase in height maximum of a free-standing ground sign to twenty (20) feet from ten(10) feet.
- Petitioner: Stefanie Day on behalf of Napleton Kia of Fishers (stefanie.day@napleton.com)
- Planner: Megan Vukusich, Director of Planning & Zoning (vukusichm@fishers.in.us)

c. c. 10606 Brooks School Road Second Dwelling Unit

- Parcel: 13-15-10-00-00-026.002
- Address: 10606 Brooks School Road, Fishers, IN 46037
- Case: VA-23-7 and VA-23-8Request: Consideration of two Development Standards Variances from Section 6.2.2 of the City's Unified DevelopmentOrdinance (DUO) to allow an accessory structure's maximum height to be 31' instead of 18' and to allow a side setback of14' instead of 30'7". Consideration of a Land Use Variance from Section 5.1.5 of the City's Unified Development Ordinance to allow a second dwelling unit detached from the primary structure on the lot.
- Petitioner: Dan Elliott, on behalf of the homeowner (dan@danelliotthomes.com)
- Planner: Megan Vukusich, Director of Planning & Zoning (vukusichm@fishers.in.us)

d. 13535 Haven Cove Lane Impervious Coverage

- Parcel: 13-15-02-00-25-045.000
- Address: 13535 Haven Cove Lane, Fishers, IN 46055
- Case: VA-23-9
- Request: Consideration of a Development Standards Variance from Section 3.2.3 of the City's Unified Development Ordinance (UDO) to allow the lot's maximum impervious surface coverage to be 50% instead of 35%.

- Petitioner: Terri Dunville, on behalf of the property owners (tdunville@comcast.net)
- Planner: Tyler Folk, Planner (folkt@fishers.in.us)

e. 10640 Geist View Drive Pool

- Parcel: 13-15-02-00-25-059.000
- Address: 10640 Geist View Drive, Fishers, IN 46055
- Case: VA-23-10
- Request: Consideration of a Development Standards Variance from Section 3.2.3 of the City's Unified Development Ordinance (UDO) to allow the lot's maximum impervious surface coverage to be 55% instead of 35%.
- Petitioner: Troy Terew, on behalf of the property owners (troy@truenorthindy.com)
- Planner: Tyler Folk, Planner (folkt@fishers.in.us)

f. Room Service on Wheels (Outdoor Dining)

- Parcel: 15-14-01-02-04-008.000
- Address: 11110 Lantern Road, Unit 110 Fishers, IN 46038
- Case: VA-23-11
- Request: Consideration of a Development Standards Variance from Figure 1.3 Supplemental Regulations of the NickelPlate District Code (NPDC) to allow for outdoor dining in VC - Village Center.
- Petitioner: Aaron Pearlman on behalf of Room Service on Wheels (pearlmanfamily4@gmail.com)
- Planner: Ross Hilleary, Assistant Director of Planning & Zoning (hillearyr@fishers.in.us)

g. 11210 Fall Creek Road (Trash Receptacle)

- Parcel: 19-15-10-00-18-001.000
- Address: 11210 Fall Creek Road Indianapolis, IN 46256
- Case: VA-23-12
- Request: Consideration of a Development Standards Variance from Section 6.2.8 Trash Receptacles of the City of Unified Development Ordinance (UDO) to allow for a dumpster enclosure four (4) feet from the rear yard setback.
- Petitioner: Chris Schulhof (chris@indyplace.com)
- Planner: Ross Hilleary, Assistant Director of Planning & Zoning (hillearyr@fishers.in.us)

h. g. 11216 Fall Creek Road (Trash Receptacle)

- Parcel: 19-15-10-00-00-008.000
- Address: 11216 Fall Creek Road Indianapolis, IN 46256
- Case: VA-23-13
- Request: Consideration of a Development Standards Variance from Section 6.2.8 Trash Receptacles of the City of Unified Development Ordinance (UDO) to allow for a dumpster enclosure zero (0) feet from the side yard setback.
- Petitioner: Chris Schulhof (chris@indyplace.com)
- Planner: Ross Hilleary, Assistant Director of Planning & Zoning (hillearyr@fishers.in.us)

5. New Business

6. Staff Communication

7. Board Signatures – Findings of Fact

8. Adjournment

CITY OF FISHERS
BOARD OF ZONING APPEALS
CITY HALL AUDITORIUM
MINUTES
February 22, 2023

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

A roll call was taken. Members present: Steve Ferrucci, Tom Grinslade, Jeffrey Silvey, and Howard Stevenson. Greg Lannan was not present.

Others present: Megan Vukusich, Ross Hilleary, Rodney Retzner, Kay Prange, Tracy Gaynor, John Cross, Vickie Bass, Jennifer Richter, Landon Richter, Bryan Suggs, Sara Davis, Bobbie & Joe Kiever, Nayar Siiddill, Kankashan Siddill, Junne Ferrari, Cassio Ferrari, David Gilman, Larry Lannan.

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

Elections, Appointments and Designations:

Howard Stevenson nominated Steve Ferrucci as Chairperson of the BZA. Mr. Ferrucci seconded. Mr. Ferrucci was elected, 4-0.

Steve Ferrucci nominated Howard Stevenson as Vice-Chairperson of the BZA. Mr. Stevenson seconded. Mr. Stevenson was elected, 4-0.

The Board approved the Appointment of Secretaries, the Recording Secretaries, the Designation of the Legal Counsel, and the Legal Publications.

Mr. Ferrucci asked for a Motion for the approval of the previous minutes. Mr. Grinslade made a Motion to approve, seconded by Mr. Silvey. Mr. Stevenson abstained. The Minutes were approved, 3-0.

Public Hearings:

a. **11142 Timberview Drive Front Setback and Garage Setback**

Parcel: 15-15-06-02-04-040.000

Address: 11142 Timberview Drive, Fishers, IN 46037

Case: VA-22-32

Request: To approve two Development Standards Variances from Section 3.2.4.B.2a and Section 6.3.4.B.4.a of the City's Unified Development Ordinance (UDO) to allow a front setback of 25' and to allow a front-loaded garage to extend 4' in front of the front façade plane.

Petitioner: John Cross, on behalf of the property owners (john@wootonhoylaw.com)

Planner: Sydney Granlund, Planner (granlunds@fishers.in.us)

John Cross, representing the property owners, presented the variance request. Megan Vukusich presented the Staff Report. Staff Recommends approval. Mr. Ferrucci opened the Public Comment portion of the meeting.

Mr. Siddill (11143 Timberview Dr.) approves of the request. Mr. Ferrucci closed the Public Comment portion of the meeting. **Mr. Grinslade made a Motion to approve, seconded by Mr. Silvey. The Motion was approved, 4-0.**

b. **Ritchey Reserve Trash Enclosure – CONTINUED TO MARCH BZA MEETING**

Address: 7889 E 106th St, Fishers, IN 46038

Case: VA-23-1

Request: To approve of a Development Standards Variance of Section 6.2.8.F of the City's Unified Development Ordinance (UDO) to allow for a trash enclosure gate facing a residential zone.

Petitioner: Anvir Purewal, Representative (apurewal@realamericallc.com)

Planner: Megan Vukusich, Director of Planning & Zoning (vukusichm@fishers.in.us)

c. **13626 Haven Cove Lane Pool**

Parcel: 13-15-02-00-25-008.000

Address: 13626 Haven Cove Lane, Fishers, IN 46055

Case: VA-23-2

Request: To approve a Development Standards Variance from Section 3.2.3 of the City's Unified Development Ordinance (UDO) to allow the lot's maximum impervious surface coverage to be 57%.

Petitioner: Blair Lynch, on behalf of the property owners (blynch@mermaidpoolsinc.com)

Planner: Sydney Granlund, Planner (granlunds@fishers.in.us)

Blair Lynch presented the variance request for the additional impervious surface. Variances for home height and impervious surface increases for the home were approved at the August 22, 2022 BZA meeting. Megan Vukusich presented the Staff Report. Jason Armour has no concerns and there have been no Public Comments. Staff has No recommendation.

Mr. Ferrucci opened the Public Comment portion of the meeting. Seeing no one to speak, he closed the Public Comment portion of the meeting.

Mr. Silvey made a Motion to approve, with the condition that the variance be recorded on the property, seconded by Mr. Stevenson. The Motion was approved, 4-0.

d. **11668 Armada Court Front and Aggregate Setbacks**

Parcel: 13-15-09-02-01-036.000

Address: 11668 Armada Court Fishers, IN 46037

Case: VA-23-3

Request: To approve two Development Standards Variance from Section 3.2.3.B.2a. and Section 3.2.3.B.2b of the City's Unified Development Ordinance (UDO) to allow a front setback of 25' and to allow an aggregate setback of 23'.

Petitioner: Adam Richter, property owner

Planner: Tyler Folk, Planner (folkt@fishers.in.us)

Adam Richter presented the variance to extend the garage bay and add a screened in porch. Neighbors support and the HOA approves. Ross Hilleary presented the Staff Report. Staff makes No recommendation.

Mr. Ferrucci opened the Public Comment portion of the meeting. Seeing no one to speak, he closed the Public Comment portion of the meeting.

Mr. Stevenson made a Motion to approve, with the condition that the variance be recorded on the property, seconded by Mr. Grinslade. The Motion was approved, 4-0.

e. **10746 Haven Cove Way Front Setback and Second Dwelling Unit**

Parcel: 13-15-02-00-00-046.106

Address: 10746 Haven Cove Way, Fishers, IN 46055

Case: VA-23-4 and VA-23-5

Request: To approve a Development Standards Variances from Section 4.A.1 of the Marina Planned Unit Development (PUD) to allow a front setback of 16' and to approve a Land Use Variance from Section 5.1.5 of the City's Unified Development Ordinance (UDO) to allow two dwelling units in a single primary structure.

Petitioner: David Gilman, on behalf of the property owners (davidgilman78@gmail.com)

Planner: Sydney Granlund, Planner (granlunds@fishers.in.us)

David Gilman presented the two variances on behalf of the property owners. 2 lots have been platted into one in the Cambridge development. VA-23-4 is for front setback and VA-235 is for guest quarters and garage # 2. Ross Hilleary presented the Staff Report, there have been no public comments and Staff makes no recommendation on either variance.

Mr. Ferrucci opened the Public Comment portion of the meeting. Seeing no one to speak, he closed the Public Comment portion of the meeting.

In Committee Discussion, Mr. Ferrucci asked how the City would enforce the second dwelling unit so it could not be used as a rental. Code enforcement was discussed.

Mr. Grinslade made a Motion to approve VA-23-4, which was seconded by Mr. Silvey. The Motion was approved, 4-0. Mr. Grinslade made a Motion to approve VA-23-5, with the following conditions: keep the same address on the guest quarters, no rentals, and record "as depicted" on the property. The Motion was approved, 4-0.

Adjournment As there was no other business, the meeting was adjourned at 6:40 p.m.

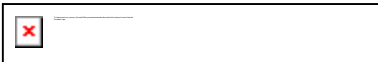
Respectfully Submitted by:

Kay Prange, Recording Secretary

Vukusich, Megan

From: noreply@formstack.com
Sent: Monday, February 20, 2023 5:51 PM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/20/23 5:51 PM

Name: Karen Wagner

Address: 11104 Lake Run
Fishers, IN 46038

Email: indywags@aol.com

Subdivision or business name: Gatewood

Please select the meeting to which you would like to submit a public comment: Board of Zoning Appeals - Fishers

Meeting Date: Feb 22, 2023

Project Name/Resolution Number: Ritchey Preserve Dumpster Variance

Comment: I do not approve of a Development Standards Variance of Section 6.2.8.F of the City's Unified Development Ordinance (UDO) to allow for a trash enclosure gate facing a residential zone.

No one wants to be viewing trash dumpsters when sitting outside of their house. That is not a pleasant view to have to consider seeing as long as they continue living there.

This ordinance was put in place for good reason and there is no logical reason to grant a variance. If this variance is granted then a precedent has been set which will justify future petitioners in expecting the same result.

I for one do not want to drive around my city looking at trash dumpsters facing toward roads, streets, and neighborhoods.

Would you like to receive email communications and updates from the City of Fishers?:

Yes

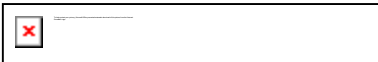
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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Vukusich, Megan

From: noreply@formstack.com
Sent: Monday, February 20, 2023 10:51 AM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/20/23 10:51 AM

Name:	Jim Beaty
Address:	7538 Linden Ct Fishers , IN 46038
Email:	jim.beaty@irvmat.com

Subdivision or business name:	Berkeley Ridge
--------------------------------------	----------------

Please select the meeting to which you would like to submit a public comment:	Board of Zoning Appeals - Fall Creek Board of Zoning Appeals - Fishers
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Meeting Date:	Feb 22, 2023
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Project Name/Resolution Number:	Case VA-23-1 Variance Diss approval!!!
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Comment:	Having lived in Berkeley Ridge since the subdivision was new, I do not agree with the variance approval. The change will have nothing but a 'negative' effect on our home values. I urge that this variance not go forward and stopped!!
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Thank you.

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communications and updates
from the City of Fishers?:**

Yes

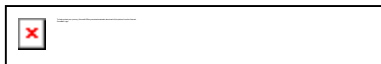
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Vukusich, Megan

From: noreply@formstack.com
Sent: Friday, February 17, 2023 7:00 AM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/17/23 6:59 AM

Name:	Janine Shopp
Address:	10670 Tarragon Ct Fishers, IN 46038
Email:	j9rshopp@gmail.com
Subdivision or business name:	Berkeley Ridge
Please select the meeting to which you would like to submit a public comment:	Board of Zoning Appeals - Fishers
Meeting Date:	Feb 22, 2023
Project Name/Resolution Number:	Ritchey Reserve Trash Enclosure
Comment:	I request that the established rules and regulations regarding the trash enclosure be upheld. These rules were established and agreed upon at the time this property was developed and are not a new requirement for this facility. rules such as this are designed to

maintain a certain esthetic to maintain and enhance property values.
Who wants to stare out their back window to see a set of
dumpsters? Please vote to uphold the regulations.

**Would you like to receive
email communications and
updates from the City of
Fishers?:**

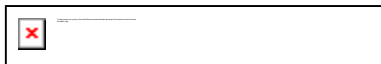
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Vukusich, Megan

From: noreply@formstack.com
Sent: Friday, February 17, 2023 1:48 PM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/17/23 1:47 PM

Name:	Kathy Kendall
Address:	13231 Eastwood Ln Fishers, IN 46038
Email:	keokendall@gmail.com
Subdivision or business name:	Berkeley Ridge/Ritchey Reserve
Please select the meeting to which you would like to submit a public comment:	Board of Zoning Appeals - Fishers
Meeting Date:	Feb 22, 2023
Project Name/Resolution Number:	000
Comment:	The dumpster belonging to Ritchey Ridge is facing the subdivision of Berkey Ridge. That has to have decreased those home values tremendously. Such an eyesore!

**Would you like to receive email
communications and updates from
the City of Fishers?:**

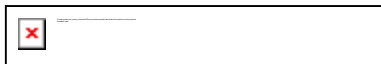
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Vukusich, Megan

From: noreply@formstack.com
Sent: Friday, February 17, 2023 3:17 PM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/17/23 3:16 PM

Name:	Abbey A
Address:	111 Fishers Fishers, IN 46038
Email:	psloveabbey@yahoo.com
Subdivision or business name:	Ritchey Woods
Please select the meeting to which you would like to submit a public comment:	Board of Zoning Appeals - Fishers
Meeting Date:	Feb 22, 2023
Project Name/Resolution Number:	VA-23-1
Comment:	Why are the people writing the violation going to approve it? Nobody should have to look at trash especially when it's a violation.

**Would you like to receive email
communications and updates from the
City of Fishers?:** **Yes**

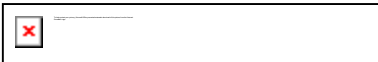
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Vukusich, Megan

From: noreply@formstack.com
Sent: Sunday, February 19, 2023 2:45 PM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/19/23 2:44 PM

Name:	Vivian Hinders
Address:	10762 Sheffield Court Fishers, IN 46038
Email:	vdanko91@gmail.com
Subdivision or business name:	Northfield Estates
Please select the meeting to which you would like to submit a public comment:	Board of Zoning Appeals - Fishers
Meeting Date:	Feb 22, 2023
Project Name/Resolution Number:	Ritchey Reserve trash enclosure
Comment:	I do not support this allowing trash enclosure facing residential neighborhood. I drive by there regularly and have friends who live in the neighborhood across. It is an eye sore and not something that should be allowed.

**Would you like to receive email
communications and updates
from the City of Fishers?:**

Yes

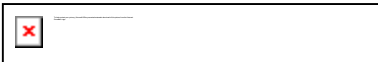
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Vukusich, Megan

From: noreply@formstack.com
Sent: Tuesday, February 21, 2023 11:06 AM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/21/23 11:05 AM

Name:	Chuck Farmer
Address:	10780 Briar Stone Lane FISHERS, IN 46038
Email:	chuck.farmer@yahoo.com
Subdivision or business name:	Berkley Grove
Please select the meeting to which you would like to submit a public comment:	Board of Zoning Appeals - Fishers
Meeting Date:	Feb 22, 2023
Project Name/Resolution Number:	Ritchey Reserve trash enclosure
Comment:	Our voting household strongly opposes allowing commercial facilities to circumvent UDO ordinances protecting existing residential properties. It's time for Fishers City Government to Listen to it's Tax paying Voting Citizens.

There is more to a community than supposed corporate money investments.

Would you like to receive email communications and updates from the City of Fishers?:

Yes

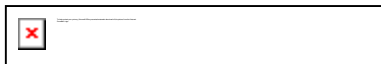
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Vukusich, Megan

From: noreply@formstack.com
Sent: Tuesday, February 21, 2023 1:09 PM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/21/23 1:08 PM

Name: Rebecca Stout

Address: 9425 Claymount Ln
Fishers, IN 46037

Email:

Subdivision or business name: Walnut Creek

Please select the meeting to which you would like to submit a public comment: Board of Zoning Appeals - Fishers

Meeting Date: Feb 22, 2023

Project Name/Resolution Number: Ritchey Reserve Trash Enclosure

Comment: Please do NOT allow trash enclosures to face a residential zone anywhere in the City of Fishers. If we want to be a beautiful and vibrant community, this can not be allowed. Imagine if it was your home and you had to look out your back window at other people's

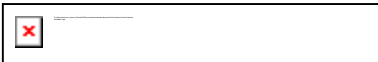
trash. Even with a gate, common sense tells you that it would be not closed all the time and trash would be spilling out the top of the dumpster. For the sake of the homeowners who have these in their view, do not allow this request to pass. Thank you.

Would you like to receive email communications and updates from the City of Fishers?:

Vukusich, Megan

From: noreply@formstack.com
Sent: Tuesday, February 21, 2023 4:42 PM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/21/23 4:42 PM

Name:	Jeff Johnson
Address:	10623 Tarragon Ct. Fishers, IN 46038
Email:	jeffjohnson193@yahoo.com
Subdivision or business name:	Berkley Ridge
Please select the meeting to which you would like to submit a public comment:	Board of Zoning Appeals - Fishers
Meeting Date:	Feb 22, 2023
Project Name/Resolution Number:	Ritchie Reserve Variance
Comment:	I'd like to strongly oppose lowering the standards of our current city ordinances to allow company's the option to have trash cans/dumpsters facing residential neighborhoods.

**Would you like to receive email
communications and updates
from the City of Fishers?:**

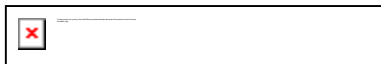
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Vukusich, Megan

From: noreply@formstack.com
Sent: Tuesday, February 21, 2023 11:25 PM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/21/23 11:25 PM

Name:	Tom Schnefke
Address:	10633 Tarragon Fishers , IN 46038
Email:	schnefke29@gmail.com
Subdivision or business name:	Berkeley Ridge
Please select the meeting to which you would like to submit a public comment:	Board of Zoning Appeals - Fishers
Meeting Date:	Mar 08, 2023
Project Name/Resolution Number:	106 street can only take so much
Comment:	I do not want to be staring at garbage cans do not give the place they already create lots of public safety, sirens and ab exemption that allows them to deviate from their original plan and expose their garbage. They already cut way more trees than they said they were

going to, so far not a good neighbor, and I sure the heck don't want to hear about them, expanding like I know they would like to.

**Would you like to receive
email communications and
updates from the City of
Fishers?:**

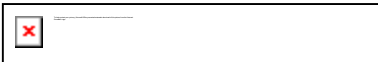
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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Vukusich, Megan

From: noreply@formstack.com
Sent: Tuesday, February 21, 2023 9:37 AM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/21/23 9:36 AM

Name: Darrell Gabbard

Address: 12462 Saksons Blvd
Fishers , IN 46038

Email: dwgabbard@hotmail.com

Subdivision or business name: Sunblest

Please select the meeting to which you would like to submit a public comment:
Board of Zoning Appeals - Fall Creek
Board of Zoning Appeals - Fishers
Redevelopment Authority
Redevelopment Commission
Technical Advisory Committee

Meeting Date: Feb 22, 2023

Project Name/Resolution Number: VA-23-1

Comment: Case: VA-23-1
Request: To approve of a Development Standards Variance of Section 6.2.8.F of the City's Unified Development Ordinance

(UDO) to allow for a trash enclosure gate facing a residential zone.

Approval of this variance will ultimately lead to lower property valuations as a results of trash areas being visible and abused. Lower property values will lead to lower taxes, of which I'm sure the city of Fishers would not prefer.

I am in opposition of this variance approval and would like to encourage the board to vote no.

Would you like to receive email communications and updates from the City of Fishers?:

Yes

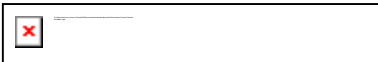
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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Vukusich, Megan

From: noreply@formstack.com
Sent: Monday, February 20, 2023 9:40 PM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/20/23 9:40 PM

Name:	Jancy Motz
Address:	7652 Willow Ridge Fishers, IN 46038
Email:	jancy.motz@outlook.com
Subdivision or business name:	Berkley Grove
Please select the meeting to which you would like to submit a public comment:	Board of Zoning Appeals - Fishers
Meeting Date:	Feb 22, 2023
Project Name/Resolution Number:	Trash Dumpsters
Comment:	Viewing trash cans and/or trash dumpsters in and from a residential residence on a daily basis should never be allowed in town of Fishers! Do not treat us as a large metro city of just apartments! We are a suburb city, residential housing which taxes are spurring your

investments, growths, and starting to feel at the expense of long time Fishers residents.
If you are on committee, have voting/approval rights, is this really what you would want to see daily?? I think not

Would you like to receive email communications and updates from the City of Fishers?:

Yes

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Vukusich, Megan

From: mbenz@bellonsales.com
Sent: Tuesday, February 21, 2023 2:44 PM
To: Vukusich, Megan
Cc: Giffel, David
Subject: RE: City of Fishers - BZA Continuance

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Megan/David,

That 8 foot measurement was measured strictly from the parking lot level. Unless they literally place the fence on the parking lot/that same exact level...or just off the curb in the grass – they would need to adjust upward in fence height from 8 feet for every foot they travel downward on the hill depth from the parking lot level to retain the same sightline protection across the street to make that work/be effective. We would also like to see a quality two sided fence built that is equally as esthetic from both sides (fairly easy to accomplish) that would withstand the high winds and weather events that it would be subjected to throughout the years. I would suggest fencing similar to what they have on 116th street with brick pillars with panels between them as this would be nearly maintenance free for the apartments as well as withstand the elements and test of time without blowing over and be an asset to their overall appearance rather than a draw.

We currently have real estate professionals locally that are telling us we risk to lose around 10% of our home value with a trash dumpster across from our home the way its currently situated. That is a significant amount of money...therefore I would expect a significant amount of due diligence paid to the overall situation as an acceptable remedy or the dumpster itself reoriented to meet UDO as we have been requesting. At the mentioned listing price the realtor stated he would list my home for between just a few (2) homes here would chalk up a potential loss of over \$80,000 and that isn't even counting the domino effect that would take place at near-by properties in the same development.

We would also request to have the proposed variances tied together in some manner, meaning if one goes or is no longer existent (ie if the fence falls down or is removed for any reason), the dumpster variance is automatically at jeopardy of loss/revocation at the same time. And conversely, if maybe when they further develop/improve the property in ANY significant way (ie placing another building on it) that AT THAT TIME they may have an opportunity to FIX the mispositioned trash dumpster enclosure by reorienting it so it no longer faces existing residential at a much lesser cost due to economies of scale at that point. One would already have a crew out there building, machinery, paving, ect for the additional building they have planned at some point, if ever occurs. A REAL fix is moving it to meet UDO and at that time would come at MUCH lesser cost as the associated trades all would already be on site and that would just be one more thing they would be doing at that point. You would not be dragging trades out there for that specifically alone...but could spread the cost at that point at a wider target at better economies.

I feel at least we are moving in a better direction now....but I didn't want to go completely silent and surprise you in the event they propose a less than satisfactory remedy after all this. After meeting with another realtor in Downtown Fishers this morning for an hour and a half regarding this issue alone, it has become very apparent to us that there is definitely a LOT at stake for us as well as others in the immediate area when you talk of potential 10% loss in value - and a mutually beneficial solution would be paramount and likely beneficial to both sides. Please have them proceed with that and the above in mind.

If you have any thoughts or suggestions...feel free to contact me at any time. I am not trying to be hard to work with but I am trying to work toward a mutually beneficial resolution that will properly protect everyone's interests involved. Best

case scenario for everyone involved is they move the dumpster enclosure to meet UDO code. If they do not wish to do this, I would ask Ritchie Reserve and the BZA to at least keep the above in mind as they formulate a viable mutually beneficial solution so as to come to the table with a winning solution that works for everyone equally and protects everyone's interests at the same time. We look forward to seeing what the proposed remedy will consist of exactly in full and are in full hopes that it will be mutually beneficial.

Thanks!

Michael A. Benz, President

Bellon Sales Associates
6824 Hawthorn Park Drive
Indianapolis, IN 46220
317-842-3952
317-576-9384 (Fax)
800-257-1107 Toll Free

From: Vukusich, Megan <vukusichm@fishers.in.us>
Sent: Tuesday, February 21, 2023 12:11 PM
To: Vukusich, Megan <vukusichm@fishers.in.us>
Subject: City of Fishers - BZA Continuance

Good afternoon –

We have received your public comment related to the BZA meeting being held tomorrow, Wednesday, February 22. I wanted to reach out to let you know that this item is being continued until the March 22, 2023 BZA meeting. The petitioner has agreed to install an 8' tall fence to screen the enclosure and will be required to re-notice the public hearing with the fence addition. Below is a link to the BZA meeting agenda with the continuance information.

BZA Agenda Link: <https://www.fishers.in.us/AgendaCenter/ViewFile/Agenda/02222023-2131>

MEGAN VUKUSICH

Director + Planning and Zoning

Tel: 317.588.1431, Mobile: 317.526.3905

vukusichm@fishers.in.us

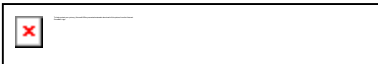
www.fishers.in.us



Vukusich, Megan

From: noreply@formstack.com
Sent: Sunday, March 12, 2023 3:42 PM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 03/12/23 3:42 PM

Name:	Stephen Beard
Address:	7546 Linden Ct. Fishers, IN 46038
Email:	sbeard47@gmail.com
Subdivision or business name:	Berkley Ridge
Please select the meeting to which you would like to submit a public comment:	Board of Zoning Appeals - Fishers
Meeting Date:	Mar 22, 2023
Project Name/Resolution Number:	VA-23-1
Comment:	I am writing to speak AGAINST consideration for a variance in Section 6.2.8.f and Section 6.18.2.B regarding the trash receptacle facing our neighborhood.

Real America should've known the rules when building Ritchey Reserve and should not be exempted from following local laws and ordinances. We would like to keep our neighborhood and eventually sell our homes. Ritchey Reserve's dumpster is but one of several eyesores that detract from the pleasant appearance of the neighborhood, and they should not be allowed to just opt out of the rules. Please do the right thing and vote against this variance.

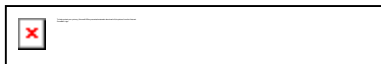
Stephen Beard

Would you like to receive email communications and updates from the City of Fishers?:	☒ Yes
--	--------------------------------------

Vukusich, Megan

From: noreply@formstack.com
Sent: Monday, February 20, 2023 5:51 PM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/20/23 5:51 PM

Name: Karen Wagner

Address: 11104 Lake Run
Fishers, IN 46038

Email: indywags@aol.com

Subdivision or business name: Gatewood

Please select the meeting to which you would like to submit a public comment: Board of Zoning Appeals - Fishers

Meeting Date: Feb 22, 2023

Project Name/Resolution Number: Ritchey Preserve Dumpster Variance

Comment: I do not approve of a Development Standards Variance of Section 6.2.8.F of the City's Unified Development Ordinance (UDO) to allow for a trash enclosure gate facing a residential zone.

No one wants to be viewing trash dumpsters when sitting outside of their house. That is not a pleasant view to have to consider seeing as long as they continue living there.

This ordinance was put in place for good reason and there is no logical reason to grant a variance. If this variance is granted then a precedent has been set which will justify future petitioners in expecting the same result.

I for one do not want to drive around my city looking at trash dumpsters facing toward roads, streets, and neighborhoods.

Would you like to receive email communications and updates from the City of Fishers?:

Yes

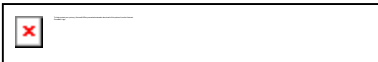
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Vukusich, Megan

From: noreply@formstack.com
Sent: Monday, February 20, 2023 10:51 AM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/20/23 10:51 AM

Name: Jim Beaty

Address: 7538 Linden Ct
Fishers , IN 46038

Email: jim.beaty@irvmat.com

Subdivision or business name: Berkeley Ridge

Please select the meeting to which you would like to submit a public comment: Board of Zoning Appeals - Fall Creek
Board of Zoning Appeals - Fishers

Meeting Date: Feb 22, 2023

Project Name/Resolution Number: Case VA-23-1 Variance Diss approval!!!

Comment: Having lived in Berkeley Ridge since the subdivision was new, I do not agree with the variance approval. The change will have nothing but a 'negative' effect on our home values. I urge that this variance not go forward and stopped!!

Thank you.

**Would you like to receive email
communications and updates
from the City of Fishers?:**

Yes

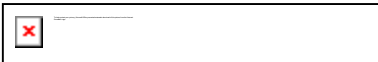
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Vukusich, Megan

From: noreply@formstack.com
Sent: Friday, February 17, 2023 7:00 AM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/17/23 6:59 AM

Name:	Janine Shopp
Address:	10670 Tarragon Ct Fishers, IN 46038
Email:	j9rshopp@gmail.com
Subdivision or business name:	Berkeley Ridge
Please select the meeting to which you would like to submit a public comment:	Board of Zoning Appeals - Fishers
Meeting Date:	Feb 22, 2023
Project Name/Resolution Number:	Ritchey Reserve Trash Enclosure
Comment:	I request that the established rules and regulations regarding the trash enclosure be upheld. These rules were established and agreed upon at the time this property was developed and are not a new requirement for this facility. rules such as this are designed to

maintain a certain esthetic to maintain and enhance property values.
Who wants to stare out their back window to see a set of
dumpsters? Please vote to uphold the regulations.

**Would you like to receive
email communications and
updates from the City of
Fishers?:**

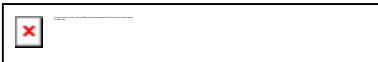
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Vukusich, Megan

From: noreply@formstack.com
Sent: Friday, February 17, 2023 1:48 PM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/17/23 1:47 PM

Name:	Kathy Kendall
Address:	13231 Eastwood Ln Fishers, IN 46038
Email:	keokendall@gmail.com
Subdivision or business name:	Berkeley Ridge/Ritchey Reserve
Please select the meeting to which you would like to submit a public comment:	Board of Zoning Appeals - Fishers
Meeting Date:	Feb 22, 2023
Project Name/Resolution Number:	000
Comment:	The dumpster belonging to Ritchey Ridge is facing the subdivision of Berkey Ridge. That has to have decreased those home values tremendously. Such an eyesore!

**Would you like to receive email
communications and updates from
the City of Fishers?:**

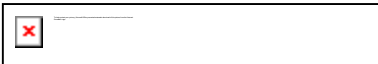
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Vukusich, Megan

From: noreply@formstack.com
Sent: Friday, February 17, 2023 3:17 PM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/17/23 3:16 PM

Name:	Abbey A
Address:	111 Fishers Fishers, IN 46038
Email:	psloveabbey@yahoo.com
Subdivision or business name:	Ritchey Woods
Please select the meeting to which you would like to submit a public comment:	Board of Zoning Appeals - Fishers
Meeting Date:	Feb 22, 2023
Project Name/Resolution Number:	VA-23-1
Comment:	Why are the people writing the violation going to approve it? Nobody should have to look at trash especially when it's a violation.

**Would you like to receive email
communications and updates from the
City of Fishers?:** **Yes**

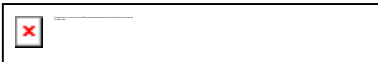
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Vukusich, Megan

From: noreply@formstack.com
Sent: Sunday, February 19, 2023 2:45 PM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/19/23 2:44 PM

Name: Vivian Hinders

Address: 10762 Sheffield Court
Fishers, IN 46038

Email: vdanko91@gmail.com

Subdivision or business name: Northfield Estates

Please select the meeting to which you would like to submit a public comment: Board of Zoning Appeals - Fishers

Meeting Date: Feb 22, 2023

Project Name/Resolution Number: Ritchey Reserve trash enclosure

Comment: I do not support this allowing trash enclosure facing residential neighborhood. I drive by there regularly and have friends who live in the neighborhood across. It is an eye sore and not something that should be allowed.

**Would you like to receive email
communications and updates
from the City of Fishers?:**

Yes

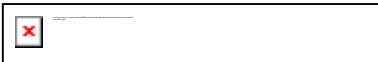
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Vukusich, Megan

From: noreply@formstack.com
Sent: Tuesday, February 21, 2023 11:06 AM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/21/23 11:05 AM

Name:	Chuck Farmer
Address:	10780 Briar Stone Lane FISHERS, IN 46038
Email:	chuck.farmer@yahoo.com
Subdivision or business name:	Berkley Grove
Please select the meeting to which you would like to submit a public comment:	Board of Zoning Appeals - Fishers
Meeting Date:	Feb 22, 2023
Project Name/Resolution Number:	Ritchey Reserve trash enclosure
Comment:	Our voting household strongly opposes allowing commercial facilities to circumvent UDO ordinances protecting existing residential properties. It's time for Fishers City Government to Listen to it's Tax paying Voting Citizens.

There is more to a community than supposed corporate money investments.

Would you like to receive email communications and updates from the City of Fishers?:

Yes

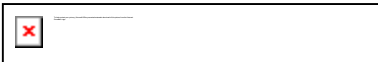
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Vukusich, Megan

From: noreply@formstack.com
Sent: Tuesday, February 21, 2023 1:09 PM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/21/23 1:08 PM

Name: Rebecca Stout

Address: 9425 Claymount Ln
Fishers, IN 46037

Email:

Subdivision or business name: Walnut Creek

Please select the meeting to which you would like to submit a public comment: Board of Zoning Appeals - Fishers

Meeting Date: Feb 22, 2023

Project Name/Resolution Number: Ritchey Reserve Trash Enclosure

Comment: Please do NOT allow trash enclosures to face a residential zone anywhere in the City of Fishers. If we want to be a beautiful and vibrant community, this can not be allowed. Imagine if it was your home and you had to look out your back window at other people's

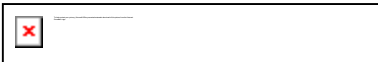
trash. Even with a gate, common sense tells you that it would be not closed all the time and trash would be spilling out the top of the dumpster. For the sake of the homeowners who have these in their view, do not allow this request to pass. Thank you.

Would you like to receive email communications and updates from the City of Fishers?:

Vukusich, Megan

From: noreply@formstack.com
Sent: Tuesday, February 21, 2023 4:42 PM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/21/23 4:42 PM

Name:	Jeff Johnson
Address:	10623 Tarragon Ct. Fishers, IN 46038
Email:	jeffjohnson193@yahoo.com
Subdivision or business name:	Berkley Ridge
Please select the meeting to which you would like to submit a public comment:	Board of Zoning Appeals - Fishers
Meeting Date:	Feb 22, 2023
Project Name/Resolution Number:	Ritchie Reserve Variance
Comment:	I'd like to strongly oppose lowering the standards of our current city ordinances to allow company's the option to have trash cans/dumpsters facing residential neighborhoods.

**Would you like to receive email
communications and updates
from the City of Fishers?:**

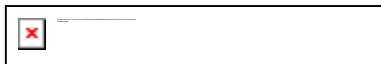
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Vukusich, Megan

From: noreply@formstack.com
Sent: Tuesday, February 21, 2023 11:25 PM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

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Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/21/23 11:25 PM

Name:	Tom Schnefke
Address:	10633 Tarragon Fishers , IN 46038
Email:	schnefke29@gmail.com
Subdivision or business name:	Berkeley Ridge
Please select the meeting to which you would like to submit a public comment:	Board of Zoning Appeals - Fishers
Meeting Date:	Mar 08, 2023
Project Name/Resolution Number:	106 street can only take so much
Comment:	I do not want to be staring at garbage cans do not give the place they already create lots of public safety, sirens and ab exemption that allows them to deviate from their original plan and expose their garbage. They already cut way more trees than they said they were

going to, so far not a good neighbor, and I sure the heck don't want to hear about them, expanding like I know they would like to.

**Would you like to receive
email communications and
updates from the City of
Fishers?:**

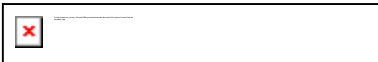
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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Vukusich, Megan

From: noreply@formstack.com
Sent: Tuesday, February 21, 2023 9:37 AM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

EXTERNAL SENDER: Please exercise increased caution. Do not open attachments or click links from unknown senders or unexpected email messages.



Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/21/23 9:36 AM

Name: Darrell Gabbard

Address: 12462 Saksons Blvd
Fishers , IN 46038

Email: dwgabbard@hotmail.com

Subdivision or business name: Sunblest

Please select the meeting to which you would like to submit a public comment:
Board of Zoning Appeals - Fall Creek
Board of Zoning Appeals - Fishers
Redevelopment Authority
Redevelopment Commission
Technical Advisory Committee

Meeting Date: Feb 22, 2023

Project Name/Resolution Number: VA-23-1

Comment: Case: VA-23-1
Request: To approve of a Development Standards Variance of Section 6.2.8.F of the City's Unified Development Ordinance

(UDO) to allow for a trash enclosure gate facing a residential zone.

Approval of this variance will ultimately lead to lower property valuations as a results of trash areas being visible and abused. Lower property values will lead to lower taxes, of which I'm sure the city of Fishers would not prefer.

I am in opposition of this variance approval and would like to encourage the board to vote no.

Would you like to receive email communications and updates from the City of Fishers?:

Yes

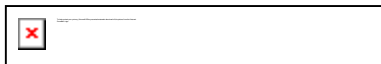
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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Vukusich, Megan

From: noreply@formstack.com
Sent: Monday, February 20, 2023 9:40 PM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

EXTERNAL SENDER: Please exercise increased caution. Do not open attachments or click links from unknown senders or unexpected email messages.



Formstack Submission For: **Public Meeting Comment Form**

Submitted at 02/20/23 9:40 PM

Name:	Jancy Motz
Address:	7652 Willow Ridge Fishers, IN 46038
Email:	jancy.motz@outlook.com
Subdivision or business name:	Berkley Grove
Please select the meeting to which you would like to submit a public comment:	Board of Zoning Appeals - Fishers
Meeting Date:	Feb 22, 2023
Project Name/Resolution Number:	Trash Dumpsters
Comment:	Viewing trash cans and/or trash dumpsters in and from a residential residence on a daily basis should never be allowed in town of Fishers! Do not treat us as a large metro city of just apartments! We are a suburb city, residential housing which taxes are spurring your

investments, growths, and starting to feel at the expense of long time Fishers residents.
If you are on committee, have voting/approval rights, is this really what you would want to see daily?? I think not

Would you like to receive email communications and updates from the City of Fishers?:

Yes

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Vukusich, Megan

From: mbenz@bellonsales.com
Sent: Tuesday, February 21, 2023 2:44 PM
To: Vukusich, Megan
Cc: Giffel, David
Subject: RE: City of Fishers - BZA Continuance

EXTERNAL SENDER: Please exercise increased caution. Do not open attachments or click links from unknown senders or unexpected email messages.

Megan/David,

That 8 foot measurement was measured strictly from the parking lot level. Unless they literally place the fence on the parking lot/that same exact level...or just off the curb in the grass – they would need to adjust upward in fence height from 8 feet for every foot they travel downward on the hill depth from the parking lot level to retain the same sightline protection across the street to make that work/be effective. We would also like to see a quality two sided fence built that is equally as esthetic from both sides (fairly easy to accomplish) that would withstand the high winds and weather events that it would be subjected to throughout the years. I would suggest fencing similar to what they have on 116th street with brick pillars with panels between them as this would be nearly maintenance free for the apartments as well as withstand the elements and test of time without blowing over and be an asset to their overall appearance rather than a draw.

We currently have real estate professionals locally that are telling us we risk to lose around 10% of our home value with a trash dumpster across from our home the way its currently situated. That is a significant amount of money...therefore I would expect a significant amount of due diligence paid to the overall situation as an acceptable remedy or the dumpster itself reoriented to meet UDO as we have been requesting. At the mentioned listing price the realtor stated he would list my home for between just a few (2) homes here would chalk up a potential loss of over \$80,000 and that isn't even counting the domino effect that would take place at near-by properties in the same development.

We would also request to have the proposed variances tied together in some manner, meaning if one goes or is no longer existent (ie if the fence falls down or is removed for any reason), the dumpster variance is automatically at jeopardy of loss/revocation at the same time. And conversely, if maybe when they further develop/improve the property in ANY significant way (ie placing another building on it) that AT THAT TIME they may have an opportunity to FIX the mispositioned trash dumpster enclosure by reorienting it so it no longer faces existing residential at a much lesser cost due to economies of scale at that point. One would already have a crew out there building, machinery, paving, ect for the additional building they have planned at some point, if ever occurs. A REAL fix is moving it to meet UDO and at that time would come at MUCH lesser cost as the associated trades all would already be on site and that would just be one more thing they would be doing at that point. You would not be dragging trades out there for that specifically alone...but could spread the cost at that point at a wider target at better economies.

I feel at least we are moving in a better direction now....but I didn't want to go completely silent and surprise you in the event they propose a less than satisfactory remedy after all this. After meeting with another realtor in Downtown Fishers this morning for an hour and a half regarding this issue alone, it has become very apparent to us that there is definitely a LOT at stake for us as well as others in the immediate area when you talk of potential 10% loss in value - and a mutually beneficial solution would be paramount and likely beneficial to both sides. Please have them proceed with that and the above in mind.

If you have any thoughts or suggestions...feel free to contact me at any time. I am not trying to be hard to work with but I am trying to work toward a mutually beneficial resolution that will properly protect everyone's interests involved. Best

case scenario for everyone involved is they move the dumpster enclosure to meet UDO code. If they do not wish to do this, I would ask Ritchie Reserve and the BZA to at least keep the above in mind as they formulate a viable mutually beneficial solution so as to come to the table with a winning solution that works for everyone equally and protects everyone's interests at the same time. We look forward to seeing what the proposed remedy will consist of exactly in full and are in full hopes that it will be mutually beneficial.

Thanks!

Michael A. Benz, President

Bellon Sales Associates
6824 Hawthorn Park Drive
Indianapolis, IN 46220
317-842-3952
317-576-9384 (Fax)
800-257-1107 Toll Free

From: Vukusich, Megan <vukusichm@fishers.in.us>

Sent: Tuesday, February 21, 2023 12:11 PM

To: Vukusich, Megan <vukusichm@fishers.in.us>

Subject: City of Fishers - BZA Continuance

Good afternoon –

We have received your public comment related to the BZA meeting being held tomorrow, Wednesday, February 22. I wanted to reach out to let you know that this item is being continued until the March 22, 2023 BZA meeting. The petitioner has agreed to install an 8' tall fence to screen the enclosure and will be required to re-notice the public hearing with the fence addition. Below is a link to the BZA meeting agenda with the continuance information.

BZA Agenda Link: <https://www.fishers.in.us/AgendaCenter/ViewFile/Agenda/02222023-2131>

MEGAN VUKUSICH

Director + Planning and Zoning

Tel: 317.588.1431, Mobile: 317.526.3905

vukusichm@fishers.in.us

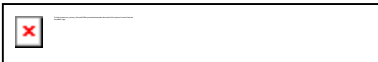
www.fishers.in.us



Vukusich, Megan

From: noreply@formstack.com
Sent: Sunday, March 12, 2023 3:42 PM
To: Planning Dept; Prange, Kay; lewarkl@fishers.in.us; Vukusich, Megan; Hilleary, Ross; King, Breanna; Butler, Jonah; Folk, Tyler; Granlund, Sydney
Subject: Public Meeting Comment Form

EXTERNAL SENDER: Please exercise increased caution. Do not open attachments or click links from unknown senders or unexpected email messages.



Formstack Submission For: **Public Meeting Comment Form**

Submitted at 03/12/23 3:42 PM

Name:	Stephen Beard
Address:	7546 Linden Ct. Fishers, IN 46038
Email:	sbeard47@gmail.com
Subdivision or business name:	Berkley Ridge
Please select the meeting to which you would like to submit a public comment:	Board of Zoning Appeals - Fishers
Meeting Date:	Mar 22, 2023
Project Name/Resolution Number:	VA-23-1
Comment:	I am writing to speak AGAINST consideration for a variance in Section 6.2.8.f and Section 6.18.2.B regarding the trash receptacle facing our neighborhood.

Real America should've known the rules when building Ritchey Reserve and should not be exempted from following local laws and ordinances. We would like to keep our neighborhood and eventually sell our homes. Ritchey Reserve's dumpster is but one of several eyesores that detract from the pleasant appearance of the neighborhood, and they should not be allowed to just opt out of the rules. Please do the right thing and vote against this variance.

Stephen Beard

Would you like to receive email communications and updates from the City of Fishers?:	☒ Yes
--	---



December 21, 2022

Ritchey Reserve LLC
8250 Dean Rd
Indianapolis, IN 46240

RE: Notice of Property Violations – Case #98423
7889 E 106th St FISHERS, IN 46038 (the "Property")

Dear Property Owner,

During a recent review of the Property, the City was made aware of conditions that are not compliant with the Fishers Unified Development Ordinance (UDO). The most recent property issue compliant (case #98423) was received on 12/14/2022 regarding a dumpster on the property at 7889 E 106th St. I have completed a zoning review of the property and have found the dumpster to be in violation of the following standard:

UDO Section 6.2.8.F.: "The gate shall not face a residential zone."

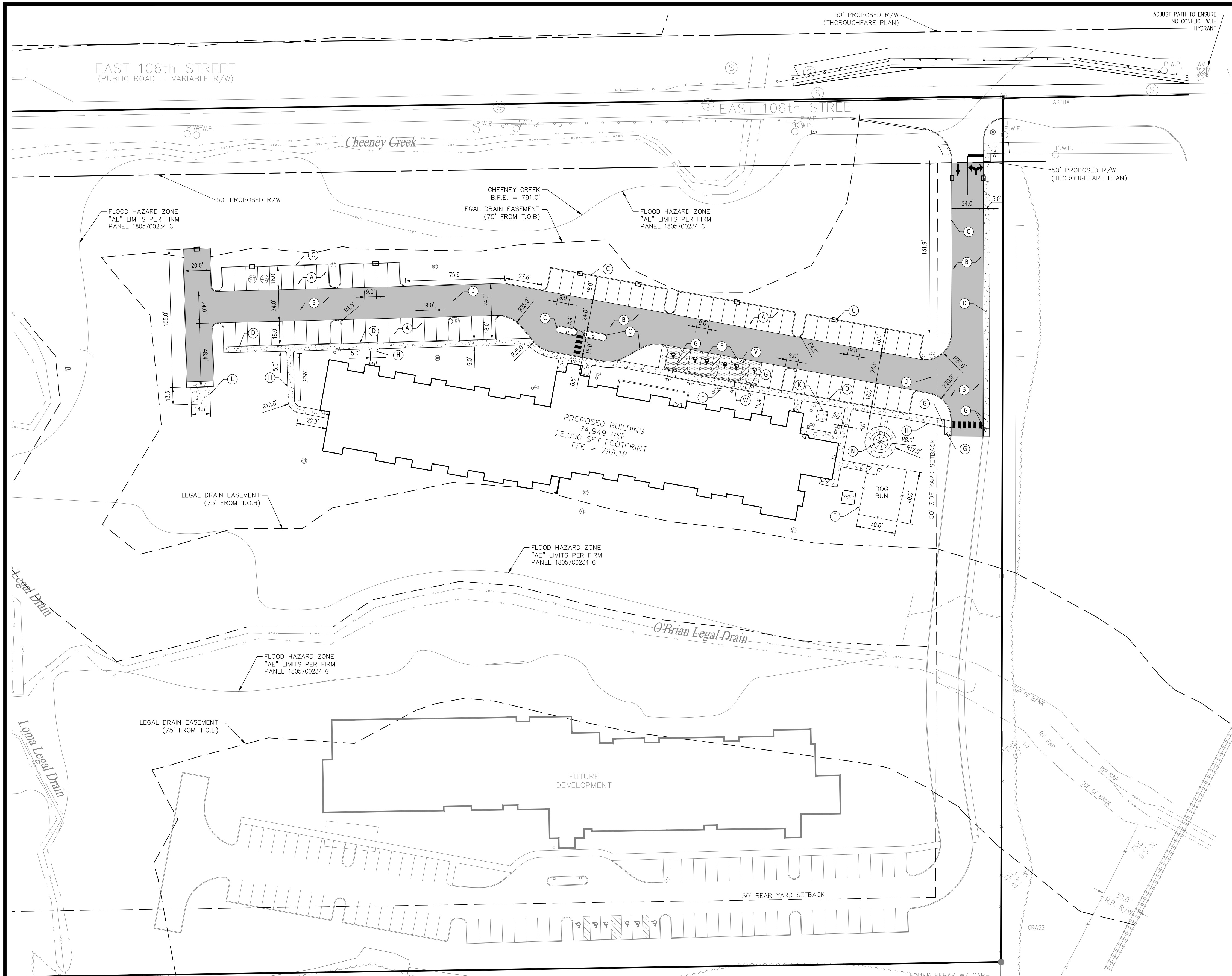
This letter serves as notice that the above-mentioned conditions on the Property are not compliant with the Fishers Unified Development Ordinance (UDO). The dumpster shall either be relocated to comply with the above standard, or a variance of development standards shall be sought from the Board of Zoning Appeals (BZA).

Please contact the Fishers Planning & Zoning Department and begin the process of bringing site into compliance. Failure to correct these violations may result in further penalties and fines.

I can be reached at (317) 588-1431 or yukusichm@fishers.in.us.

Thank you,

Megan Vukusich
Director, Planning & Zoning



LEGEND	
XX' SETBACK	PROPERTY LINE
	BUILDING SETBACK LINE
	RIGHT-OF-WAY
	EASEMENT

KEY NOTES	
(A)	STANDARD DUTY ASPHALT
(B)	HEAVY DUTY ASPHALT
(C)	6" CONCRETE CURB
(D)	INTEGRAL CURB AND WALK
(E)	ADA ACCESSIBLE PARKING SPACE
(F)	ADA PARKING SIGN
(G)	ADA ACCESSIBLE RAMP
(H)	CONCRETE SIDEWALK
(I)	4" VINYL COATED CHAIN LINK FENCE
(J)	SNOWPLOWABLE RAISED PAVEMENT MARKER WITH BLUE REFLECTOR LENSE. INSTALLATION AND MATERIAL SHALL COMPLY WITH SECTIONS 800 AND 900 OF THE MOST RECENT REVISION OF THE INDOT SPECIFICATIONS AND DETAILS.
(K)	8'X8' CONCRETE TRANSFORMER PAD. COORDINATE WITH UTILITY REGARDING PAD SPECIFICATIONS AND LOCATION.
(L)	CONCRETE DUMPSTER PAD
(M)	ASPHALT MULTI-USE PATH CONNECT TO EXISTING PATH
(N)	GAZEBO. REFER TO ARCHITECTURAL PLANS FOR DETAILS.
(O)	STOP SIGN
(P)	4" SOLID WHITE THERMOPLASTIC LINE
(Q)	4" SOLID WHITE PAINT LINE
(R)	4" SOLID YELLOW THERMOPLASTIC LINE
(S)	SOLID WHITE MESSAGE THERMOPLASTIC ARROW
(T)	SOLID WHITE MESSAGE PAINT ARROW
(U)	24" SOLID WHITE STOP BAR
(V)	GUARDRAIL
(W)	2' WIDE INDOT NO. 53 SHOULDER
(X)	STANDARD DUTY CONCRETE PAVEMENT
(Y)	CONCRETE WHEELSTOP

SEE C600 SERIES SHEETS FOR CONSTRUCTION DETAILS

SITE PLAN NOTES

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING, OR VERIFYING, THAT ALL PERMITS AND APPROVALS ARE OBTAINED FROM THE RESPECTIVE CITY, COUNTY, AND STATE AGENCIES PRIOR TO STARTING CONSTRUCTION.
2. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES IN THE VICINITY OF THE CONSTRUCTION AREA PRIOR TO STARTING CONSTRUCTION.
3. IT SHALL BE THE CONTRACTORS RESPONSIBILITY FOR NOTIFICATION AND COORDINATION OF ALL CONSTRUCTION WITH RESPECTIVE UTILITY COMPANIES.
4. ALL CONSTRUCTION ACTIVITY ON THIS SITE IS TO BE PERFORMED IN COMPLIANCE WITH MOST CURRENT APPLICABLE OSHA STANDARDS FOR WORKER SAFETY.
5. ALL RADII AND STREET DIMENSIONS SHALL BE MEASURED TO FACE OF CURB OR FACE OF INTEGRAL CURB AND WALK. ALL DIMENSIONS TO THE BUILDING ARE TO THE OUTSIDE OF BUILDING FOUNDATION WALL.
6. EXISTING PAVEMENT TO BE SAW CUT IN ALL AREAS WHERE INDICATED NEW PAVEMENT TO JOIN EXISTING PAVEMENT.
7. THE EDGE OF THE EXISTING ASPHALT PAVEMENT SHALL BE PROPERLY SEALED WITH A TACK COAT MATERIAL IN ALL AREAS WHERE NEW ASPHALT PAVEMENT IS INDICATED TO JOIN EXISTING ASPHALT.
8. ALL CONSTRUCTION JOINTS SHALL BE SAWN, CLEANED OF DEBRIS, BLOWN DRY AND IMMEDIATELY SEALED WITH THE APPROPRIATE SEALANT ACCORDING TO MANUFACTURER'S DIRECTIONS.
9. ALL PARKING STRIPES ARE TO BE 4" WHITE PAINT. ADA PARKING AREAS AND ACCESS AISLES TO BE 4" BLUE PAINT.
10. BEARINGS, DIMENSIONS AND EASEMENTS ARE SHOWN FOR REFERENCE ONLY. SEE RECORD SURVEYS AND PLATS FOR EXACT INFORMATION.
11. SEE ARCHITECTURAL PLANS FOR DETAILS OF BUILDINGS AND BUILDING DIMENSIONS.
12. TEMPORARY TRAFFIC CONTROL DURING CONSTRUCTION TO CONFORM TO APPLICABLE LOCAL STANDARDS, MUTCD AND INDOT SPECIFICATIONS.
13. ANY DISCREPANCIES OR CONFLICTS WHICH BECOME APPARENT BEFORE OR DURING CONSTRUCTION SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGN ENGINEER PRIOR TO CONSTRUCTION SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.
14. CONTACT ENGINEER IF ADDITIONAL DIMENSIONS ARE NEEDED FOR CONSTRUCTION.
15. SEE STRUCTURAL PLANS FOR DETAILS OF CONCRETE STOOPS TO BE CONSTRUCTED OUTSIDE BUILDING AT ENTRY POINTS. ALL STOOPS TO BE 5'X5' UNLESS NOTED OTHERWISE.

PARKING SUMMARY

REQUIREMENT:
1 SPACE PER UNIT + 1 VISITOR SPACE PER 8 UNITS + 1 PER EMPLOYEE

UNIT COUNT:
(38) 1 BEDROOM UNITS
(27) 2 BEDROOM UNITS

REQUIRED SPACES:
77 SPACES

PROVIDED SPACES:
83 SPACES

REQUIRED ADA SPACES:
4 SPACES
1 VAN SPACE

PROVIDED ADA SPACES:
6 SPACES
1 VAN SPACE

ADA PARKING LAYOUT

SCALE: 1" = 20'



#	Revision	Date
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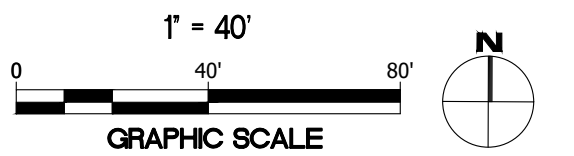
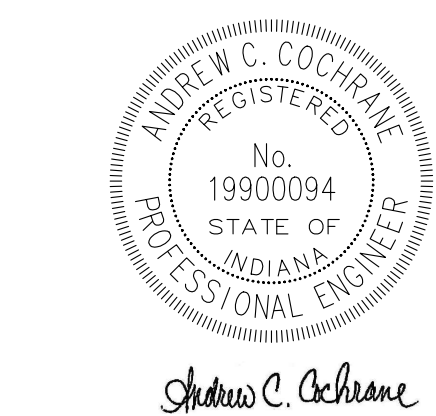
Project #: 20-400-018-1

Designed By: DKR

Drawn By: DKR

Checked By: MSO

Date: 01/02/2020



SITE LAYOUT PLAN

C200





December 21, 2022

Michael Benz
7585 Willow Ridge
Fishers, IN 46038

RE: 7889 E 106th St – Administrative Determination (AD-22-5)

Dear Property owner,

Please consider this letter a formal Administrative Determination Letter in accordance with the City of Fishers Unified Development Ordinance (UDO). The UDO gives the Director of Planning and Zoning the authority to render written interpretations pertaining to zoning standards. The most recent property issue compliant (case #98423) was received on 12/14/2022 regarding a dumpster on the property at 7889 E 106th St. I have completed a zoning review of the property and have found the following:

- UDO Sec. 6.2.8. requires that any dumpster facing right-of-way shall be setback 50' from the road. The dumpster for the subject property is located approximately 150' from 106th Street.
- UDO Section 6.2.8.F. states "The gate shall not face a residential zone." UDO Section 1.4.3.B. states that zoning district boundaries follow the centerline of rights-of-way (paraphrased). All rights-of-way (and roads, easements, so on) carry the adjacent parcel zoning district to the centerline. The dumpster gates therefore are determined to face a residential zone.
- The dumpster is located no closer to the right-of-way than the primary structure.
- There is a Tree Preservation easement established between the parking lot and 106th Street.
- The property owner has installed additional plantings to help screen the enclosure. These plantings will take some time to fully mature.
- Trash pick-up is permitted between the hours of 6AM to 9PM. The property manager is closing the gate around 8AM on the day of trash pick-up.

Therefore, it is determined that the dumpster located at 7889 E 106th St is not in compliance with UDO Section 6.2.8.F. The city will be issuing notice of violation regarding this matter and will work with the property owner to bring the property into compliance. As per IC 36-7-4-918.1, any Administrative Determination may be appealed to the local Board of Zoning Appeals.

Sincerely,

Megan Vukusich
Director, Planning & Zoning
vukusichm@fishers.in.us
(317) 588-1431


$$1/4'' = 1'-0''$$



Board of Zoning Appeals Staff Report

Meeting Date: March 22, 2023

DEPARTMENT CONTACT:

Megan Vukusich (vukusichm@fishers.in.us)

CASE NUMBER:

VA-23-6

PETITIONER:

Napleton KIA of Fishers

Stefanie Day (stefanie.day@napleton.com)

PROPERTY ADDRESS/LOCATION:

13417 Britton Park Road

Fishers, IN 46038

REQUEST: Consideration of a Development Standards Variance from Section 6.17.6 of the City of Fishers Unified Development Ordinance (UDO) to allow for increase in height maximum of a free-standing ground sign to twenty (20) feet from ten (10) feet.

APPLICABLE REGULATIONS:

Section 6.17.6

EXISTING ZONING:

Britton Industrial Park
and Nuckols PUD

[Ord. 031595B & 080995B](#)

FISHERS 2040:

Employment Node

LOT SIZE: 3.95Acres

LOCATION MAP



STAFF RECOMMENDATION

☐ Approve

☐ Continue

☒ Deny

☐ No Recommendation

Meeting Date: March 22, 2023

Case Number: VA-23-6

ZONING HISTORY:

This property was rezoned Britton Industrial Park and Nuckols PUD in March 1995 with various development standards and a text amendment adding approved uses in August 1995. Allowed uses include C2 – Commercial and I1 – Industrial uses. The following uses are also permitted: the sale, rental display, or storage of new or used motor vehicles, tractors, machinery, or other equipment; or merchandise; and the outdoor storage of merchandise for sale or rent provided that the storage area is screened from the public view and is located within the tear yard of the principal building.

SURROUNDING LAND USE & ZONING:

North: PUDC – Fishers Trade Center PUD (Pet Day Care / Vehicle Sales)
East: PUDM – Fishers Market Place PUD (Retail)
South: PUDC – Britton Industrial Park & Nuckols PUD (Vehicle Sales)
West: PUDC – Britton Industrial Park & Nuckols PUD (Lawn Services/Equipment Rental)



SUMMARY OF PUBLIC COMMENTS:

Meeting Date: March 22, 2023

Case Number: VA-23-6

No Public Comments have been submitted at the time of writing this Staff Report.

PETITION OVERVIEW:

Vehicle Sales have been at this location since 2001 when the primary entrance for this facility was located off Britton Park Road. In 2013 135th Street was constructed as a four-way stop intersection.

In late 2022 135th Street was reopened as a right-in, right-out entrance with no stop condition as compacity and flow improvements have been part of a multi-year **37 Thrives Road Project**, a partnership between the City of Fishers, City of Noblesville, Hamilton County, and INDOT.

Shown below is the previously approved monument sign that was impacted by the State Road 37 project.



Previous Monument Sign

On January 26, 2023, Napleton KIA of Fishers submitted a sign permit with three monument sign options that were thirty (30) feet, twenty (25) feet and twenty (20) feet options provided by *KIA America, Inc* with a proposed sign location north of the facility.

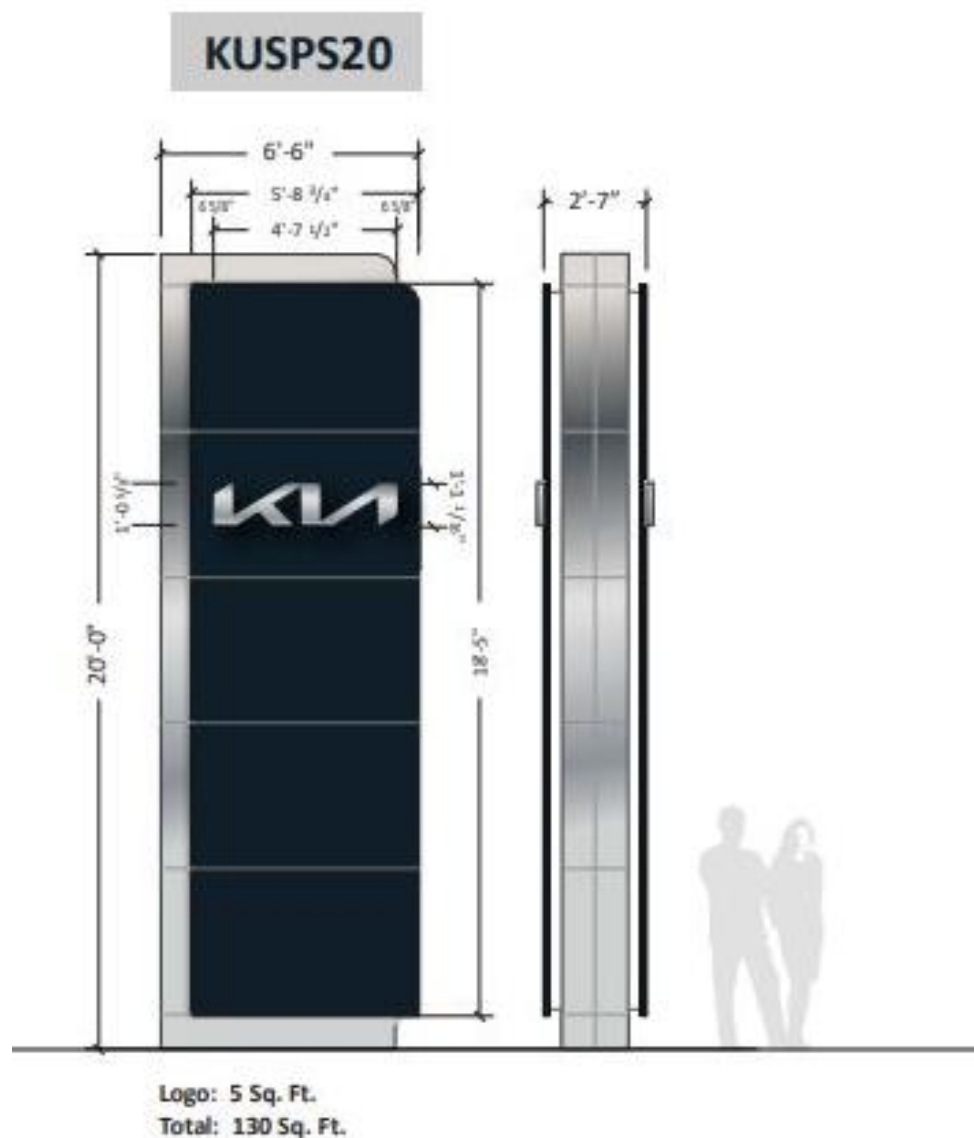
On January 31, 2023 staff provided comments back upon review that the three options that were proposed do not meet the standards outlined **Section 6.17.6. Free Standing Signs. E. Ground Signs** which allow by right two (2) signs at 45 sqft each and seven (7) feet in height or one (1) sign at 90 sqft and ten (10) feet in height.

On February 1, 2023 a Variance was filed for the below proposed 20' tall monument sign.

Meeting Date: March 22, 2023

Case Number: VA-23-6

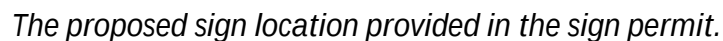
On February 7, 2023, after the Variance was submitted, a virtual Pre-File was held with Staff and the Petitioner to explain the Variance process, timeline, and requirements.



Proposed 20' Monument Sign per the sign permit.



Case Number: VA-23-6



Staff believes that the Unified Development Ordinance provides an adequate allowance by right, including the option for multiple wall signages, two (2) ground signs or the option to combine for an increase height based on the frontage allowance. Staff does not agree with the opinion that a taller sign will provide a better resident or customer experience.

The Fishers 2040 Comprehensive Plan calls for this area along State Road 37 to redevelop as Employment Node and is to “provide for the development of large office buildings providing

Meeting Date: March 22, 2023

Case Number: VA-23-6

regional employment opportunities integrated with a mix of uses, open space and trail connectivity. This District intent is to provide premier office space and employment centers whose viability, quality, and character are important to the community, adjacent residents, “employees, and business owners.”

Staff believes the improvements of State Road 37 will provide this foundation for redevelopment and that a 20’ monument sign does not align with this development vision.

If the Board approves this Variance staff request the follow 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

SIGN VARIANCE VA-23-6

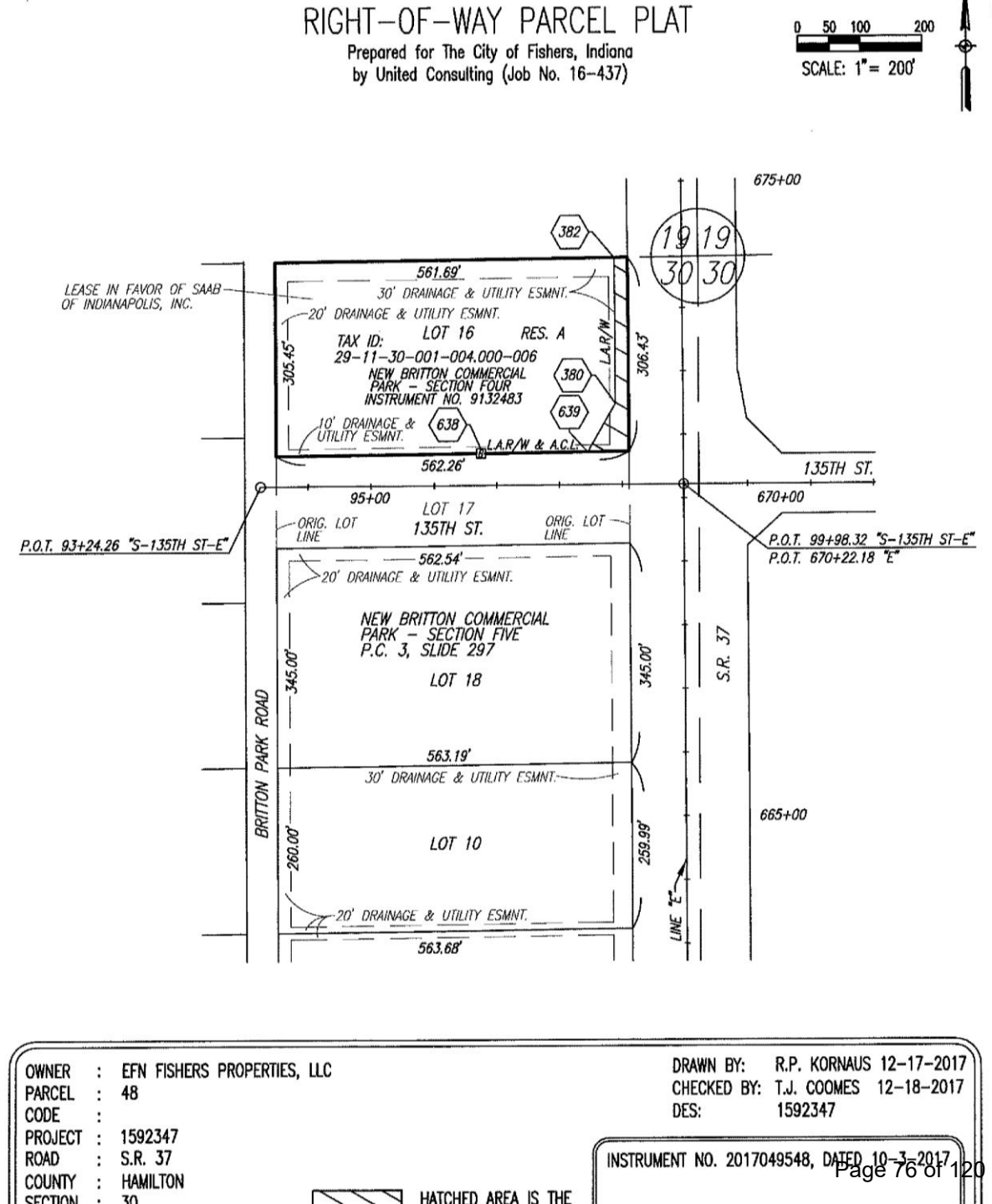
Napleton's KIA of Fishers
13417 BRITTON PARK RD

Variance Request:

Consideration of a Development Standards Variance from Section 6.17.6 of the City's Unified Development Ordinance (UDO) to allow for an increase in height maximum of a free-standing ground sign from ten (10) feet to twenty (20) feet.

Napleton's request for new signage arises out of the eminent domain action the City of Fishers filed against Napleton in order to acquire land to accommodate the transportation project along SR 37.

Napleton was forced to remove its prior monument sign as part of the eminent domain action.



As can be seen from these photos taken directly from the eminent domain packet prepared by the City of Fishers, the entire southeast corner of the dealership was acquired by the city.



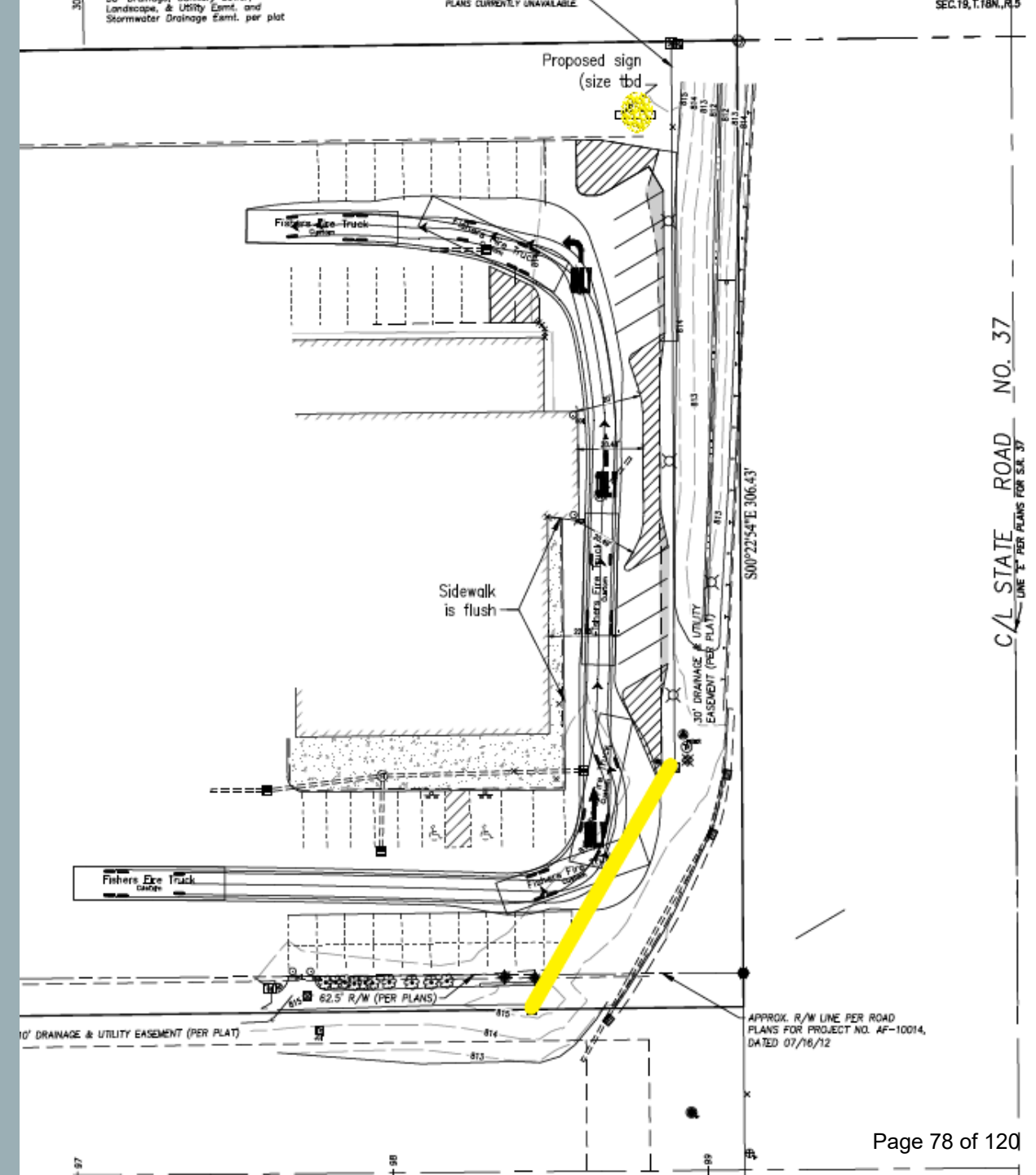
VIEW NORTHWEST OF AUTO DEALERSHIP – SIGN AND LIGHT IN TAKE



VIEW SOUTHEAST OF SOUTHEAST CORNER – SIGN AND LIGHT IN TAKE

With no land area left at the southeast corner of the dealership, Napleton is forced to move the monument sign to the northeast corner.

This move will cause visibility issues which is why Napleton is requesting a variance from the 10' standard to 20'.



Prior access

vs.

Future access



Customers had access to dealership from all directions.



Now, if approaching from the south, customers have to exit $\frac{1}{2}$ mile prior or $\frac{1}{2}$ mile subsequent and find their way back.

If approaching from the north, a car is traveling at 80 feet/second and could easily miss the turnoff.

KIA FISHERS SIGNAGE STUDY

10' SIGNAGE



20' SIGNAGE



10' sign

vs.

20' sign

North Street View



South Street View



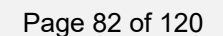
North Street View



South Street View



Napleton is choosing a monument sign on the shorter end of manufacturer requirements.



THANK YOU FOR YOUR
CONSIDERATION



Board of Zoning Appeals Staff Report

Meeting Date: March 22, 2023

DEPARTMENT CONTACT:

Tyler Folk, Planner
folkt@fishers.in.us

CASE NUMBER:

VA-23-7 and VA-23-8

PETITIONER:

Dan Elliott, on behalf of the property owners

PROPERTY ADDRESS/LOCATION:

10606 Brooks School Road, Fishers, IN 46037

REQUEST: Consideration of two Development Standards Variances to allow an accessory structure's maximum height to be 31' instead of 18' and to allow a side setback of 14' instead of 30'7", and consideration of a Land Use Variance to allow a second dwelling unit detached from the primary structure on the lot.

APPLICABLE REGULATIONS:

Sec. 6.2.2 and Sec. 5.1.5 of the City's Unified Development Ordinance (UDO)

EXISTING ZONING:

R2 Residential District

FISHERS 2040:

Estate Residential

LOT SIZE: 5 acres

LOCATION MAP



STAFF RECOMMENDATION

☐ Approve

☐ Continue

☐ Deny

☒ No Recommendation

ZONING HISTORY:

An Accessory Structure Permit was applied for in February of 2023 for a new accessory structure, featuring garages on the first floor and dwelling units on the floor above. During review, staff determined the proposed structure was exceeding the maximum accessory structure height, not meeting the side setback standards, and proposing accessory dwelling units inside. Variances regarding these three matters were applied for in February of 2023.

SURROUNDING LAND USE & ZONING:

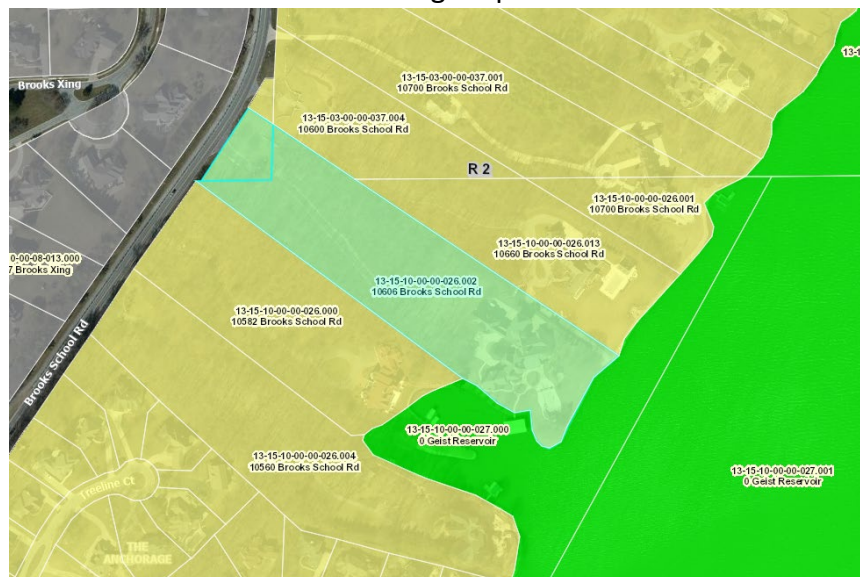
North and South: R2 Residential District

East: OS Open Space (Geist Reservoir)

West: PUD (Hamilton Proper)

The subject site is located on Geist Reservoir, with the adjacent properties being zoned the same – R2 Residential District – and the properties in the development across Brooks School Road being part of the Hamilton Proper PUD.

Zoning Map



SUMMARY OF PUBLIC COMMENTS:

No public comments regarding these Variances have been received.

PETITION OVERVIEW:

Summary of Request

The petitioner is requesting two Development Standards Variances to allow an accessory structure's maximum height to be 31' instead of 18' and to allow a side setback of 14' instead of 30'7". They are also requesting Land Use Variance to allow a second dwelling unit detached from the primary structure on the lot.

Fishers 2040

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

Fishers 2040 Future Land Use Map



STAFF RECOMMENDATION:

Staff has no recommendation for the Board.

STAFF RECOMMENDATION

☐ Approve ☐ Continue ☐ Deny ☒ No Recommendation



Board of Zoning Appeals Staff Report

Meeting Date: March 22, 2023

DEPARTMENT CONTACT:

Megan Vukusich, Director
vukusichm@fishers.in.us

CASE NUMBER:

VA-23-7 and VA-23-8

PETITIONER:

Dan Elliott, on behalf of the property owners

PROPERTY ADDRESS/LOCATION:

10606 Brooks School Road, Fishers, IN 46037

REQUEST: Consideration of two Development Standards Variances to allow an accessory structure's maximum height to be 31' instead of 18' and to allow a side setback of 14' instead of 30'7", and consideration of a Land Use Variance to allow a second dwelling unit detached from the primary structure on the lot.

APPLICABLE REGULATIONS:

Sec. 6.2.2 and Sec. 5.1.5 of the City's Unified Development Ordinance (UDO)

EXISTING ZONING:

R2 Residential District

FISHERS 2040:

Estate Residential

LOT SIZE: 5 acres

LOCATION MAP



STAFF RECOMMENDATION

☒ Approve

☐ Continue

☐ Deny

☐ No Recommendation

ZONING HISTORY:

An Accessory Structure Permit was applied for in February of 2023 for a new accessory structure, featuring garages on the first floor and dwelling units on the floor above. During review, staff determined the proposed structure was exceeding the maximum accessory structure height, not meeting the side setback standards, and proposing accessory dwelling units inside. Variances regarding these three matters were applied for in February of 2023.

SURROUNDING LAND USE & ZONING:

North and South: R2 Residential District

East: OS Open Space (Geist Reservoir)

West: PUD (Hamilton Proper)

The subject site is located on Geist Reservoir, with the adjacent properties being zoned the same – R2 Residential District – and the properties in the development across Brooks School Road being part of the Hamilton Proper PUD.

Zoning Map



SUMMARY OF PUBLIC COMMENTS:

No public comments regarding these Variances have been received.

PETITION OVERVIEW:

Summary of Request

The petitioner is requesting two Development Standards Variances to allow an accessory structure's maximum height to be 31' instead of 18' and to allow a side setback of 14' instead of 30'7". They are also requesting Land Use Variance to allow a second dwelling unit detached from the primary structure on the lot.

Fishers 2040

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

Fishers 2040 Future Land Use Map

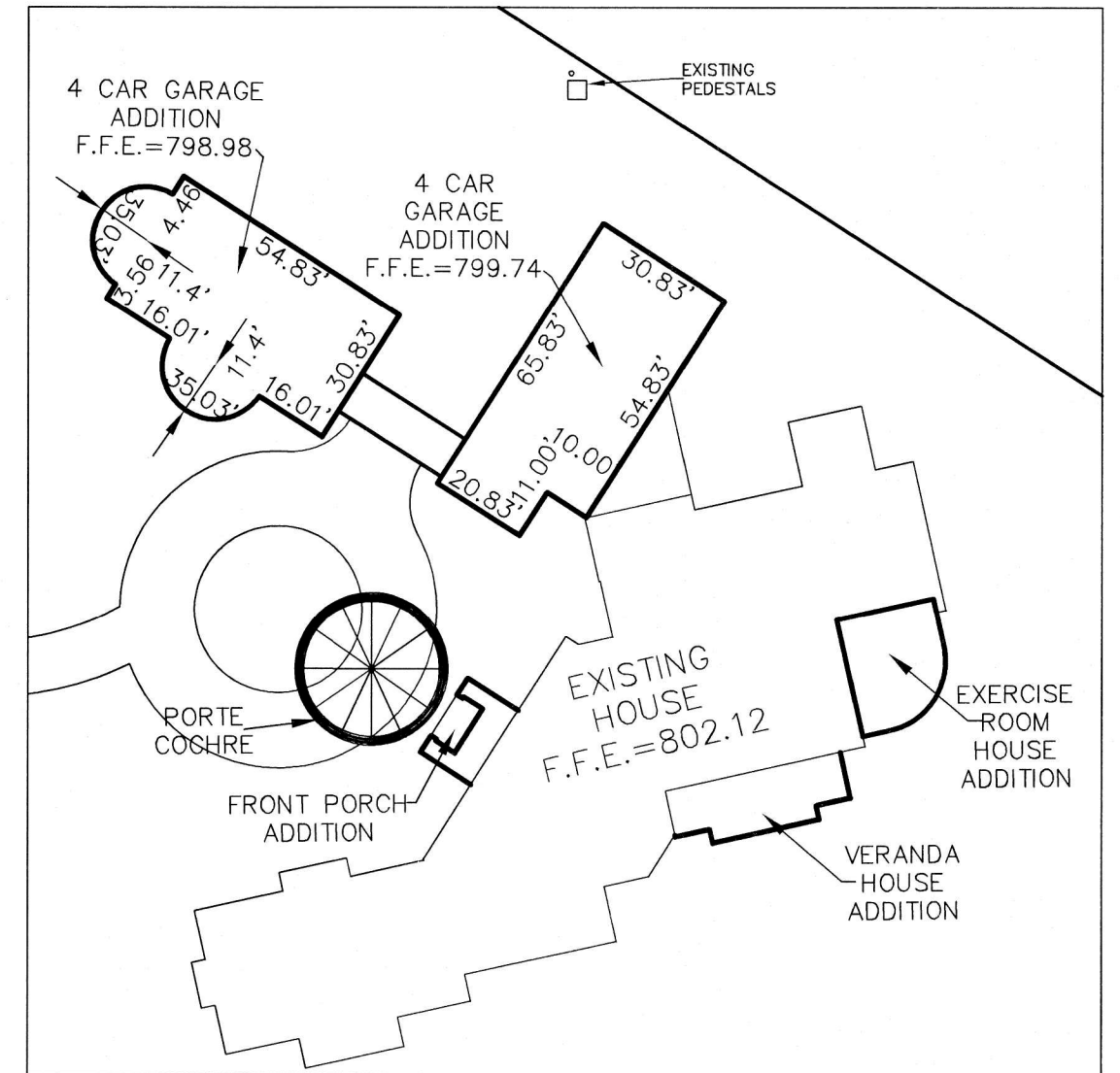
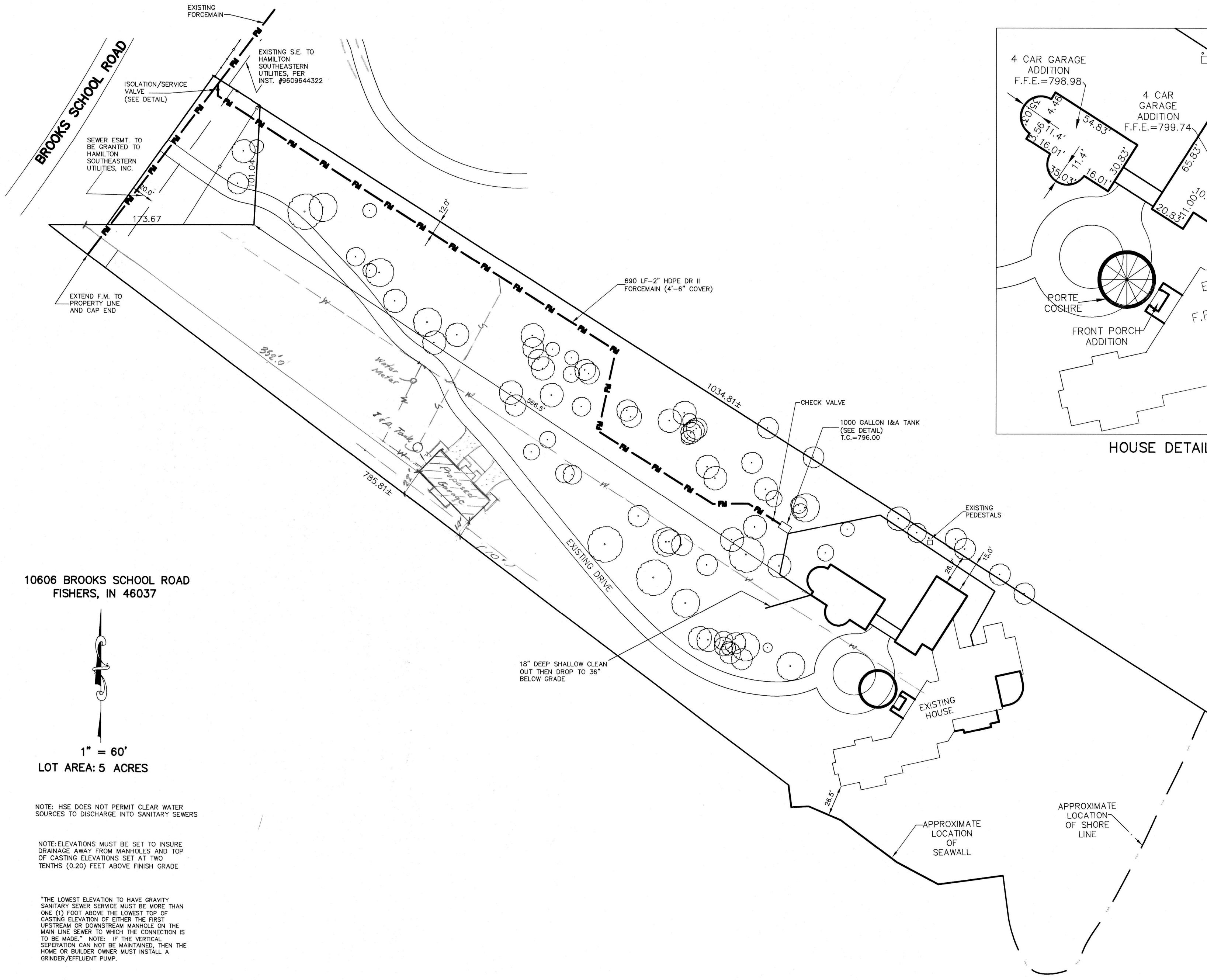


STAFF RECOMMENDATION:

Staff recommends approval.

STAFF RECOMMENDATION

☒ Approve ☐ Continue ☐ Deny ☐ No Recommendation



HOUSE DETAIL: 1"=40'

10606 BROOKS SCHOOL ROAD
FISHERS, IN 46037



1" = 60'
LOT AREA: 5 ACRES

NOTE: HSE DOES NOT PERMIT CLEAR WATER SOURCES TO DISCHARGE INTO SANITARY SEWERS

NOTE: ELEVATIONS MUST BE SET TO INSURE DRAINAGE AWAY FROM MANHOLES AND TOP OF CASTING ELEVATIONS SET AT TWO TENTHS (0.20) FEET ABOVE FINISH GRADE

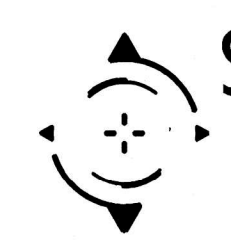
*THE LOWEST ELEVATION TO HAVE GRAVITY SANITARY SEWER SERVICE MUST BE MORE THAN ONE (1) FOOT ABOVE THE LOWEST TOP OF CASTING ELEVATION OF EITHER THE FIRST UPSTREAM OR DOWNSTREAM MANHOLE ON THE MAIN LINE SEWER TO WHICH THE CONNECTION IS TO BE MADE. NOTE: IF THE VERTICAL SEPERATION CAN NOT BE MAINTAINED, THEN THE HOME OR BUILDER OWNER MUST INSTALL A GRINDER/EFFLUENT PUMP.



NOTE: THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY, A ROUTE SURVEY OR A SURVEYOR LOCATION REPORT.

David J. Stoepfelwerth

JOB NO. 78950	OF 1 SHEETS	SHEET NO. 1	10606 BROOKS SCHOOL ROAD	
			PREPARED FOR:	
			PALLADIUM GROUP	
			HAMILTON COUNTY	INDIANA



STOEPPELWERTH
ALWAYS ON

7965 East 106th Street, Fishers, IN 46038-2505
phone: 317.849.5935 fax: 317.849.5942

DWN. BY	LAF				
CK. BY					
SCALE	1"=60'	03/17/18	3RD REV	ADD CLEAN OUT	HRC
DATE	04/12/17	10/30/17	2ND REV	ADD ESMT. & REMOVE CON. TO HSE.	JDS
		09/26/17	1ST REV	ADD I&A TANK & F.F.E.	JDS
DATE	04/12/17	DATE	MARK	REVISIONS	BY



MR. & MRS. MICHAEL ANDRETTI

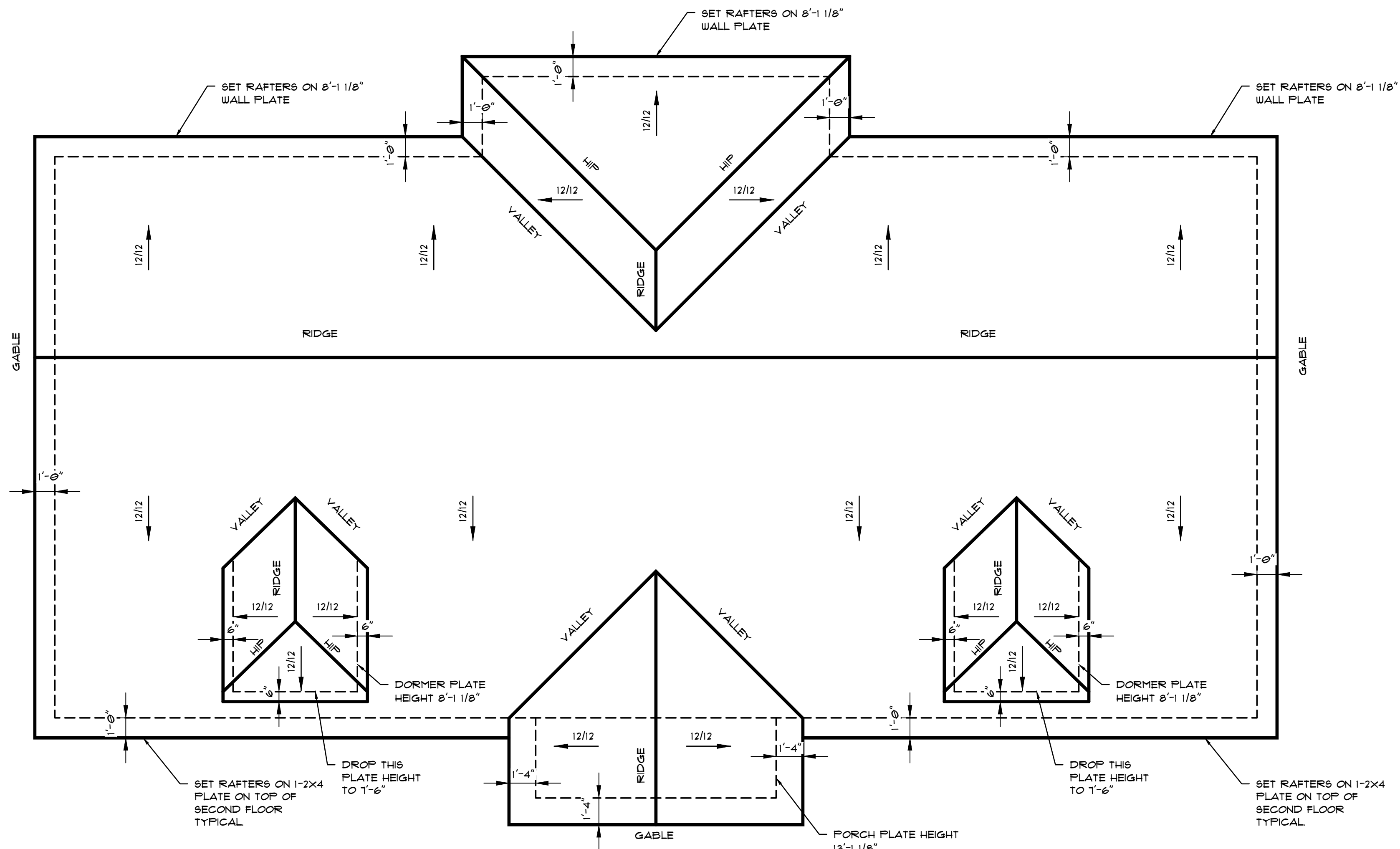


2520 Durbin Drive
Carmel, Indiana 46032
317-733-8525
hsark@sarkassociates.com

Sheet No.

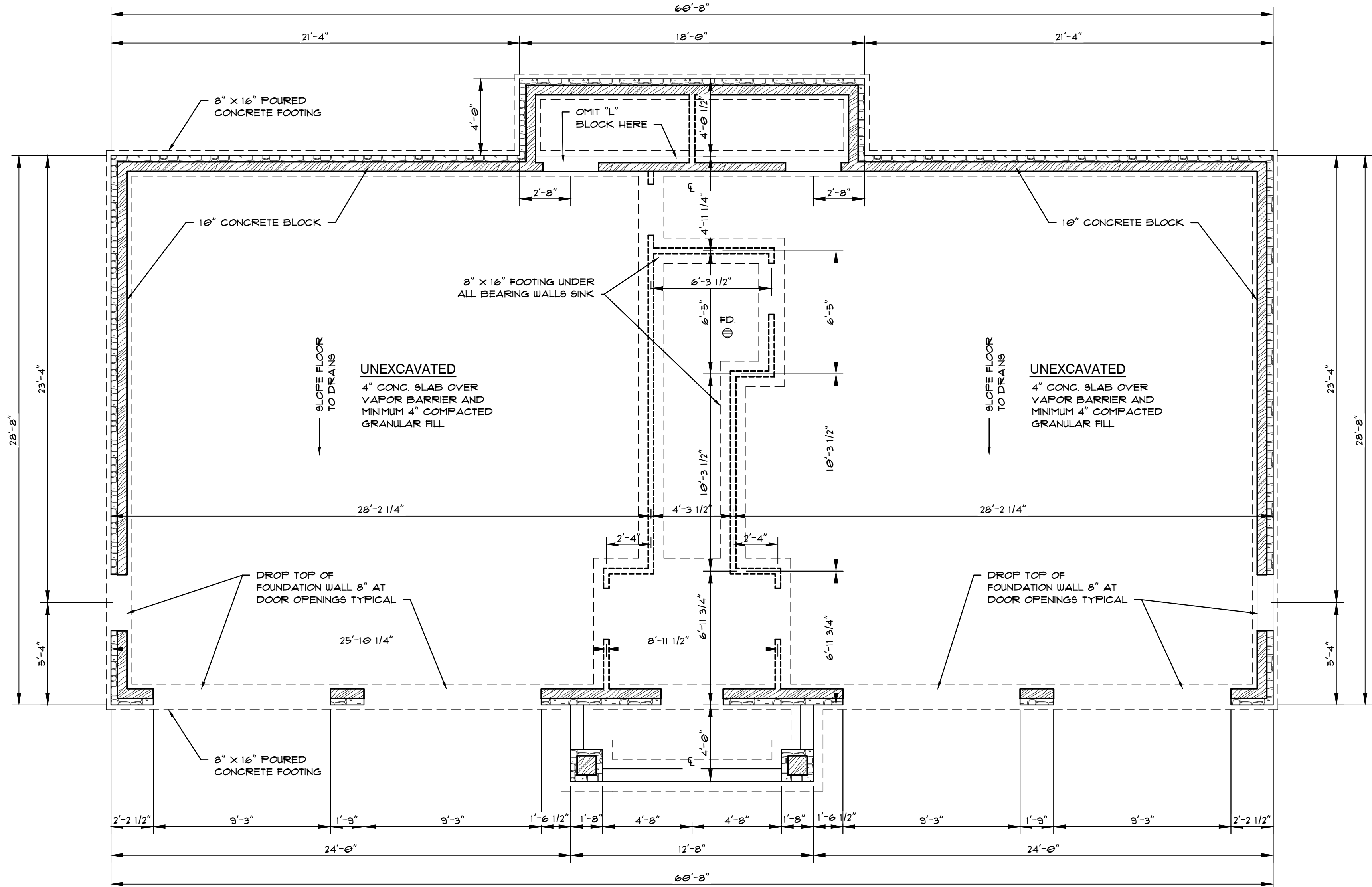
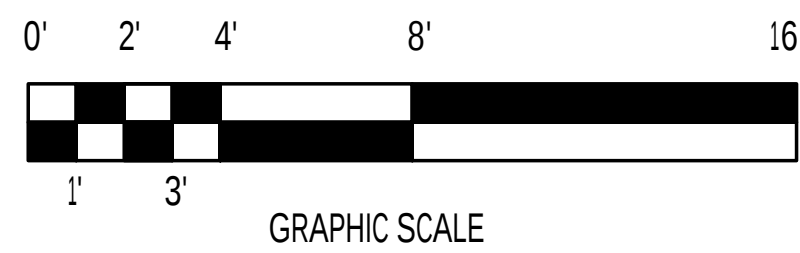
A-1.0





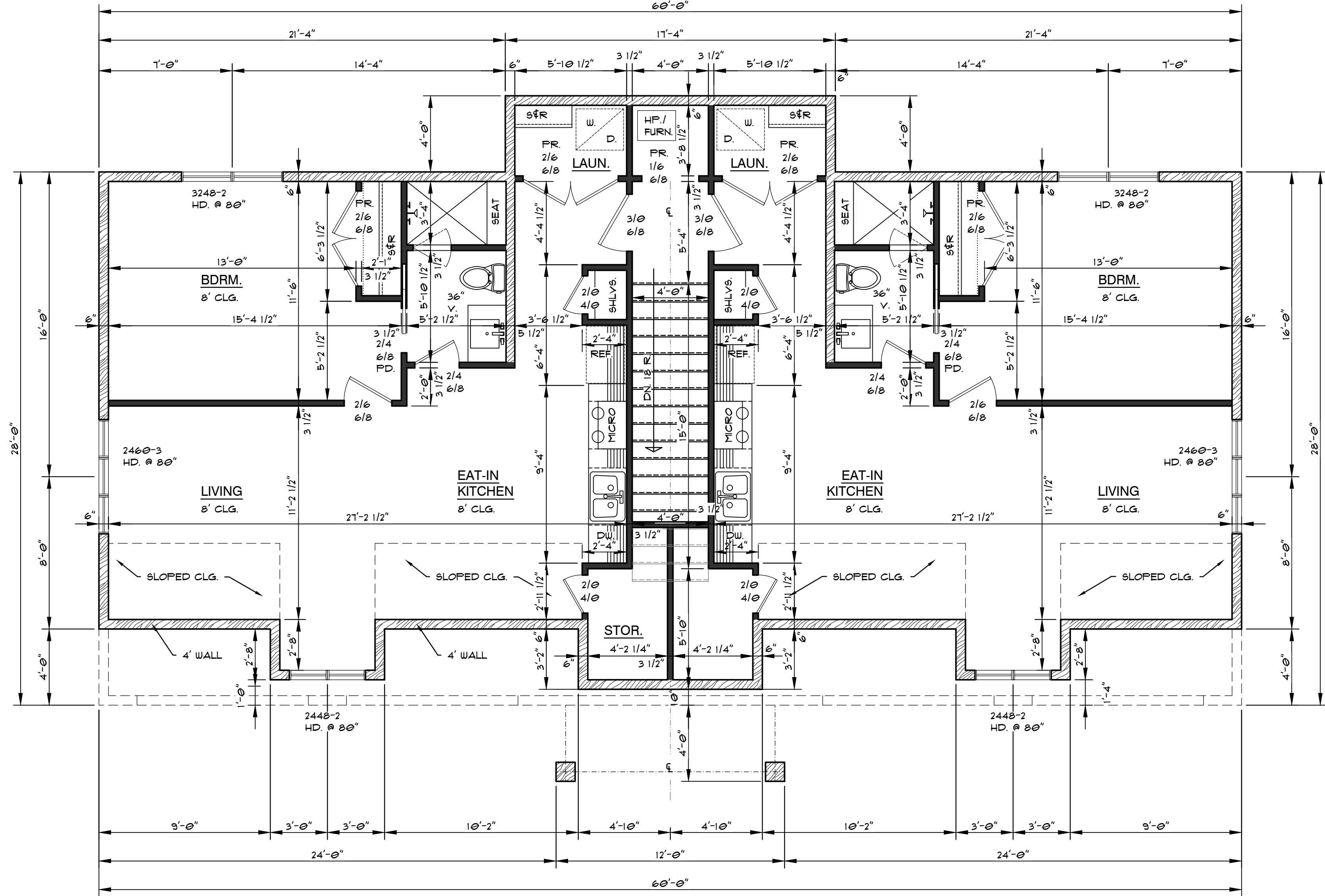
ROOF PLAN

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



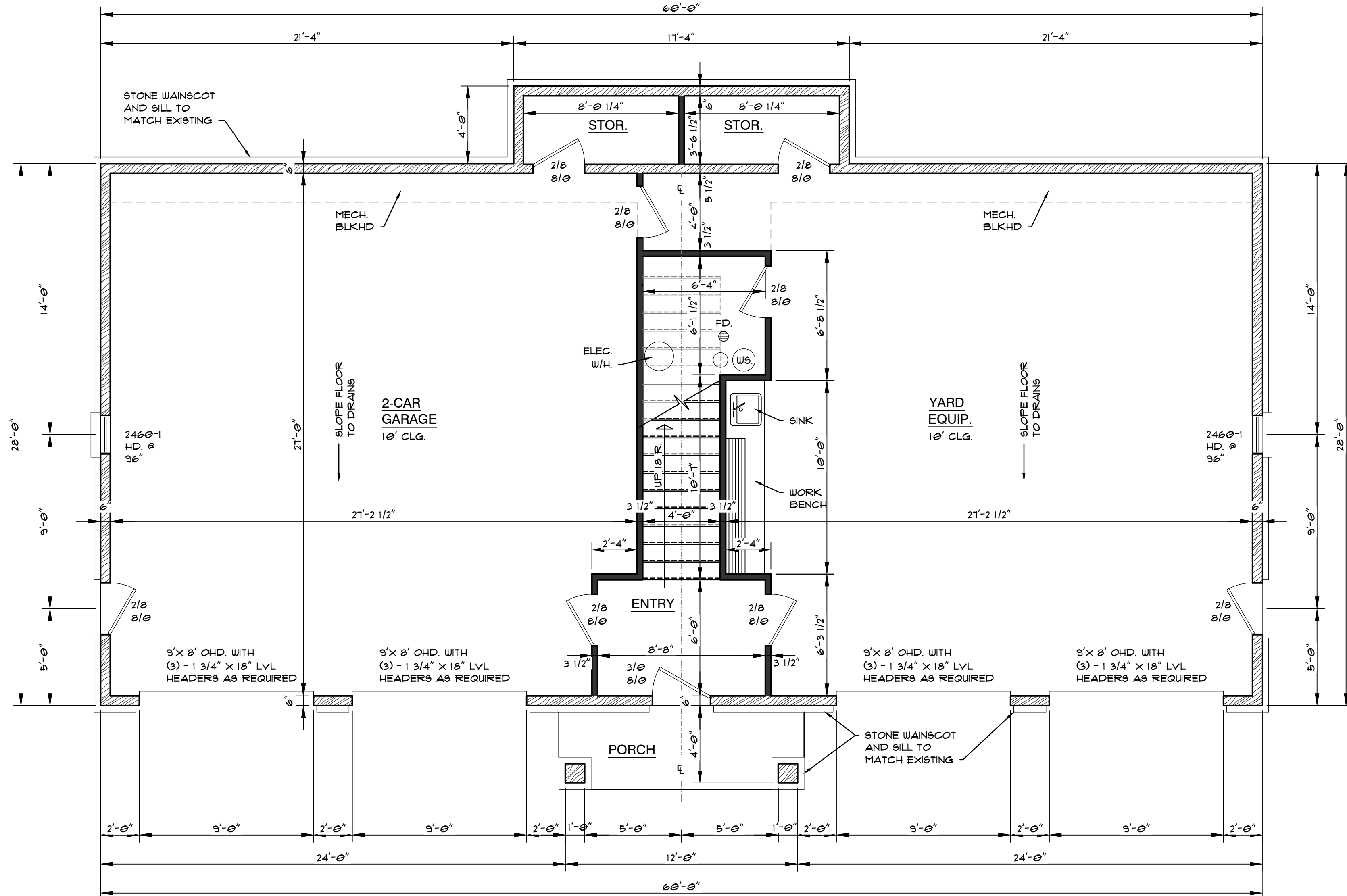
FOUNDATION PLAN

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



SECOND FLOOR PLAN

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



FIRST FLOOR PLAN

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



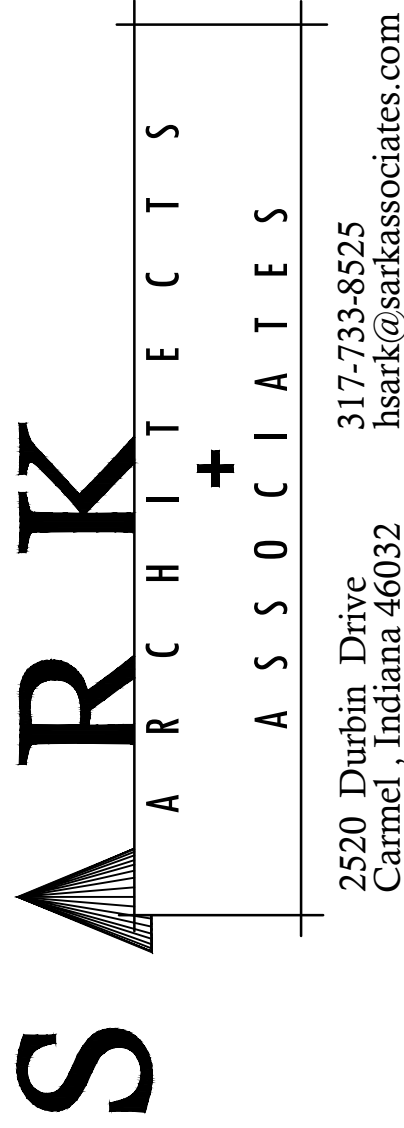
Office: (317) 848-9138
Pager: (317) 465-2530
6751 CLARA ST.
INDIANAPOLIS, IN 46250

Dan Elliott

A New Garage for:

MR. & MRS. MICHAEL ANDRETTI

10606 Brooks School Road
Fishers, IN 46037



Sheet Title
FOUNDATION /
FIRST / SECOND
AND ROOF PLANS

Project No: 2023-0125
Date: 01-28-2023

REVISIONS

Sheet No.

A-2.0



Board of Zoning Appeals Staff Report

Meeting Date: March 22, 2023

DEPARTMENT CONTACT:

Tyler Folk, Planner

folkt@fishers.in.us

CASE NUMBER:

VA-23-9

PETITIONER:

Terri Dunville, on behalf of the property owners

PROPERTY ADDRESS/LOCATION:

13535 Haven Cove Lane, Fishers, IN 46055

REQUEST: Consideration of a Development Standards Variances to allow the lot's maximum impervious surface coverage to be 50% instead of 35%.

APPLICABLE REGULATIONS:	EXISTING ZONING:	FISHERS 2040:
Sec. 3.2.3 of the City's Unified Development Ordinance (UDO)	Marina PUD	Suburban Residential

LOT SIZE: 0.44 acres

LOCATION MAP



STAFF RECOMMENDATION

☐ Approve

☐ Continue

☐ Deny

☒ No Recommendation

ZONING HISTORY:

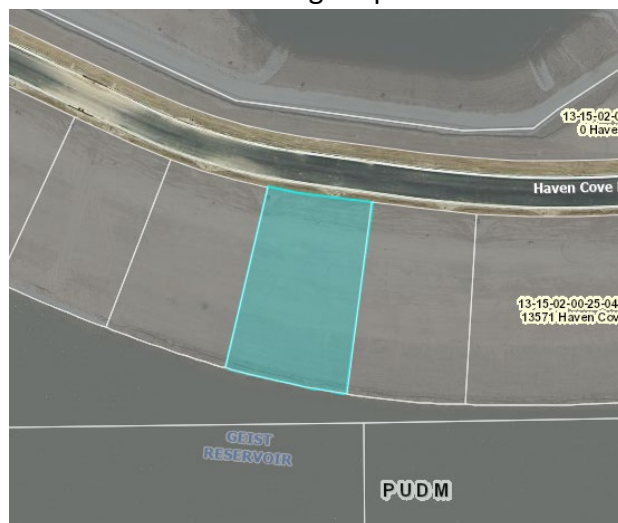
Terri Dunville reached out to the City of Fishers in early February of 2023 to ask about filing a Variance for impervious coverage on a lot in Springs of Cambridge. Staff recommended she apply for a Residential Building Permit first, so a full review could be conducted to confirm a Variance would be necessary and to ensure no other Variances would be required. The Residential Building Permit was applied for in February of 2023 for a new single-family home on the subject lot. During review, staff determined the proposed plans for the new home put the lot at 37% impervious coverage, and plans including a future pool put the lot at 44% impervious coverage. A Variance regarding this matter was applied for in February of 2023.

SURROUNDING LAND USE & ZONING:

North, South, East, and West: Marina PUD

The subject site is located on Geist Reservoir, within and surrounded by the Marina PUD.

Zoning Map



SUMMARY OF PUBLIC COMMENTS:

No public comments regarding this Variance have been received.

PETITION OVERVIEW:

Summary of Request

The petitioner is requesting a Development Standards Variances to allow the lot's maximum impervious surface coverage to be 50% instead of 35%.

Fishers 2040

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

Fishers 2040 Future Land Use Map

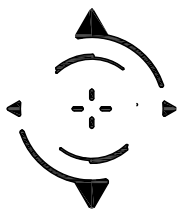


STAFF RECOMMENDATION:

Staff has no recommendation for the Board.

STAFF RECOMMENDATION

☐ Approve ☐ Continue ☐ Deny ☒ No Recommendation



STOEPPELWERTH

ALWAYS ON

7965 East 106th Street, Fishers, IN 46038-2505

phone: 317.849.5935 fax: 317.849.5942

(PIN)

NOTE: THIS PROPOSED HOUSE HAS LITTLE TO NO TOLERANCE RELATED TO SETBACK REQUIREMENTS. THE POURED FOUNDATION MUST BE PINNED BY STOEPPELWERTH & ASSOCIATES (S&A) PRIOR TO INSTALLATION AND/OR CONSTRUCTION OF ANY CONCRETE OR FRAMED WALLS IN ORDER TO ASSURE ITS PROPER LOCATION. S&A WILL ASSUME NO LIABILITY SHOULD THE BUILDER FAIL TO SCHEDULE SUCH A PINNING WITHIN OUR STANDARD AND AGREED UPON LEAD TIMES.

JOB ID SPC12.486

CONTROL# 105873 DUNV

13535 HAVEN COVE LANE
MCCORDSVILLE, IN 46055

1" = 30'

LOT AREA: 19,048 Sq. Ft.

B.F.E.=787.96

F.F.E.=796.75

M.L.A.G.=790.46

M.F.L.G.=796.59

APPROXIMATE LIMITS OF ZONE "A" AS
SCALED FROM FLOOD INSURANCE RATE
MAP COMMUNITY PANEL NO. 180423
0258 G, DATED NOVEMBER 19, 2014

GEIST RESERVOIR
N.P. ELEV.=784.56
100 YEAR ELEV.=787.96

NOTE:

- THE LOWEST ELEVATION TO HAVE GRAVITY SANITARY SEWER SERVICE MUST BE MORE THAN ONE (1) FOOT ABOVE THE LOWEST TOP OF CASTING ELEVATION OF EITHER THE FIRST UPSTREAM OR DOWNSTREAM MANHOLE ON THE MAIN LINE SEWER TO WHICH THE CONNECTION IS TO BE MADE. (NOTE: IF THE VERTICAL SEPARATION CAN NOT BE MAINTAINED, THEN THE HOME OR BUILDER OWNER MUST INSTALL A GRINDER/EFFLUENT PUMP.)
- CLEAR WATER SOURCES ARE NOT PERMITTED TO DISCHARGE INTO SANITARY SEWERS.
- BUILDER/DEVELOPER MUST MAINTAIN POSITIVE FLOW AWAY FROM THE SANITARY STRUCTURE.
- UNLESS APPROVED OTHERWISE, FINAL PAD ELEVATIONS FOR LOTS IN THIS DEVELOPMENT CANNOT EXCEED THOSE SHOWN HEREON BY MORE THAN FIVE TENTHS (0.50) OF A FOOT.
- UNLESS APPROVED OTHERWISE, THE FINISHED FLOOR ELEVATION ON A PLOT PLAN FOR A LOT IN THIS DEVELOPMENT CANNOT EXCEED THE CORRESPONDING MINIMUM FINISH FLOOR ELEVATION(MFFE) SHOWN HEREON BY MORE THAN FIVE TENTHS (0.50) FOOT.
- A 10' SEPARATION BETWEEN SANITARY AND WATER LATERALS AND MAINS MUST BE MAINTAINED.
- ELEVATIONS MUST BE SET TO ENSURE DRAINAGE AWAY FROM SANITARY MANHOLES AND TOP OF CASTING ELEVATIONS SET AT TWO TENTHS (0.20) FEET ABOVE FINISH GRADE

LEGEND:

- XX.X PROPOSED GRADE PER PLAN
XX.XAB AS BUILT GRADE
S.S.D. SUB-SURFACE DRAIN
ASL SANITARY SEWER
6" AS BUILT SANITARY LATERAL
PSL 6" PROPOSED SANITARY LATERAL
W STORM SEWER
W 3/4" WATER CONNECTION
W WATER MAIN
SW SWALE



STREET TREE



SANITARY MANHOLE



STORM MANHOLE



CURB INLET



FIRE HYDRANT

S.D.&U.E.

SEWER, DRAINAGE & UTILITY
EASEMENT

B.S.L.

BUILDING SETBACK LINE

M.F.L.G.

MINIMUM FLOOR GRADE

M.P.G.

MINIMUM PAD GRADE

B.F.E.

BASE FLOOD ELEVATION

F.F.E.

FINISHED FLOOR GRADE

C.O.

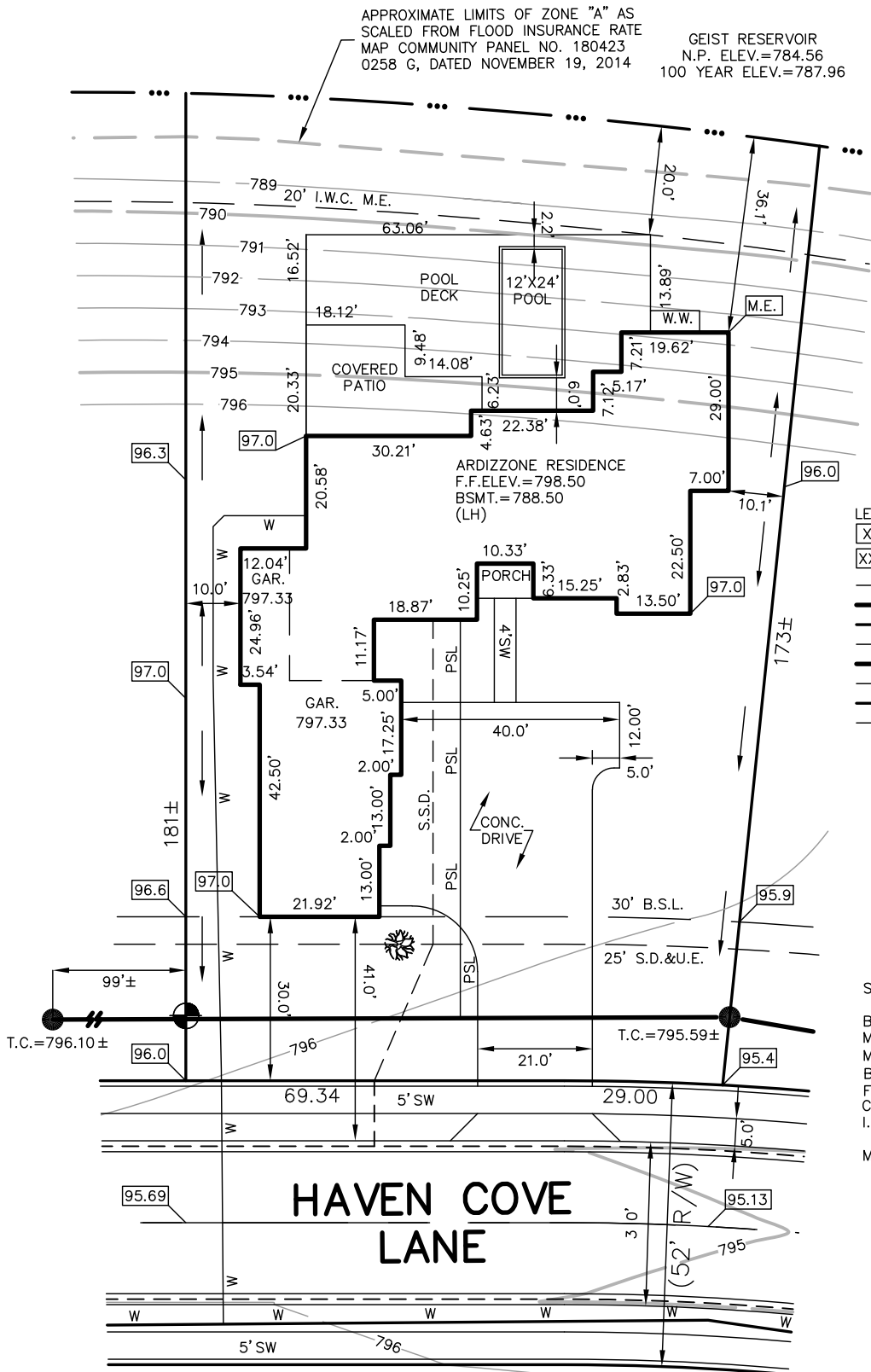
CLEAN OUT

I.W.C.M.E.

INDIANAPOLIS WATER COMPANY
MAINTENANCE EASEMENT

M.E.

MATCH EXISTING



BENCHMARK

TOP OF CURB=795.69

IMPERVIOUS AREA=8,319

LOT COVERAGE=43.7%

LOT COVERAGE

HOUSE: 4,268 ± Sq. Ft.
PORCH: 65 ± Sq. Ft.
PRIVATE WALK: 76 ± Sq. Ft.
DRIVE TO R/W: 2,140 ± Sq. Ft.
COVERED PATIO: 512 ± Sq. Ft.
POOL DECK: 1,258 ± Sq. Ft.
TOTAL: 8,319 ± Sq. Ft.

LOT 486

THE SPRINGS OF CAMBRIDGE
SECTION 12

INST. #2021069526

P.C. #6, SLD. #159

ZONING: PUD

10' MINIMUM SIDE YARD
20' MINIMUM REAR YARD
PREPARED FOR DUNVILLE & ASSOCIATES

ALL UNDERGROUND SEWERS AND UTILITIES
SHOWN ARE PLOTTED BY SCALE FROM
DESIGN PLANS FURNISHED BY ENGINEER
THE ACTUAL FIELD LOCATION MAY VARY.

David J. Stoeppelwerth

NOTE: THIS DRAWING IS FOR PERMITTING PURPOSES ONLY AND NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT SURVEY, ORIGINAL SURVEY, ROUTE SURVEY, LOT SURVEY OR A SURVEYOR LOCATION REPORT OR ANY OTHER TYPE OF PROPERTY BOUNDARY ASSESSMENT. NO BOUNDARY CORNERS HAVE BEEN SET AND THEREFORE NO LIABILITY WILL BE ASSUMED FOR ANY USE OF THIS DATA FOR CONSTRUCTION OF NEW IMPROVEMENTS INCLUDING FENCES.

2ND REV ADJ HSE GRADES

02/06/23 HRC

1ST REV MVE HSE, REV POOL & DECK

01/27/23 HRC

01/13/23 CEJ





Board of Zoning Appeals Staff Report

Meeting Date: March 22, 2023

DEPARTMENT CONTACT:

Tyler Folk, Planner

folkt@fishers.in.us

CASE NUMBER:

VA-23-10

PETITIONER:

Troy Terew, on behalf of the property owners

PROPERTY ADDRESS/LOCATION:

10640 Geist View Drive, Fishers, IN 46055

REQUEST: Consideration of a Development Standards Variances to allow the lot's maximum impervious surface coverage to be 55% instead of 35%.

APPLICABLE REGULATIONS:

Sec. 3.2.3 of the City's Unified Development Ordinance (UDO)

EXISTING ZONING:

Marina PUD

FISHERS 2040:

Suburban Residential

LOT SIZE: 0.36 acres

LOCATION MAP



STAFF RECOMMENDATION

☐ Approve

☐ Continue

☐ Deny

☒ No Recommendation

ZONING HISTORY:

A Residential Building Permit was applied for in May of 2022 for a new single-family home on the subject lot. A Swimming Pool & Spa New Construction/Remodel Permit was applied for in January of 2023, where staff determined the proposed impervious surface coverage of the lot would be around 39%. Troy Terew reached out to staff in late January of 2023 to say he would be applying for a Variance on behalf of the property owners for the pool and a driveway extension that would put the lot at 49% impervious coverage. The request is for 55% to accommodate a future accessible route to Geist Reservoir, in hopes of avoiding a secondary Variance for the property. The Variance was applied for the February of 2023.

SURROUNDING LAND USE & ZONING:

North, East, and West: Marina PUD

South: R2 Residential District

The subject site is located on Geist Reservoir, within the Marina PUD. The adjacent properties are zoned Marina PUD or R2 Residential District.

Zoning Map



SUMMARY OF PUBLIC COMMENTS:

No public comments regarding this Variance have been received.

PETITION OVERVIEW:

Summary of Request

The petitioner is requesting a Development Standards Variance to allow the lot's maximum impervious surface coverage to be 55% instead of 35%.

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 the Board.

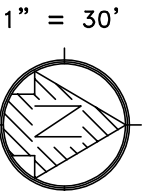
STAFF RECOMMENDATION

☐ Approve ☐ Continue ☐ Deny ☒ No Recommendation

THE SPRINGS OF CAMBRIDGE

INST.#2021069526
LOT #500 – SECTION 12
CITY OF FISHERS, INDIANA
10640 GEIST VIEW DRIVE

LOT SIZE: 0.36± AC.
IMPERVIOUS LOT COVERAGE SHOWN: 49.2%
PROPOSED VARIANCE: 55% FOR FUTURE ACCESSIBLE ROUTE TO LAKE
LOT COVERAGE:



POOL EXHIBIT
PREPARED FOR
JASON LOSEE

BASE FLOOD ELEVATION DATA:

THE BASE FLOOD ELEVATION IS 787.97' (NAVD 88) PER PLAT OF RECORD, SPRINGS OF CAMBRIDGE, SECTION 10, RECORDED 05/05/2008.

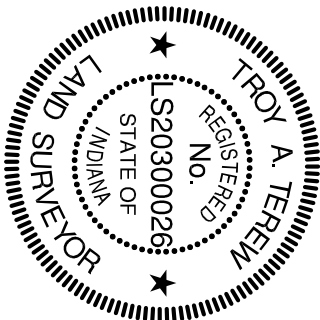
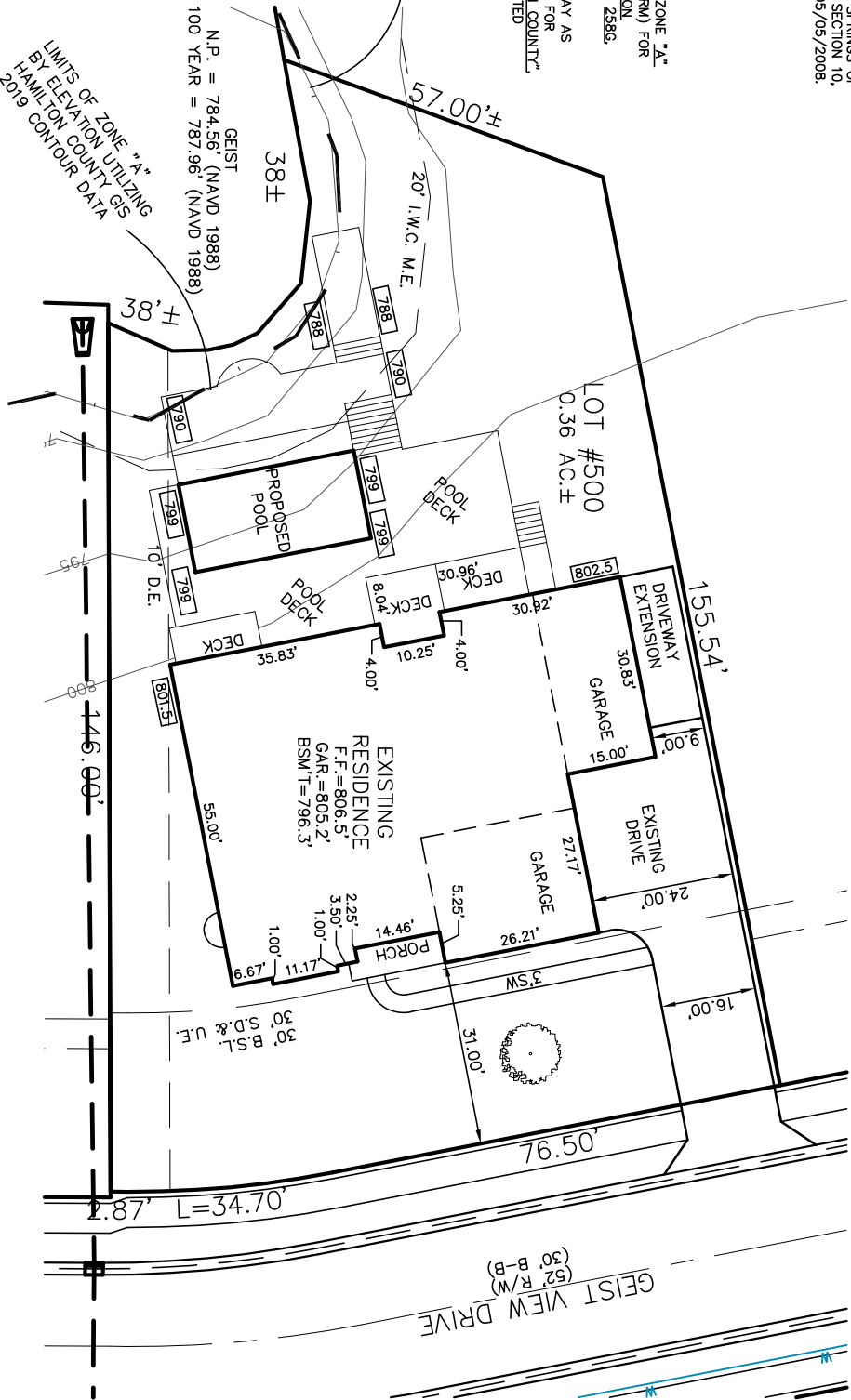
FLOOD PROTECTION GRADE NOTE:
DUE TO THE PROXIMITY OF A SFHA 100-YEAR FLOOD PLAIN, WITH A BASE FLOOD ELEVATION OF 787.96', THE FLOOD PROTECTION GRADE FOR THIS RESIDENCE IS 788.96'. ALL DIRECT OPENINGS OR TOP OF PROTECTIVE WATERIGHT WINDOW OR WALKOUT ENCLOSURES MUST BE AT OR ABOVE THE FLOOD PROTECTION GRADE.

FLOOD PLAN DATA:

A PART OF THIS LOT LIES ENTIRELY IN FLOOD HAZARD ZONE "A" AS SCALED FROM THE FLOOD INSURANCE RATE MAP (FIRM) FOR HAMILTON COUNTY, INDIANA, COMMUNITY NAME: "HAMILTON COUNTY", COMMUNITY NUMBER, 18052C, PANEL NUMBER 258G, DATED NOVEMBER 19, 2014.

NO PORTION OF THIS LOT IS AFFECTED BY THE FLOODWAY AS SCALED FROM THE FLOOD INSURANCE RATE MAP (FIRM) FOR MARION COUNTY, INDIANA, COMMUNITY NAME: "HAMILTON COUNTY", COMMUNITY NUMBER, 18052C, PANEL NUMBER 258G, DATED NOVEMBER 19, 2014.

FLOOD HAZARD ZONE "A" AS SCALED FROM THE FLOOD INSURANCE RATE MAP (FIRM) FOR HAMILTON COUNTY, INDIANA, COMMUNITY NAME: "HAMILTON COUNTY", COMMUNITY NUMBER, 18008G, PANEL NUMBER 258G, DATED NOVEMBER 19, 2014.



POOL NOTE

- (1) ALL UTILITY BOXES AND OTHER NON-FLOODPROOFED UTILITIES ASSOCIATED WITH THE POOL MUST BE ELEVATED 2- FEET ABOVE THE NOTED FLOODPLAIN ELEVATION OF 787.97'

- (2) POOL EXCAVATION MATERIALS ARE TO BE HAULED OFF SITE AND PROPERLY DISPOSED OFF.



LAND DEVELOPMENT CONSULTING & LAND SURVEYING SERVICES
11650 Ohio Road, Suite#1000-289
Fishers, Indiana 46037
Phone: (317)-841-8754
Fax: (317)-841-8762
E-mail: Troy@Trenorthindy.com

DRWN: TAT
JOB#: 23-072
DATE: 02/03/23
REV.:
ZONED: PUD-M (MARINA PUD)
SIDEYARD: 10'MIN
REAR: 20' MIN OR ELEV=787.96
LOT COVERAGE: 35% MAX.

SCALE: 1" = 30'
DOCUMENT SIZE: 8.5"x14"
F.F.E. HSE: 795.2'
F.F.E. GAR: 793.2'
F.F.E. BSM'T: 785.2'

Handwritten signature of Troy A. Terew.



Board of Zoning Appeals Staff Report

Meeting Date: March 22, 2023

DEPARTMENT CONTACT:

Ross Hilleary (hillearyr@fishers.in.us)

CASE NUMBER:

VA-23-11

PETITIONER:

Aaron Pearlman
(pearlmanfamily4@gmail.com)

PROPERTY ADDRESS/LOCATION:

11110 Lantern Road, Unit 110
Fishers, IN 46038

REQUEST: Consideration of a Development Standards Variance from Figure 1.3 Supplemental Regulation of the Nickel Plate District Code (NPDC) to allow for outdoor dining in the VC - Village Center.

APPLICABLE REGULATIONS:

Nickel Plate District Code Fig. 1.3 Supplemental Regulation

EXISTING ZONING:

VC – Village Center
[Nickel Plate District Code](#)

FISHERS 2040:

Neighborhood Mixed Use (M.U.)
(Developed Multi-Family / M.U.)

LOT SIZE: 3.69 Acres

LOCATION MAP



ZONING HISTORY:

This property was rezoned to VC – Village Center in April 2016 with Ord. No. 041816F, an amendment to the Nickel Plate District Code expanding the Village Center to its current location. The

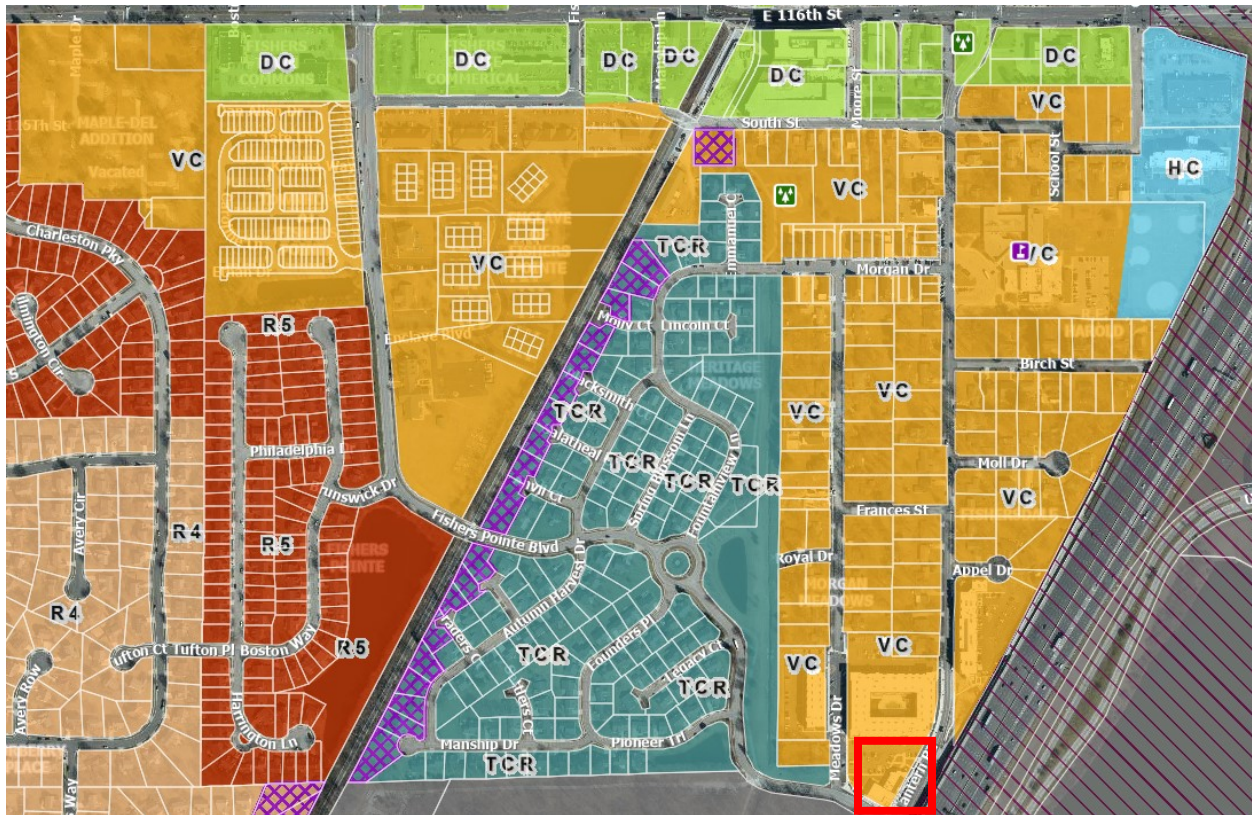
Meeting Date: March 22, 2023

Case Number: VA-23-11

Nickel Plate District Code was developed to create the downtown envisioned by the Downtown 2030 Master Plan. The Code is form-based, which means that the design of the structure and the relations of the structure to the street and the pedestrian environment is as important as the use contained within the structure.

SURROUNDING LAND USE & ZONING:

North: VC – Village Center (Single Family)
East: VC – Village Center (Multi-Family), I-69 Overlay
South: PUDM – Lantern Pointe PUD (Multi-Family / Open Space)
West: TCR – Town Center Residential (Single-Family)



SUMMARY OF PUBLIC COMMENTS:

No Public Comments have been submitted at the time of writing this Staff Report.

PETITION OVERVIEW:

Pullman Pointe began construction in 2019 and was completed in 2021. Pullman Pointe is a 190-unit multi-family development that includes 2,000 sqft of retail space. Room Service on Wheels opened in 2022. Room Service on Wheels started as a “ghost kitchen” with no indoor seating. They are remodeling to now include both indoor and outdoor seating. The outdoor seating will be within a covered patio area allowing for three seasons of outdoor seating.

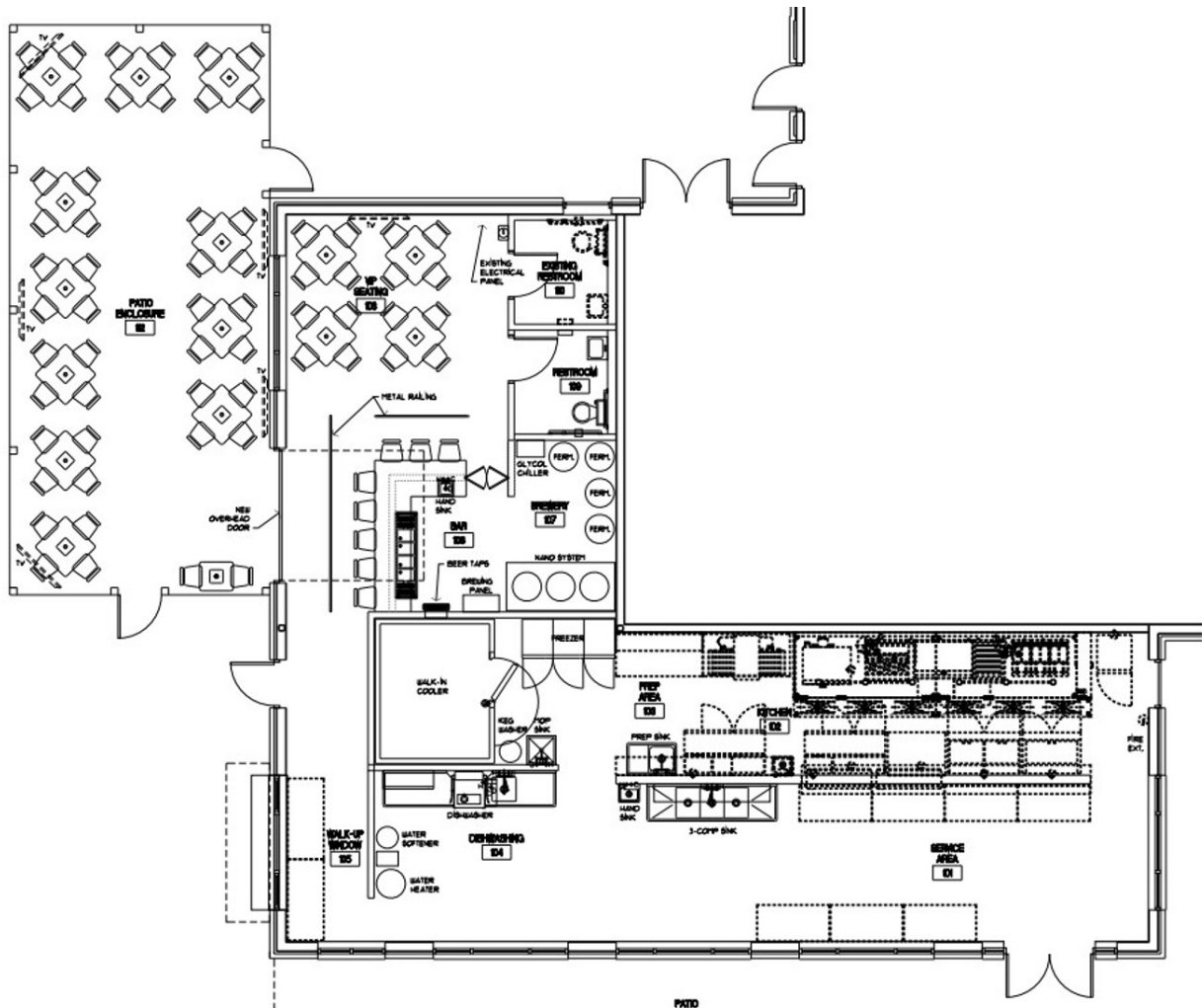


Existing building, with the restaurant area hashed, with the proposed covered patio.

Outdoor Dining is not allowed by-right in the Village Center because the Village Center allows for numerous uses including Mixed-Use, Live/Work, Small Office, Multi-Family, Townhomes, Single-Family, Civic and Residential Conversion and should be evaluated specifically by site. The hours of operation are in line with city code as well will be required to abide by the city noise ordinance.

Meeting Date: March 22, 2023

Case Number: VA-23-11



Rendering showing the kitchen, bar, indoor seating, and proposed outdoor dining.

Currently one other Outdoor Dining Variance has been approved for Twigs and Tea (#VA-21-26) located at 11399 Lantern Road for a “boutique retail and tearoom”.

STAFF RECOMMENDATION:

Staff recommends APPROVAL as presented with conditions.

Staff recommends that a condition is added stating that this variance requested is tied to this business and is nontransferable meaning if this business was to close in its current state the variance would be null and void, requiring another user to obtain a variance.

If the Board approves this Variance staff request the follow the following conditions, and any

Meeting Date: March 22, 2023

Case Number: VA-23-11

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. Variance is tied to this business and is nontransferable.

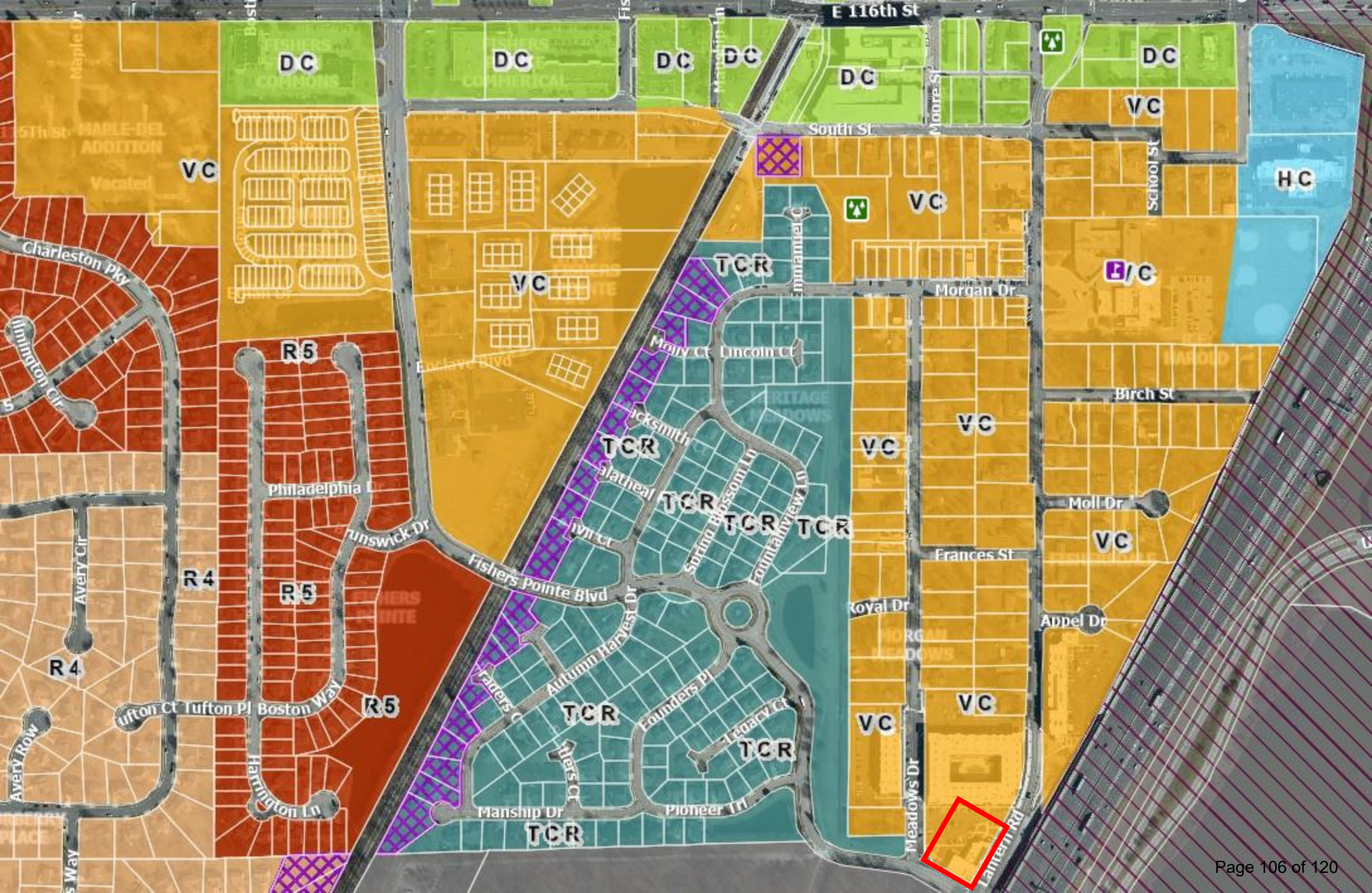
STAFF RECOMMENDATION

☒ Approve

☐ Continue

☐ Deny

☒ No Recommendation

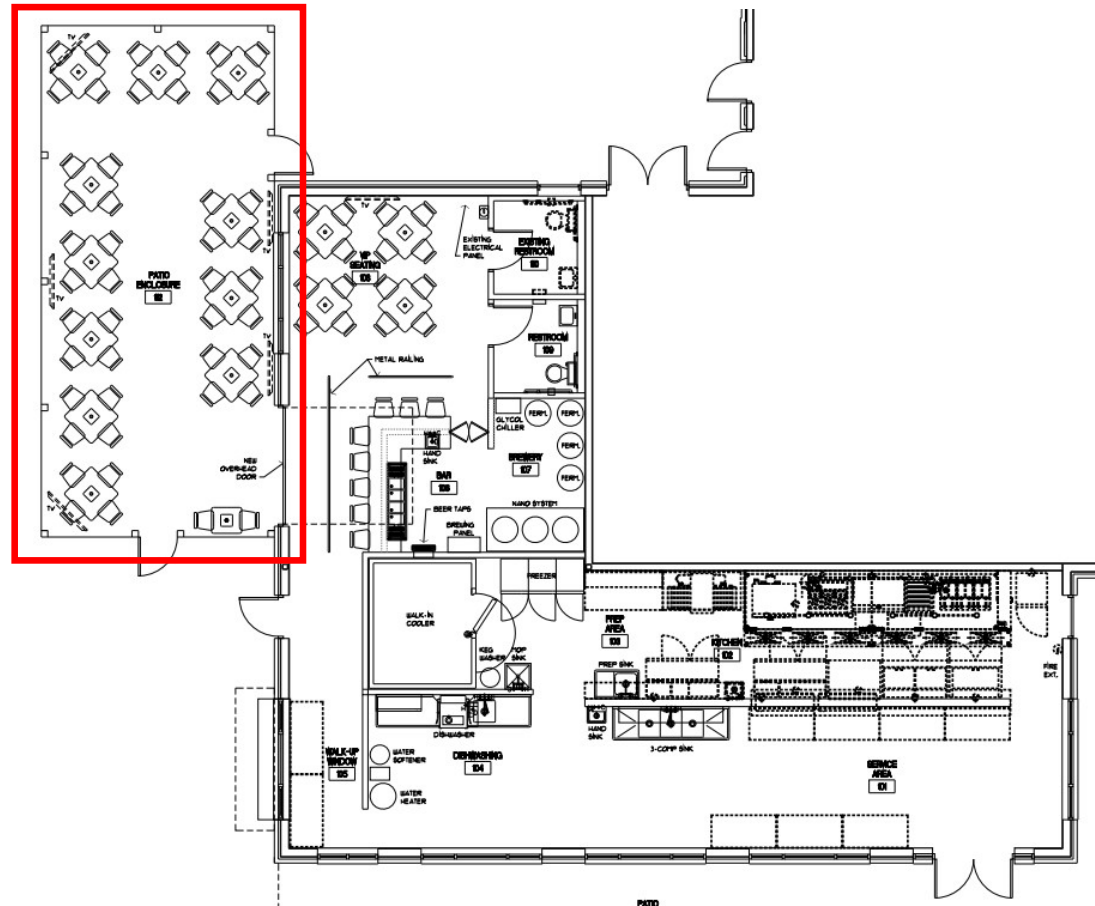


Site Plan



Board of Zoning Appeals | Planning & Zoning Department

Site Plan



Board of Zoning Appeals | Planning & Zoning Department



Board of Zoning Appeals Staff Report

Meeting Date: March 22, 2023

DEPARTMENT CONTACT:

Ross Hilleary (hillearyr@fishers.in.us)

CASE NUMBER:

VA-23-12

PETITIONER:

Chris Schulhof (chris@indyplace.com)

PROPERTY ADDRESS/LOCATION:

11210 Fall Creek Road Indianapolis, IN 46256

REQUEST: Consideration of a Development Standards Variance from Section 6.2.8 Trash Receptacles of the Unified Development Ordinance (UDO) to allow for a dumpster enclosure four (4) feet from the rear yard setback

APPLICABLE REGULATIONS:

Section 6.2.8

EXISTING ZONING:

Harbour PUD
([Ordinance No. 091513A](#))

FISHERS 2040:

Neighborhood Service Center
(Developed as Office/Retail)

LOT SIZE: .72acres

LOCATION MAP



STAFF RECOMMENDATION

☐ Approve

☐ Continue

☐ Deny

☒ No Recommendation

ZONING HISTORY:

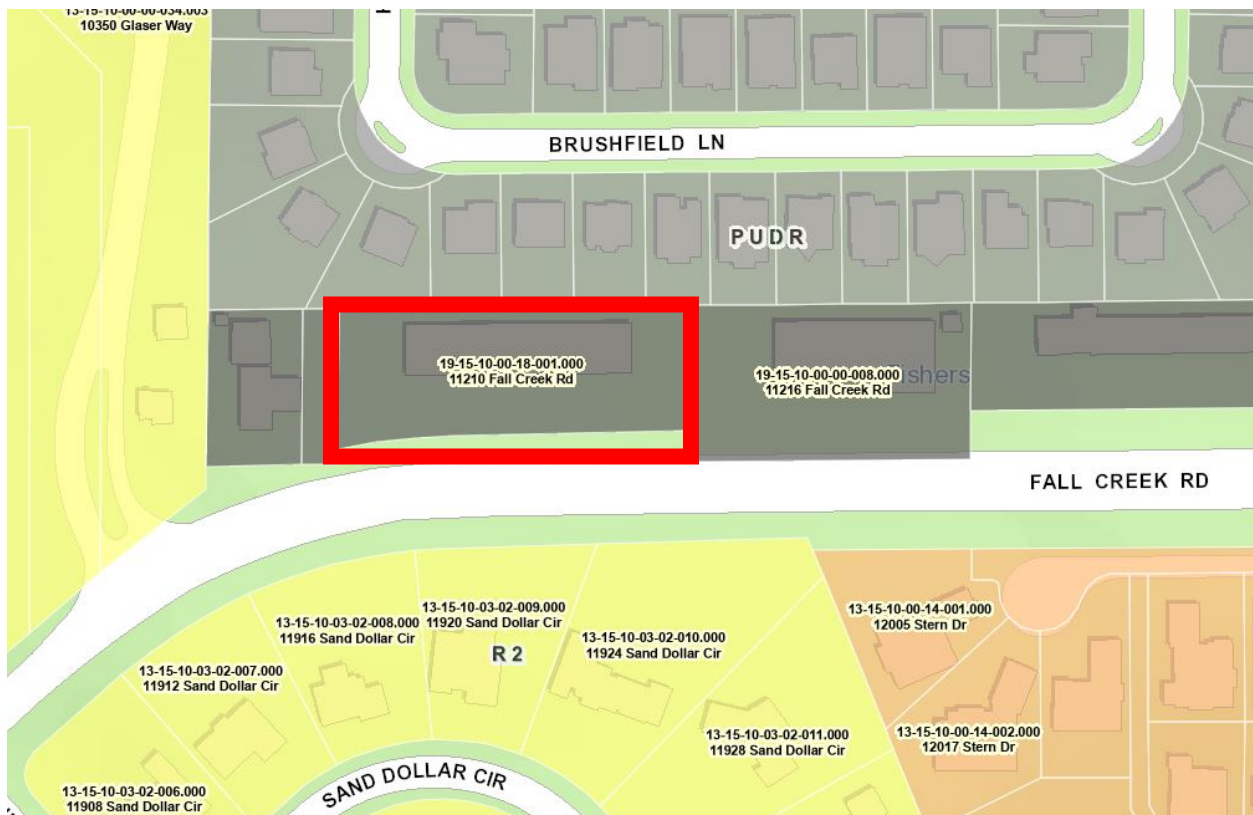
Meeting Date: March 22, 2023

Case Number: VA-23-12

The property in question was in 2003 went through a Text Amendment zoned Harbor PUD as adopted by the original Ordinance #111997B, entitled Harbour Pointe. The PUD allows for all C2 Commercial District uses with the inclusion of a restaurant with the ability to serve liquor as an accessory use and the Auto Service Station/ Gasoline Stations being prohibited.

SURROUNDING LAND USE & ZONING:

North: PUD-R Hamilton Proper PUD (Single-Family)
East: PUD-C Harbour PUD (Office/Retail)
South: R2 – Residential (Single-Family)
West: PUD-C – 11060 Fall Creek Road PUD (Office/Retail)



SUMMARY OF PUBLIC COMMENTS:

No Public Comments have been submitted at the time of writing this Staff Report.

Meeting Date: March 22, 2023

Case Number: VA-23-12

PETITION OVERVIEW:

On October 4, 2022 a Code Enforcement Case (#95989) was opened at this address with notes that include “Dumpster doors are falling off, there is trash piled next to the building, there is trash inside the dumpster enclosure and there is trash stored behind that all need to be removed.”

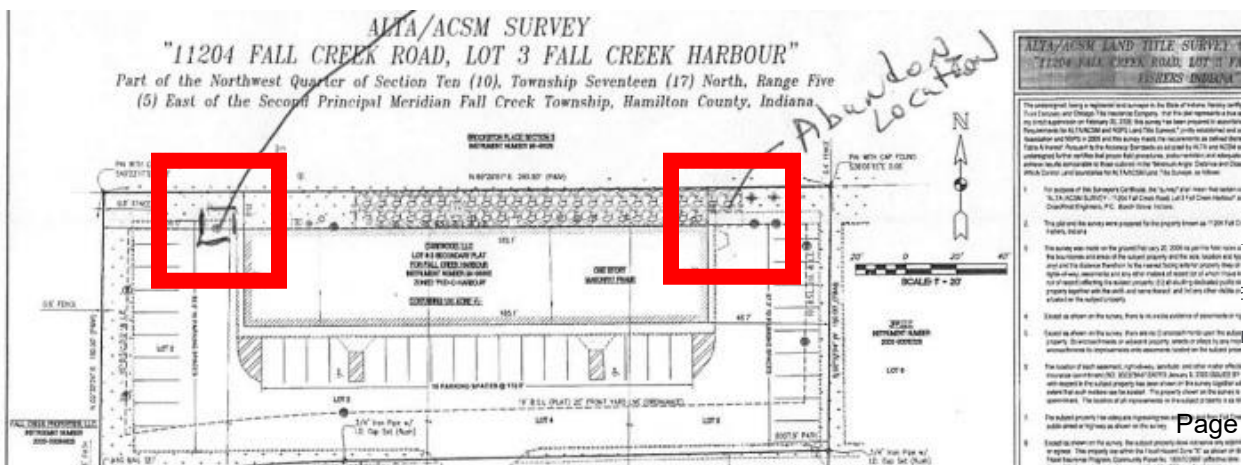
Below is an image of the existing dumpster enclosure.



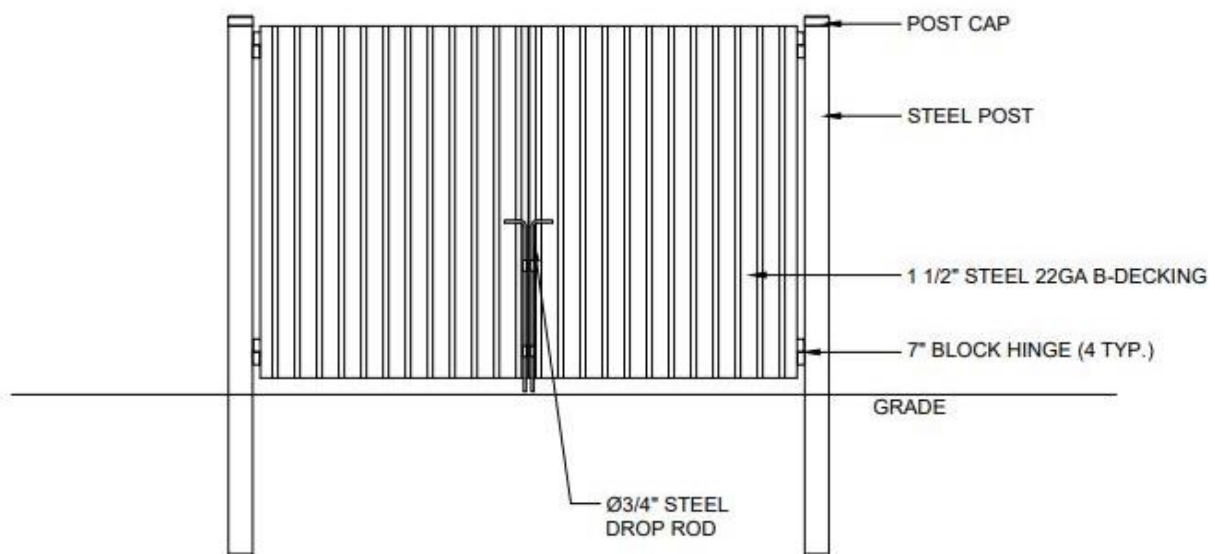
For reference this dumpster is noted on the site plan below as the “Abandon Location” (dashed square).

On December 13, 2022, an Accessory Structure Permit was submitted for this address for a new dumpster enclosure, noted on the site plan below by the solid square and is proposed to be located approximately 4' from the rear yard setback. Staff explained that the dumpster would be required to be at least 10' from the rear yard setback.

A request for a variance was submitted February 21, 2023, claiming site constraints.



A rendering of the proposed dumpster enclosure which will be masonry with a steel gate.



DOUBLE DRIVE GATE ELEVATION VIEW

STAFF RECOMMENDATION:

Staff has NO RECOMMENDATION. If the Board approves this Variance staff request the follow the following conditions, and any others sought by the Board:

1. The Approval Letter and relative documentation be recorded on the property with the

Meeting Date: March 22, 2023

Case Number: VA-23-12

Hamilton County Recorder's Office.

STAFF RECOMMENDATION

☐ Approve

☐ Continue

☐ Deny

☒ No Recommendation

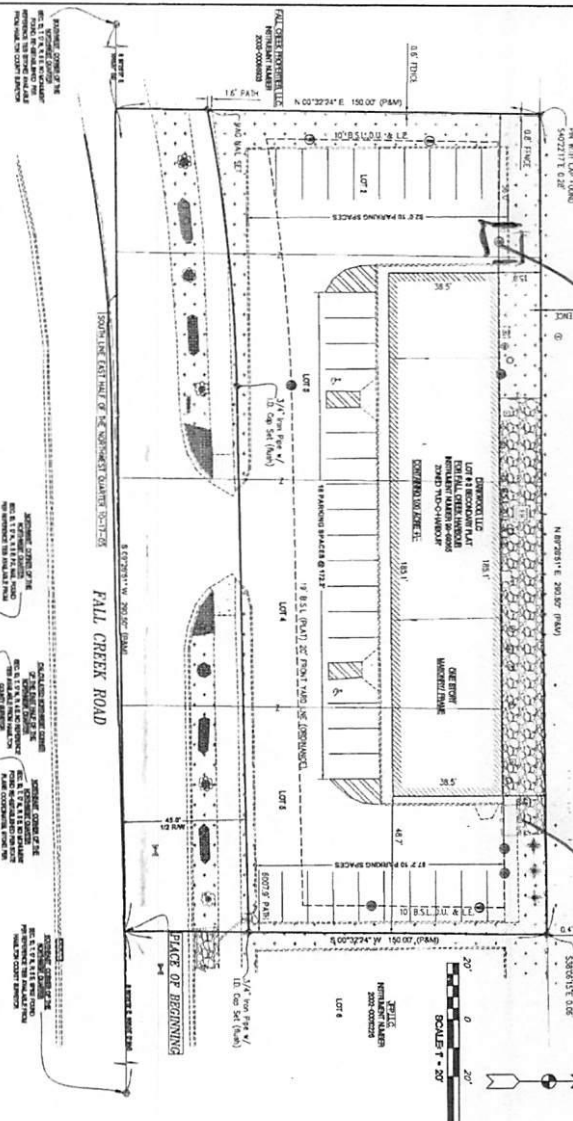
New Dumpster location
11204 - 11210 Fall Creek Rd

ATA/ACSM SURVEY

"11204 FALL CREEK ROAD, LOT 3 FALL CREEK HARBOUR"

Part of the Northwest Quarter of Section Ten (10), Township Seventeen (17) North, Range Five (5) East of the Second Principal Meridian Fall Creek Township, Hamilton County, Indiana

11204



TITLE NOTE
1. THIS SURVEY WAS MADE BY THE STATE OF INDIANA DEPARTMENT OF CONSERVATION, DIVISION OF LAND SURVEY, IN 1905.
2. THIS SURVEY WAS MADE BY THE STATE OF INDIANA DEPARTMENT OF CONSERVATION, DIVISION OF LAND SURVEY, IN 1905.

RECORD DESCRIPTION
1. THIS SURVEY WAS MADE BY THE STATE OF INDIANA DEPARTMENT OF CONSERVATION, DIVISION OF LAND SURVEY, IN 1905.
2. THIS SURVEY WAS MADE BY THE STATE OF INDIANA DEPARTMENT OF CONSERVATION, DIVISION OF LAND SURVEY, IN 1905.

PLAN OF LAKE VIEW ADDITION



ADJACENT LAND TITLE SURVEY CERTIFICATION OF
11204 FALL CREEK ROAD, LOT 3 FALL CREEK HARBOUR, HAMILTON COUNTY, INDIANA
Surveyed by: [Signature]
Date: February 24, 2006

SURVEYOR'S REPORT
The survey was made by the State of Indiana Department of Conservation, Division of Land Survey, in 1905. The survey was made by the State of Indiana Department of Conservation, Division of Land Survey, in 1905. The survey was made by the State of Indiana Department of Conservation, Division of Land Survey, in 1905.

FLOOD PLAIN NOTE
1. The flood plain is located to the north of the property. The flood plain is located to the north of the property. The flood plain is located to the north of the property.

ADJACENT LAND TITLE SURVEY CERTIFICATION OF
11204 FALL CREEK ROAD, LOT 3 FALL CREEK HARBOUR, HAMILTON COUNTY, INDIANA
Surveyed by: [Signature]
Date: February 24, 2006



Board of Zoning Appeals Staff Report

Meeting Date: March 22, 2023

DEPARTMENT CONTACT:

Ross Hilleary (hillearyr@fishers.in.us)

CASE NUMBER:

VA-23-13

PETITIONER:

Chris Schulhof (chris@indyplace.com)

PROPERTY ADDRESS/LOCATION:

11216 Fall Creek Road Indianapolis, IN 46256

REQUEST: Consideration of a Development Standards Variance from Section 6.2.8 Trash Receptacles of the Unified Development Ordinance (UDO) to allow for a dumpster enclosure two (2) feet from the side yard setback

APPLICABLE REGULATIONS:

Section 6.2.8

EXISTING ZONING:

Harbour PUD
([Ordinance No. 091513A](#))

FISHERS 2040:

Neighborhood Service Center
(Developed as Office/Retail)

LOT SIZE: .75 acres

LOCATION MAP

STAFF RECOMMENDATION

☐ Approve

☐ Continue

☐ Deny

☒ No Recommendation

ZONING HISTORY:

(317)595-3111

www.fishers.in.us

[facebook.com/fishers.indiana](https://www.facebook.com/fishers.indiana)

[@fishersin](https://www.instagram.com/fishersin)

One Municipal Drive
Fishers, Indiana 46038

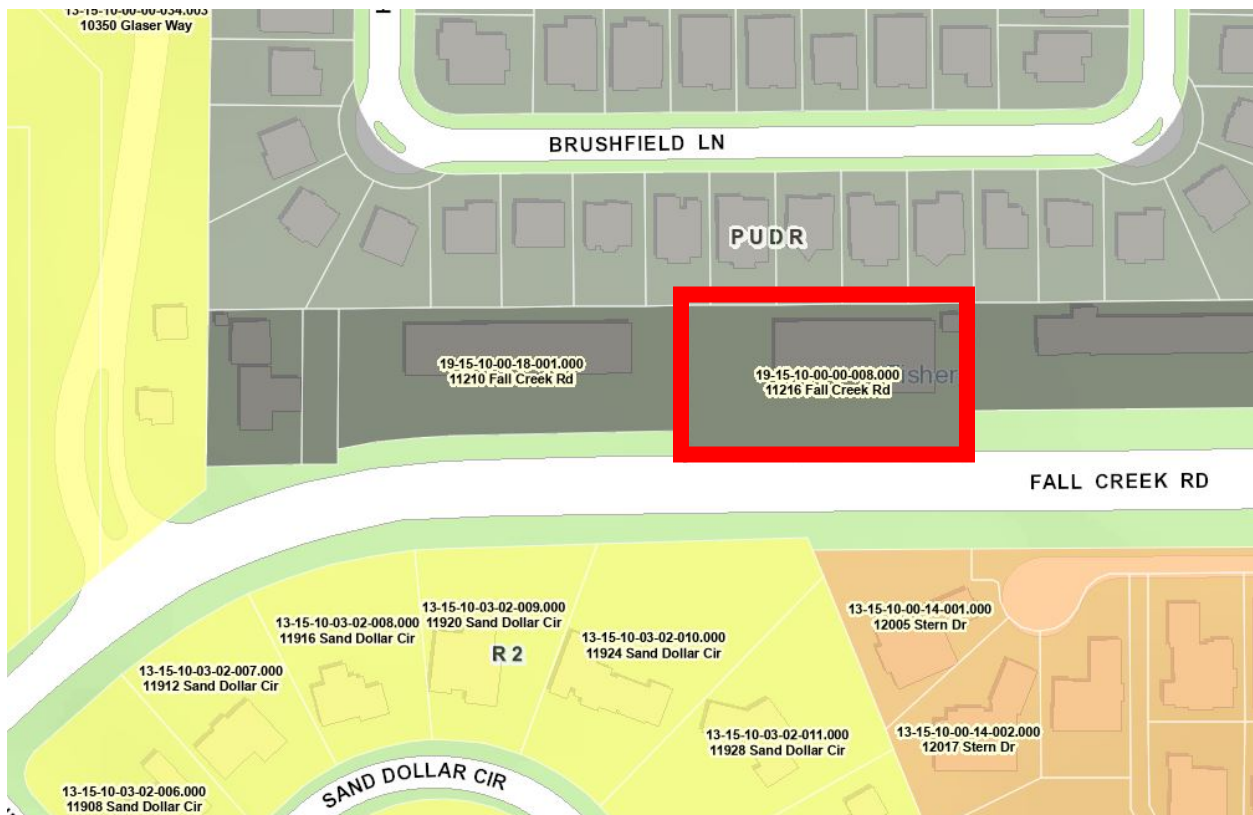
Meeting Date: March 22, 2023

Case Number: VA-23-13

The property in question was in 2003 went through a Text Amendment zoned Harbor PUD as adopted by the original Ordinance #111997B, entitled Harbour Pointe. The PUD allows for all C2 Commercial District uses with the inclusion of a restaurant with the ability to serve liquor as an accessory use and the Auto Service Station/ Gasoline Stations being prohibited.

SURROUNDING LAND USE & ZONING:

North: PUD-R Hamilton Proper PUD (Single-Family)
East: PUD-C Harbour PUD (Office/Retail)
South: R2 – Residential and R4 – Residential (Single-Family)
West: PUD-C Harbour PUD (Office/Retail)



SUMMARY OF PUBLIC COMMENTS:

No Public Comments have been submitted at the time of writing this Staff Report.

Meeting Date: March 22, 2023

Case Number: VA-23-13

PETITION OVERVIEW:

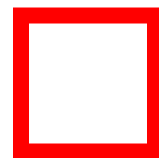
On October 4, 2022 a Code Enforcement Case (#95988) was opened at this address with notes that include “fence is damaged and falling over, needs to be properly repaired rotten boards replaced or rebuilt completely. Dumpster gates are left open and trash outside the dumpster.”

Below is an image of the existing dumpster enclosure.



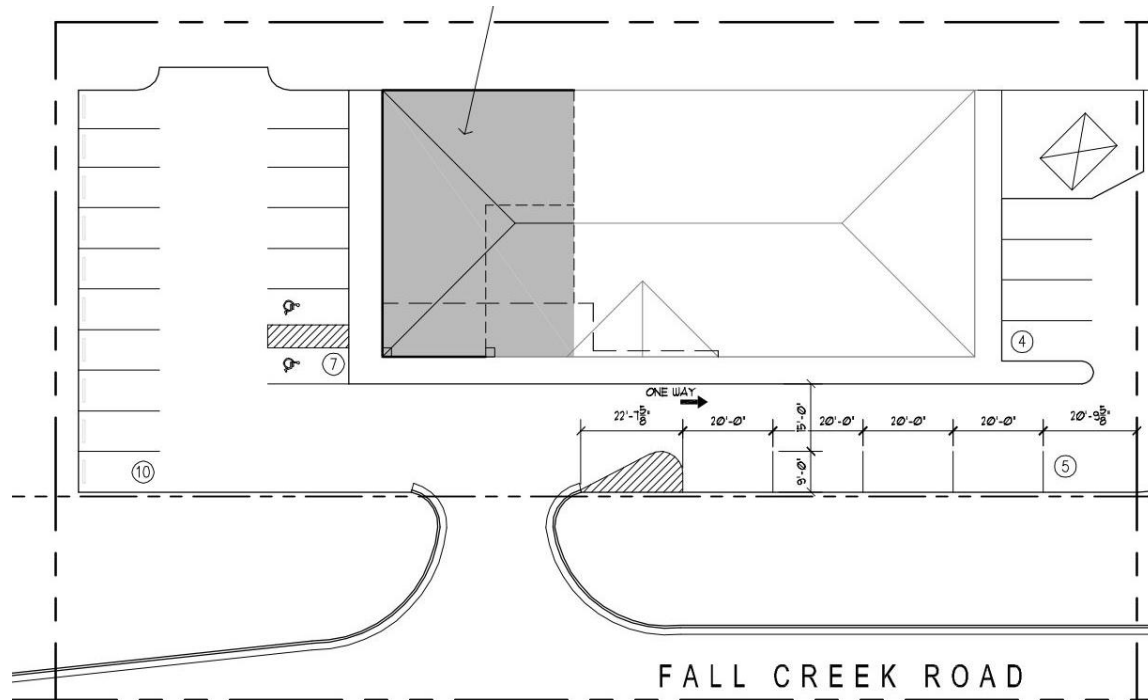
On December 14, 2022, an Accessory Structure Permit was submitted for this address for a new dumpster enclosure to be located approximately two (2) feet from the side yard setback. Staff explained that the dumpster would be required to be at least 10 feet from the side yard setback. The dumpster enclosure is being proposed in the same location as previous installed as noted by the solid square below, two feet within the property line.

A request for a variance was submitted February 21, 2023, claiming site constraints.

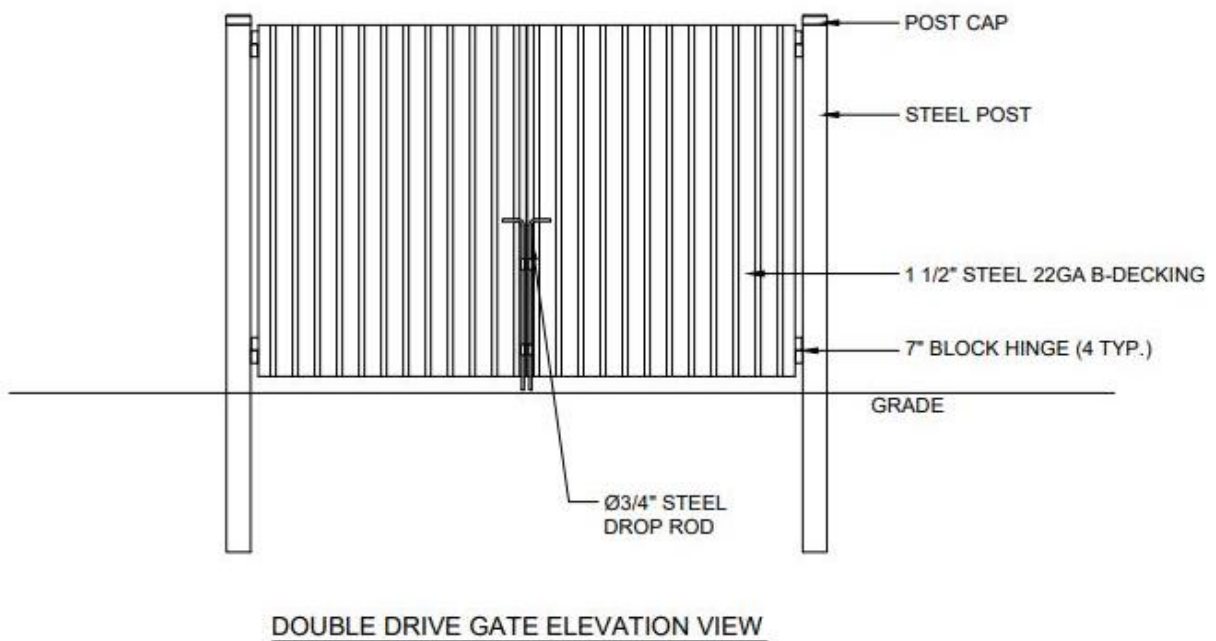


Meeting Date: March 22, 2023

Case Number: VA-23-13



A rendering of the proposed dumpster enclosure which will be masonry with the steel gate.



Meeting Date: March 22, 2023

Case Number: VA-23-13

STAFF RECOMMENDATION:

Staff has NO RECOMMENDATION. If the Board approves this Variance staff request the follow 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

ADDITIONS AND RENOVATIONS GEIST OFFICE SUITES

FALL CREEK ROAD
FISHERS, INDIANA

C H R I S S C H U L H O F

CONCEPTUAL DESIGN	
JULY 15, 2003	
REVISIONS 1. DESIGN 2. DESIGN 3. DESIGN 4. DESIGN 5. DATE	
PLOT DATE	2003-07-10
DRAWN BY	-
CHECKED BY	-
PROJECT NUMBER	13-0662

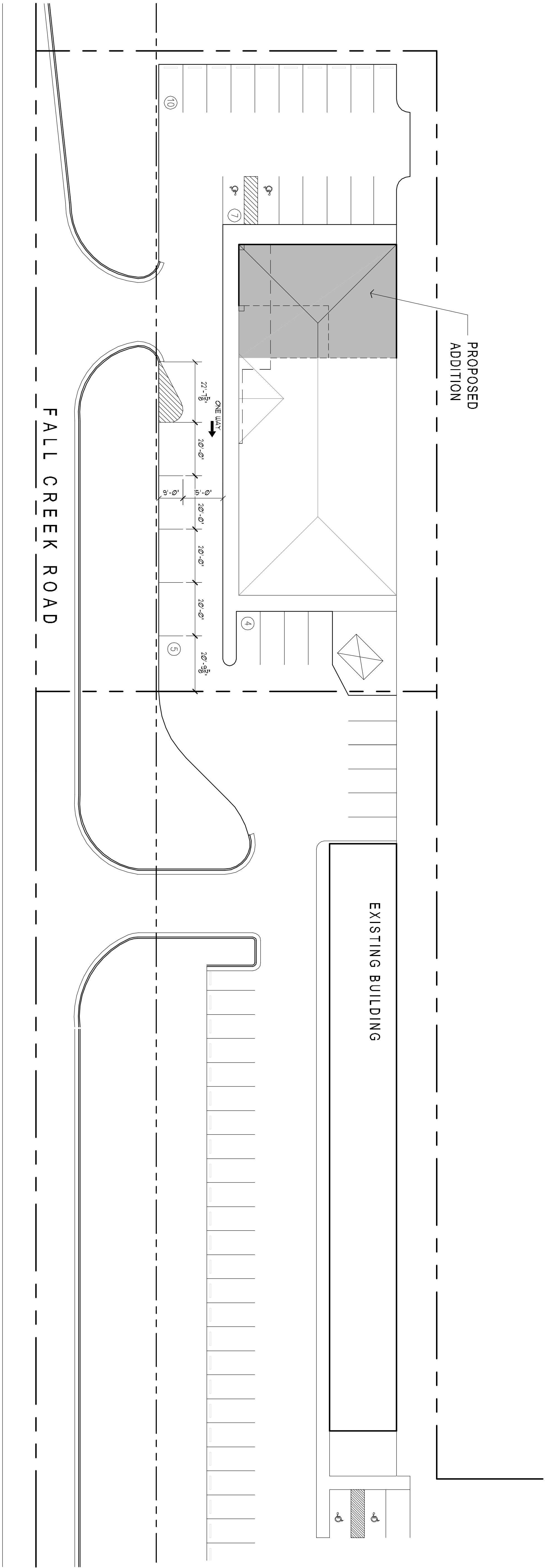
A100

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ARCHITECTURAL FLOOR PLAN

SCALE: 1" = 20'-0"