



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: 4/26/2023, 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. 3-22-23
- 4. Public Hearings**
 - a. **VA-23-14: 11411 Forest Knoll Circle Accessory Structure Variance**

Mark Demerly, on behalf of the property owners, is seeking a variance of three Development Standards from Section 6.2.2 of the City's Unified Development Ordinance (UDO), to allow for the construction of a boathouse with a maximum height over 18' and side and rear setbacks of 0'. The subject property is zoned R2 and is located on Geist Reservoir, south of 116th Street.

Planner: Tyler Folk (folk@fishers.in.us)
 - b. **VA-23-15: 8705 Morgan Drive Setback Variance**

Adam Mears of Gradison Design Build, on behalf of the property owners is seeking a Development Standards Variance from Figure 1.3. VC – Village Center of the City’s Nickel Plate District Code to allow for a side yard setback of 60 feet. The subject property is zoned VC – Village Center and is located at the common address of 8705 Morgan Drive.

Petitioner: Adam Mears (amears@gradison.net)

Planner: Ross Hilleary (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
March 22, 2023

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

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

Others present: Megan Vukusich, Ross Hilleary, Rodney Retzner, Kay Prange, Tyler Folk, Dan Elliott, Anvir Purewal, Terri Dunville, Michael and Greta Benz, Troy Terew, Chris Schulhof, Rafal Arondisic, Thomas Ryder, Aaron Pearlman, Charlotte Wilson.

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

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

Public Hearings:

a. **Ritchey Reserve (Trash Receptacle)**

Parcel: 14-14-12-00-00-001.002

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.**

Anvir Purewal presented the request for the 30' x 8' foot fence for the existing trash receptacle. They are open to extending the fence. Megan Vukusich, Director of Planning & Zoning, presented the Staff Report. The gates face a residential zone and the orientation of the trash receptacle was approved previously in error. The key is keeping the gates closed and additional plantings. Staff recommends approval.

Mr. Ferrucci opened the Public Hearing.

Michael Benz (7585 Willow Ridge)-

There are dead trees- pictures were provided and added into the record.

A Treeline is not viable.

Controlling trash pickup and closing the fence is not possible.

The fence does little to mitigate the problem.

He referenced a potential loss in home value of 10% in a letter from a real estate agent.

In the UDO, he quoted that the gate shall not face residences.

Mr. Ferrucci closed the Public Hearing.

In Committee Discussion, Mr. Lannan asked to see the letter referencing the potential loss. Mr. Ferrucci confirmed that the dead trees will be replaced. He also asked why a fence extension isn't an option. Mr. Benz said that was due to the hill. Mr. Lannan noted that he drives by there often and watched for the enclosure and has seen no problems.

Mr. Ferrucci asked for a Motion. Mr. Lannan made a Motion to approve with the conditions that the variance letter be recorded, the fence be 30" x 8', and that additional landscaping will occur, seconded by Mr. Stevenson.

The Motion was approved, 3-1.

b. Napleton Kia (Signage)

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.

Stefanie Day and Rick Brandstatter of Kia presented the request for a 20" sign. The 2019 ROW decision was settled in arbitration and the sign was moved. Due to the current SR 37 project, the 20 FT sign is needed because the SB access is not noticeable. There is an unnecessary hardship.

Megan Vukusich, Director of Planning & Zoning presented the Staff Report. Staff wants the sign built to today's Standards. The UDO today is 10'. There have been no public comments. Staff recommends denial.

Mr. Retzner read the Sign standards considered:

Location

Block view of historical buildings

Block view of adjacent buildings

Visual quality

Compatibility with surroundings

Foreign element

Unsafe to motorists

Comply with UDO

Mr. Ferrucci opened the Public Hearing.

Seeing no member of the Public to speak, Mr. Ferrucci closed the Public Hearing.

Mr. Ferrucci asked for a Motion. Mr. Lannan made a Motion to deny, seconded by Mr. Silvey. The Motion was DISAPPROVED, 4-0.

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-23-8

Request: Consideration of two Development Standards Variances from Section 6.2.2 of the City's Unified Development Ordinance (DUO) 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". 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.

Dan Elliott presented the request for the development and land use variances. This is for a 2nd dwelling unit detached from the main residence, above a 4-car garage.

Megan Vukusich presented the Staff Report. The height would be 31' instead of 18' and the request is to allow a side setback of 14' instead of 30'7". The Land Use Variance is 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. There have been no Public Comments and Staff recommends approval.

Mr. Ferrucci opened the Public Hearing.

Tom Ryder (10660 Brooks School Road)- he confirmed 2 variances for one structure and asked if this applied to other property owners. He was told that each would need to get their own variance.

Mr. Ferrucci closed the Public Hearing.

Mr. Ferrucci asked for a Motion. Mr. Stevenson made a Motion to approve VA-23-7, with the condition that the variance is recorded on the property, seconded by Mr. Lannan. The Motion was approved, 4-0.

Mr. Silvey made a Motion to approve VA-23-8, with the condition that the variance is recorded on the property, seconded by Mr. Lannan. The Motion was approved, 4-0.

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%.

Terri Dunville, on behalf of the property owners, presented the variance request for increasing the impervious surface to 50%. This is for a pool, deck, and outdoor living.

Tyler Folk presented the Staff Report. This is for a new home located on Geist. There have been no Public Comments. Staff has no recommendation to the Board.

Mr. Ferrucci opened the Public Hearing.

Seeing no member of the Public to speak, Mr. Ferrucci closed the Public Hearing.

Mr. Ferrucci asked for a Motion. Mr. Silvey made a Motion to approve, with the recording of the variance on the property, seconded by Mr. Stevenson. The Motion was approved, 4-0.

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%.

Troy Terew, on behalf of the property owners, presented the variance request. This is a common request in the Springs of Cambridge neighborhood with homes on the water at Geist and smaller lots.

Tyler Folk, Planner, presented the Staff Report and confirmed the water runoff into Geist Reservoir. There have been no Public Comments. Staff has no recommendation to the Board.

Mr. Ferrucci opened the Public Hearing.

Seeing no member of the Public to speak, Mr. Ferrucci closed the Public Hearing.

Mr. Ferrucci asked for a Motion. Mr. Stevenson made a Motion to approve, with the recording of the variance on the property, seconded by Mr. Silvey. The Motion was approved, 4-0.

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 Nickel Plate District Code (NPDC) to allow for outdoor dining in VC - Village Center.

Aaron Pearlman on behalf of Room Service on Wheels, presented the variance request for outdoor dining in the Village Center of the Nickel Plate district. The restaurant is merging with King Jugg.

Ross Hilleary, Assistant Director of Planning & Zoning, presented the Staff Report. The proposed patio is close to Meadows Dr. The Awning will be for 4 seasons, similar to McAllister's. There have been no public comments. The Nickel Plate Review committee has approved. Staff recommends approval.

Mr. Ferrucci opened the Public Hearing.

Seeing no member of the Public to speak, Mr. Ferrucci closed the Public Hearing.

Mr. Ferrucci asked for a Motion. Mr. Stevenson made a Motion to approve, with the recording of the variance on the property, and that it is specific to the current business, seconded by Mr. Lannan. The Motion was approved, 4-0.

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.

Chris Schulhof, on behalf of the property owners, is proposing to construct a new trash receptacle enclosure next the northwest corner of the existing building. The request is for a 4-ft. rear yard setback and moving the trash enclosure to the NW corner of the Commercial building.

Ross Hilleary, Assistant Director of Planning & Zoning, presented the Staff Report. The abandoned location and new location were viewed. Staff has no recommendation for the Board.

Mr. Ferrucci opened the Public Hearing.

Seeing no member of the Public to speak, Mr. Ferrucci closed the Public Hearing.

Mr. Ferrucci asked for a Motion. Mr. Lannan made a Motion to approve, with the recording of the variance on the property, seconded by Mr. Stevenson. The Motion was approved, 4-0.

h. 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.

Chris Schulhof, on behalf of the property owners, is proposing to construct a new trash receptacle enclosure near the northeast corner of the building to replace the existing one which is deteriorating. The request is for a 2-ft. side yard setback from the east property line.

Ross Hilleary, Assistant Director of Planning & Zoning, presented the Staff Report. The location was viewed. Staff has no recommendation for the Board.

Mr. Ferrucci opened the Public Hearing.

Seeing no member of the Public to speak, Mr. Ferrucci closed the Public Hearing.

Mr. Ferrucci asked for a Motion. Mr. Lannan made a Motion to approve, with the recording of the variance on the property, seconded by Mr. Stevenson. The Motion was approved, 4-0.

Adjournment As there was no other business, the meeting was adjourned at 7:25 p.m.

Respectfully Submitted by:

Kay Prange, Recording Secretary

Forest Knoll Residential Assoc.

3/8/2023

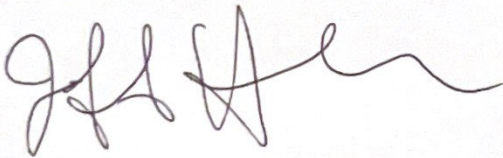
11411 Forest Knoll
Fishers, IN 46037

Dear Dr. Michael & Sarah Meneghini:

This is letter is to confirm that you have approval from the Forest Knoll Homeowner's Association to construct your approved boat house on land owned by the HOA. While the usage of the land for the boat house is approved, we will not be transferring ownership of the land away from the HOA at any point now or in the future.

Sincerely,

Jeff Holman

A handwritten signature in black ink, appearing to read 'Jeff Holman', with a stylized, flowing script.

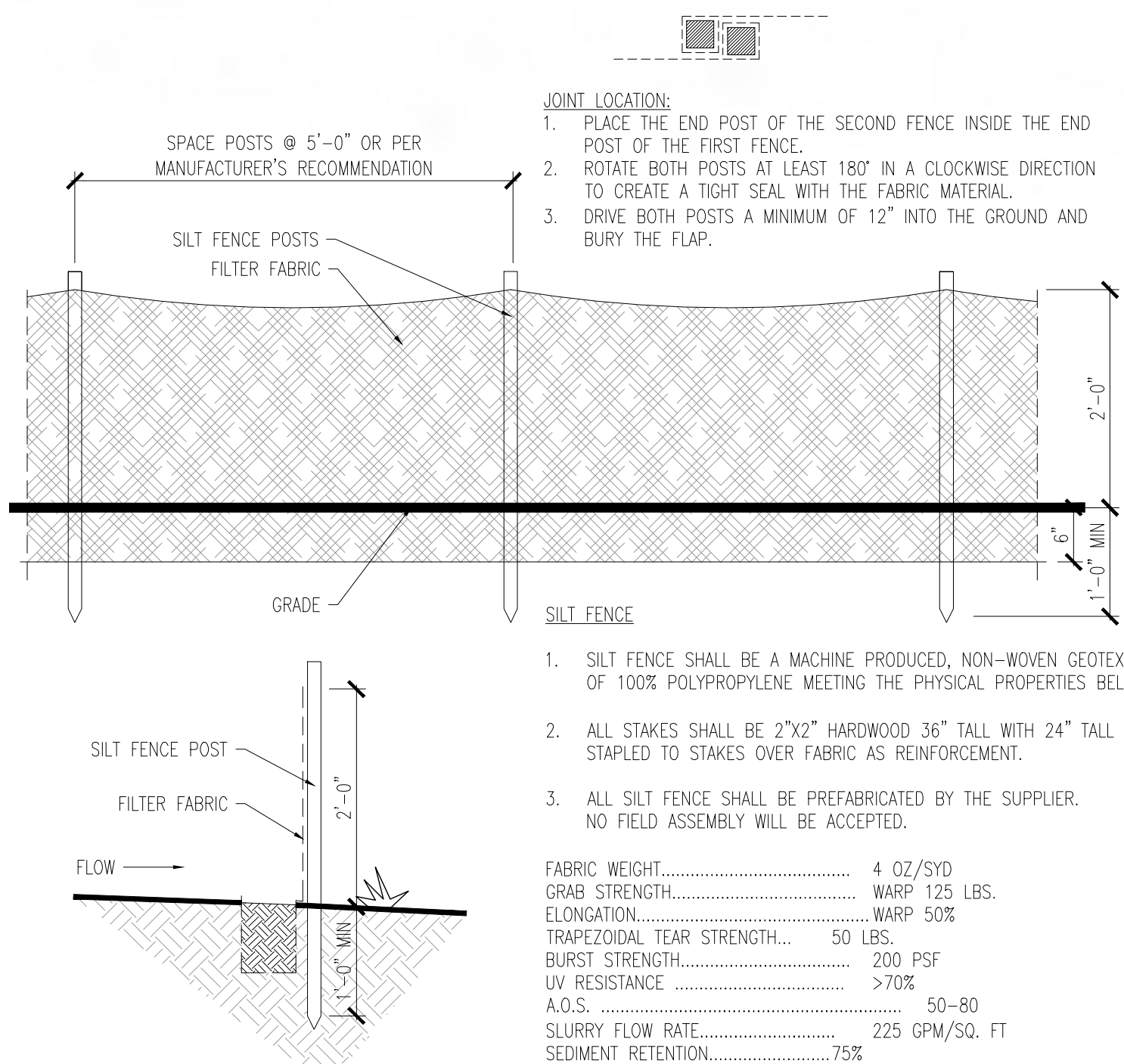
Forest Knoll HOA President

FOREST KNOLL RESIDENTIAL ASSOCIATION, INC.
C/O OMNI MANAGEMENT SERVICES
PO BOX 441570
INDIANAPOLIS, IN 46244-1570

Megenihini Boat House

11411 Forest Knoll Circle, Fishers IN
Construction Documents: February 8, 2023

Architect: Demerly Architects
6500 Westfield Boulevard
Indianapolis, IN 46220

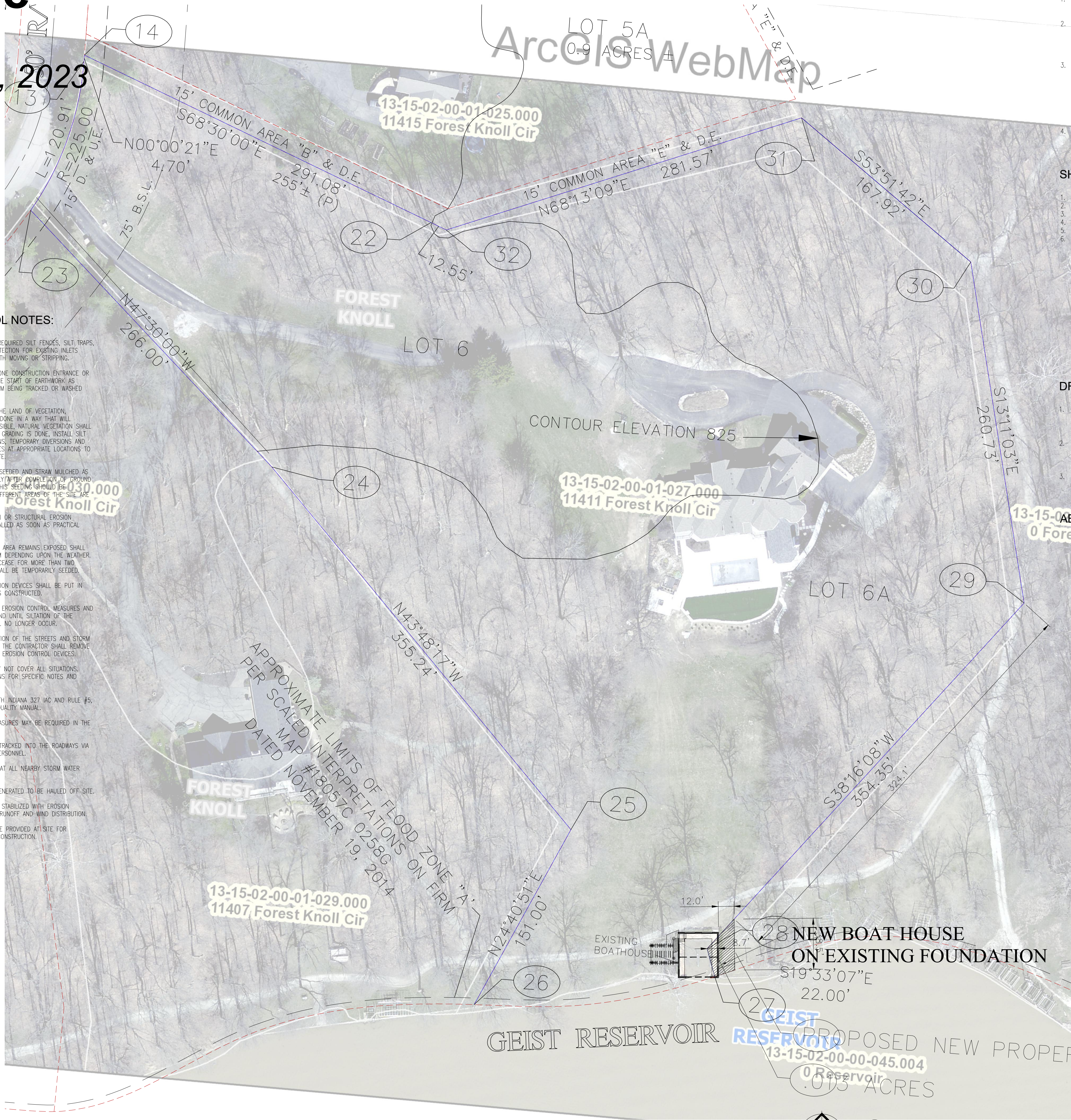


PROJECT LOCATION
2
Silt Fence Detail
3/4"=1'-0"
0 5' 10' 20'



EROSION CONTROL NOTES:

1. CONTRACTOR SHALL INSTALL ALL REQUIRED SILT FENCES, SILT TRAPS, TREE PROTECTION AND INLET PROTECTION FOR EXISTING INLETS PRIOR TO THE START OF ANY EARTH MOVING OR STRIPPING.
2. CONTRACTOR SHALL INSTALL A STONE CONSTRUCTION ENTRANCE OR SOME OTHER DEVICE PRIOR TO THE START OF EARTHWORK AS NECESSARY TO PREVENT SOIL FROM BEING TRACKED OR WASHED INTO EXISTING ROADWAYS.
3. LAND ALTERATIONS WHICH STRIP THE LAND OF VEGETATION, INCLUDING REGRADING, SHALL BE DONE IN A WAY THAT WILL MINIMIZE EROSION. WHENEVER FEASIBLE, NATURAL VEGETATION SHALL BE RETAINED AND PROTECTED. AS GRADING IS DONE, INSTALL SILT TRAPS, SILT FENCES, SLOPE DRAINS, TEMPORARY DIVERSIONS AND OTHER RUNOFF CONTROL MEASURES AT APPROPRIATE LOCATIONS TO KEEP SEDIMENT CONTAINED ON SITE.
4. ALL DISTURBED AREAS SHALL BE SEEDING AND STRAW MULCHED AS SHOWN ON THE PLANS IMMEDIATELY AFTER COMPLETION OF GROUND ACTIVITY. FOR LARGE PROJECTS, THIS SEEDING SHOULD BE COMPLETED IN PHASES AS THE DIFFERENT AREAS OF THE SITE ARE COMPLETED.
5. PERMANENT AND FINAL VEGETATION OR STRUCTURAL EROSION CONTROL DEVICES SHALL BE INSTALLED AS SOON AS PRACTICAL UNDER THE CIRCUMSTANCES.
6. THE DURATION OF TIME WHICH AN AREA REMAINS EXPOSED SHALL BE KEPT TO A PRACTICAL MINIMUM DEPENDING UPON THE WEATHER. IF CONSTRUCTION ACTIVITY IS TO CEASE FOR MORE THAN TWO WEEKS, THE DISTURBED AREAS SHALL BE TEMPORARILY SEEDING.
7. ALL STORM SEWER INLET PROTECTION DEVICES SHALL BE PUT IN PLACE AT THE TIME EACH INLET IS CONSTRUCTED.
8. THE CONTRACTOR SHALL MAINTAIN EROSION CONTROL MEASURES AND DEVICES DURING CONSTRUCTION AND UNTIL SILTATION OF THE STREETS AND STORM SEWERS WILL NO LONGER OCCUR.
9. ONCE ONSITE EROSION AND SILTATION OF THE STREETS AND STORM SEWERS WILL NO LONGER OCCUR, THE CONTRACTOR SHALL REMOVE AND DISPOSE OF THE TEMPORARY EROSION CONTROL DEVICES.
10. THESE GENERAL PROCEDURES MAY NOT COVER ALL SITUATIONS. REFER TO EROSION CONTROL PLANS FOR SPECIFIC NOTES AND ADDITIONAL DETAILS.
11. EROSION CONTROL TO COMPLY WITH INDIANA 327 IAC AND RULE #5, AND THE INDIANA STORM WATER QUALITY MANUAL.
12. ADDITIONAL EROSION CONTROL MEASURES MAY BE REQUIRED IN THE FIELD BY THE INSPECTOR.
13. DIRT AND DEBRIS SHALL NOT BE TRACKED INTO THE ROADWAYS VIA CONSTRUCTION EQUIPMENT AND PERSONNEL.
14. SILT SOCKS SHALL BE INSTALLED AT ALL NEARBY STORM WATER INLETS.
15. ALL DIRT, DEBRIS, AND RUBBISH GENERATED TO BE HAULED OFF SITE.
16. ANY STOCKPILED SOILS SHALL BE STABILIZED WITH EROSION CONTROL MEASURES TO MINIMIZE RUNOFF AND WIND DISTRIBUTION.
17. CONCRETE WASH OUT BASIN TO BE PROVIDED AT SITE FOR CONCRETE PAVING AND RELATED CONSTRUCTION.



GENERAL NOTES:

1. THE OWNER WILL NOT BE OCCUPYING THE RESIDENCE DURING CONSTRUCTION.
2. ALL WORK SHALL BE DONE IN ACCORDANCE TO WITH THE 2020 INDIANA RESIDENTIAL CODE AND ALL OTHER APPLICABLE CODES AND REGULATIONS.
3. ONLY WRITTEN DIMENSIONS SHALL BE USED. DO NOT SCALE THE DRAWINGS. DIMENSIONS SHALL BE VERIFIED ON THE JOB SITE BY THE CONTRACTOR. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.
4. DIMENSIONS ARE TO FACE OF EXISTING CONSTRUCTION, NEW FRAMING OR MASONRY CONSTRUCTION, UNLESS OTHERWISE NOTED.

SHEET SCHEDULE

1. A001 - SITE PLAN
2. A101 - FIRST FLOOR PLAN
3. A102 - SECOND FLOOR & ROOF PLAN
4. A201 - EXTERIOR ELEVATIONS
5. A301 - WALL SECTIONS
6. A401 - TYPICAL DETAILS

DRAINAGE NOTES:

1. CONTRACTOR TO BERM SOIL AROUND FOUNDATION TO CREATE 6" FALL WITHIN 10'-0" OF BUILDING OR TO PROPERTY LINE.
2. SWALES TO BE CUT OR FORMED AS REQUIRED TO PREVENT WATER FROM BEING PUSHED ONTO NEIGHBORING PROPERTIES.
3. WHERE CONCRETE WALLS OR PAVED AREAS ARE PRESENT THEY ARE TO FOLLOW DRAINAGE CONTOURS.

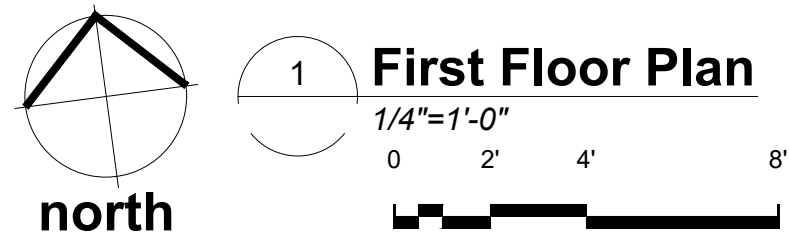
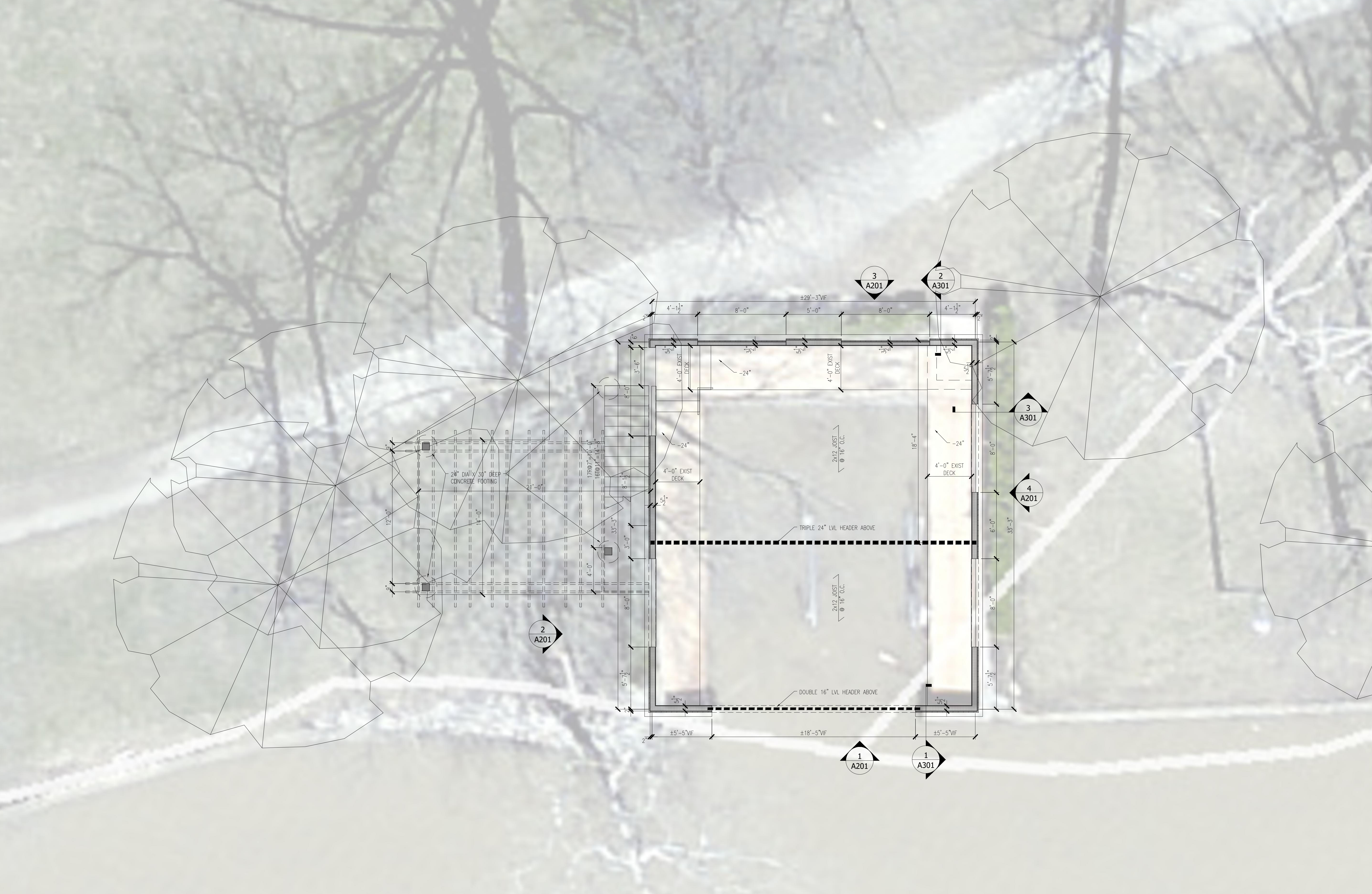
ABBREVIATIONS:

- ± PLUS OR MINUS
- Ø DIAMETER
- ACT ACOUSTICAL CEILING TILE
- AFF ABOVE FINISHED FLOOR
- BO BY OWNER
- CLG CEILING
- CT CERAMIC TILE
- C CENTERLINE
- DIA DIAMETER
- EA EACH
- EF EXHAUST FAN
- EQ EQUAL
- GC GENERAL CONTRACTOR
- GYP GYPSUM WALL BOARD
- HB HOSE BIB
- LVL LAMINATED VENEER LUMBER
- MAX MAXIMUM
- MIN MINIMUM
- MIR MIRROR
- NIB NOT IN BID
- OC ON CENTER
- OHD OVERHEAD DOOR
- PLAM PLASTIC LAMINATE
- PTD PAINTED
- REINF REINFORCED
- RO ROUGH OPENING
- SAS SURFACED FOUR SIDES
- SF SQUARE FEET
- SIM SIMILAR
- SS STAINLESS STEEL
- T&B TOP AND BOTTOM
- T&G TONGUE AND GROOVE
- TO TOP OF
- TYP TYPICAL
- UNO UNLESS NOTED OTHERWISE
- VF VERIFY IN FIELD
- WD WOOD

1
Site Plan
1"=40'-0"
0 20' 40' 80'

Megenihini Boat House
11411 Forest Knoll Circle, Fishers
DemerlyArchitects
ARCHITECTURE / INTERIORS / PLANNING
6500 Westfield Blvd., Indianapolis, IN 46220
Tel: 317.895.2811
Fax: 317.895.2811
E-mail: mark@demerlyarchitects.com

Issue for Construction
Date: 02.08.23
Revise:
Scale: N/A
Cover Sheet



1 First Floor Plan

1/4"=1'-0"



GENERAL NOTES:

1. THE OWNER WILL NOT BE OCCUPYING THE RESIDENCE DURING CONSTRUCTION.
2. ALL WORK SHALL BE DONE IN ACCORDANCE TO WITH THE 2020 INDIANA RESIDENTIAL CODE AND ALL OTHER APPLICABLE CODES AND REGULATIONS.
3. ONLY WRITTEN DIMENSIONS SHALL BE USED. DO NOT SCALE THE DRAWINGS. DIMENSIONS SHALL BE VERIFIED ON THE JOB SITE BY THE CONTRACTOR. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.
4. DIMENSIONS ARE TO FACE OF EXISTING CONSTRUCTION, NEW FRAMING OR MASONRY CONSTRUCTION, UNLESS OTHERWISE NOTED.

Megenihini Boat House

11411 Forest Knoll Circle, Fishers

DemerlyArchitects

ARCHITECTURE / INTERIORS / PLANNING

6590 Westfield Blvd., Indianapolis, IN 46220

Phone: 317.575.2211

Fax: 317.575.2211

E-mail: mark@demerlyarchitects.com

Issue for Construction

Date: 02.08.23

Revise:

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

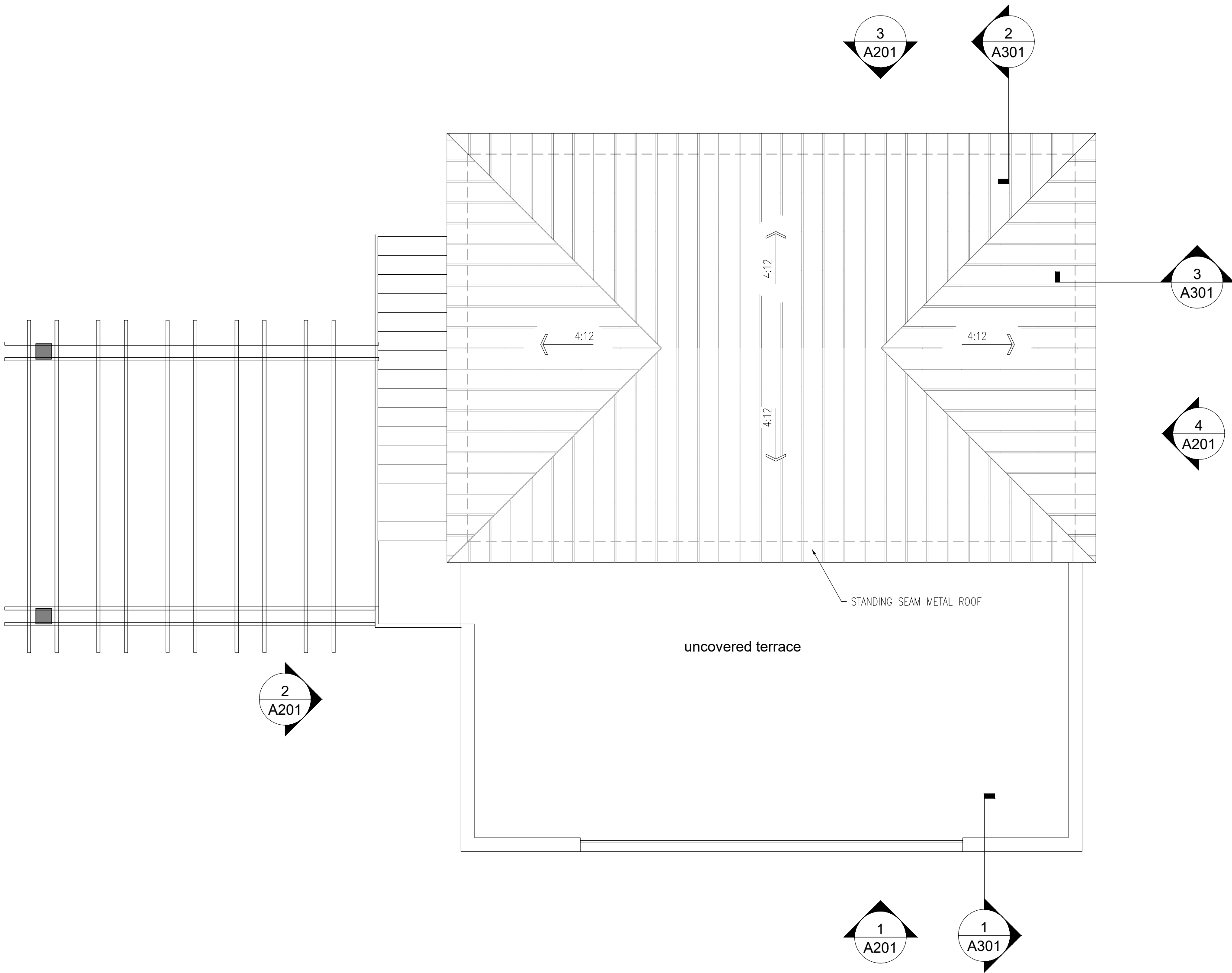
First Floor Plan

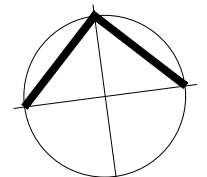
A101

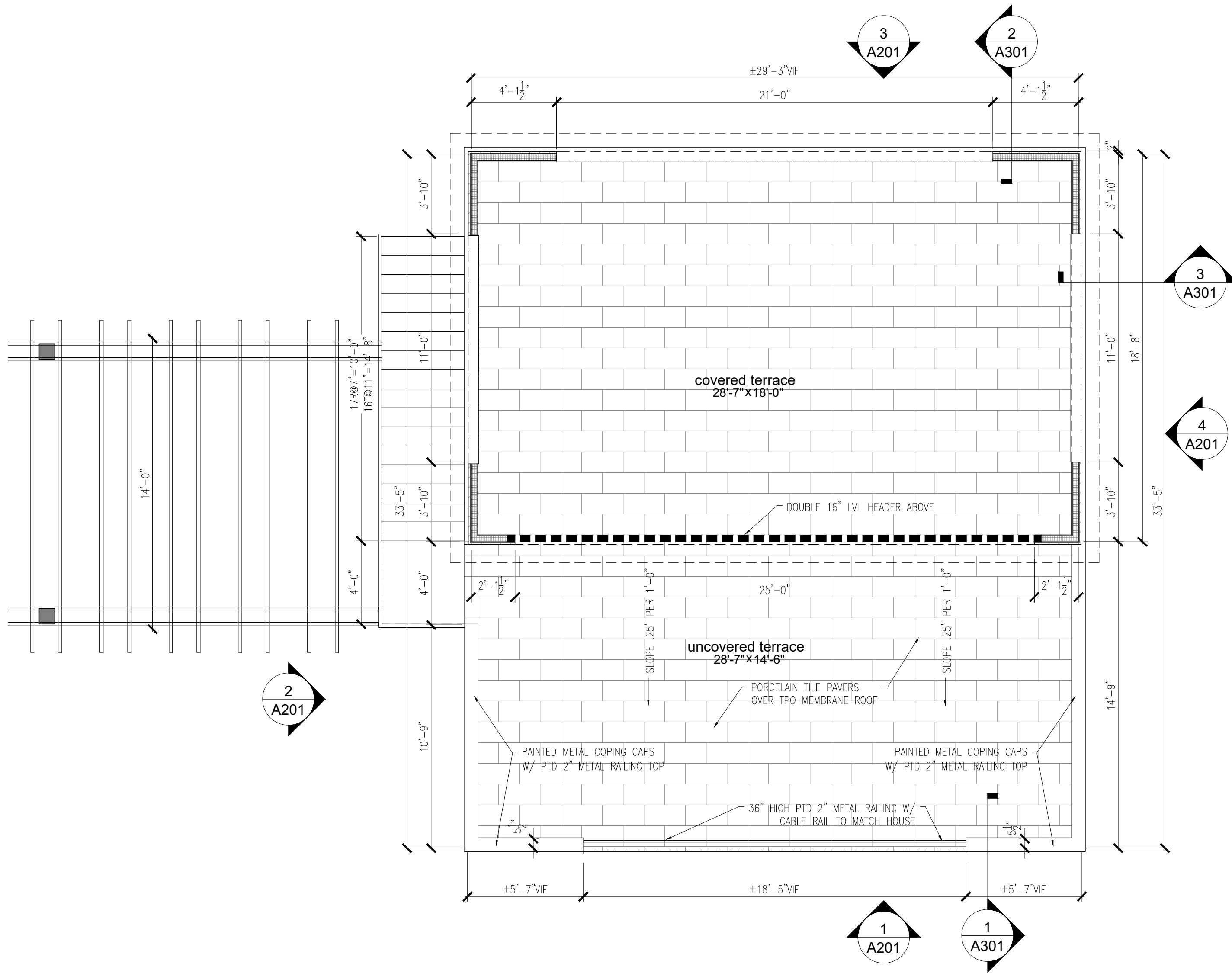
Sheet: 2 of 6 Page 9 of 24

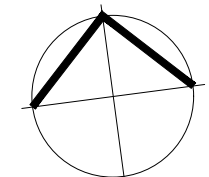
GENERAL NOTES:

1. THE OWNER WILL NOT BE OCCUPYING THE RESIDENCE DURING CONSTRUCTION.
2. ALL WORK SHALL BE DONE IN ACCORDANCE TO WITH THE 2020 INDIANA RESIDENTIAL CODE AND ALL OTHER APPLICABLE CODES AND REGULATIONS.
3. ONLY WRITTEN DIMENSIONS SHALL BE USED. DO NOT SCALE THE DRAWINGS. DIMENSIONS SHALL BE VERIFIED ON THE JOB SITE BY THE CONTRACTOR. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.
4. DIMENSIONS ARE TO FACE OF EXISTING CONSTRUCTION, NEW FRAMING OR MASONRY CONSTRUCTION, UNLESS OTHERWISE NOTED.



 **Roof Plan**
1/4"=1'-0"
0 2' 4' 8'

 **Second Floor Plan**
1/4"=1'-0"
0 2' 4' 8'


Megenihini Boat House
11411 Forest Knoll Circle, Fishers

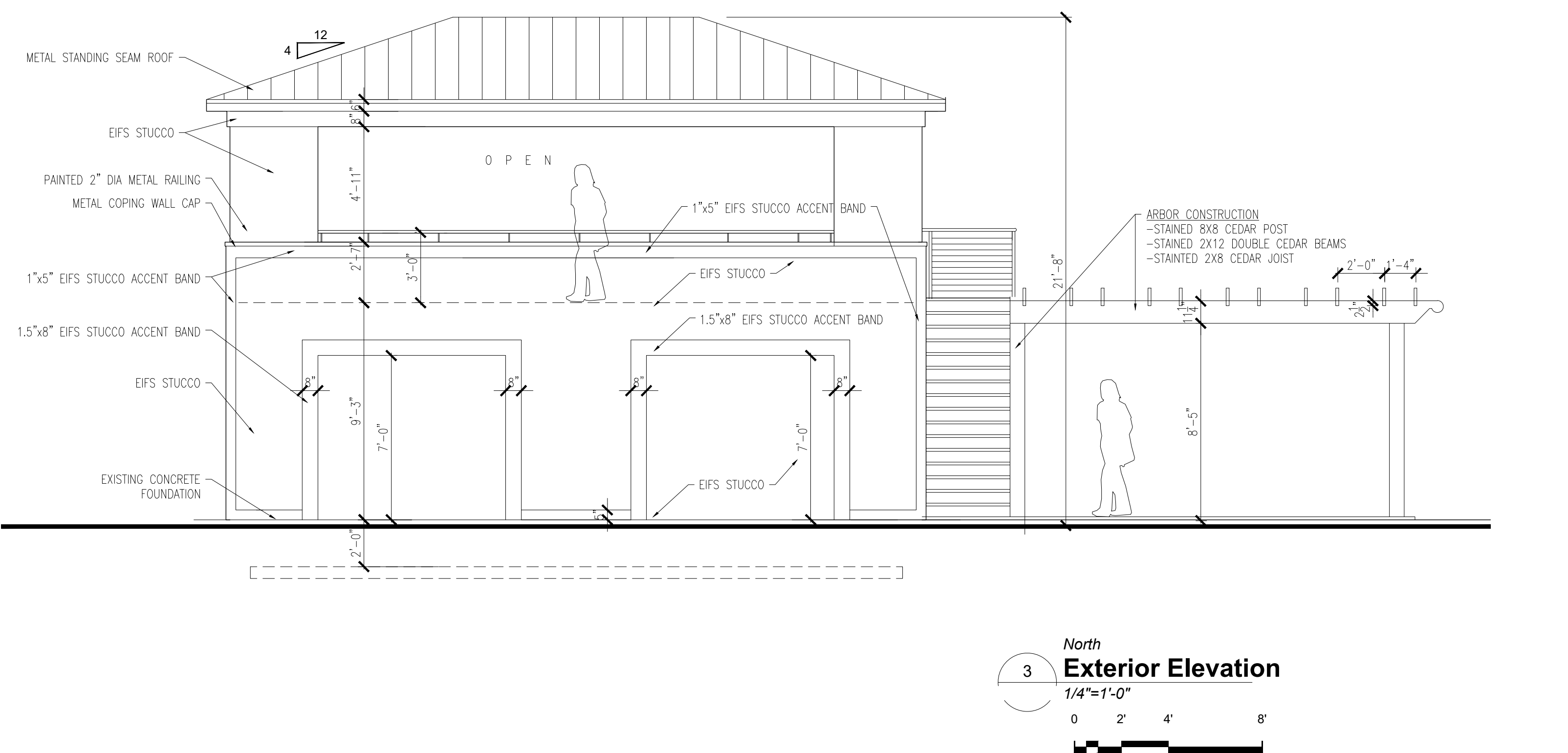
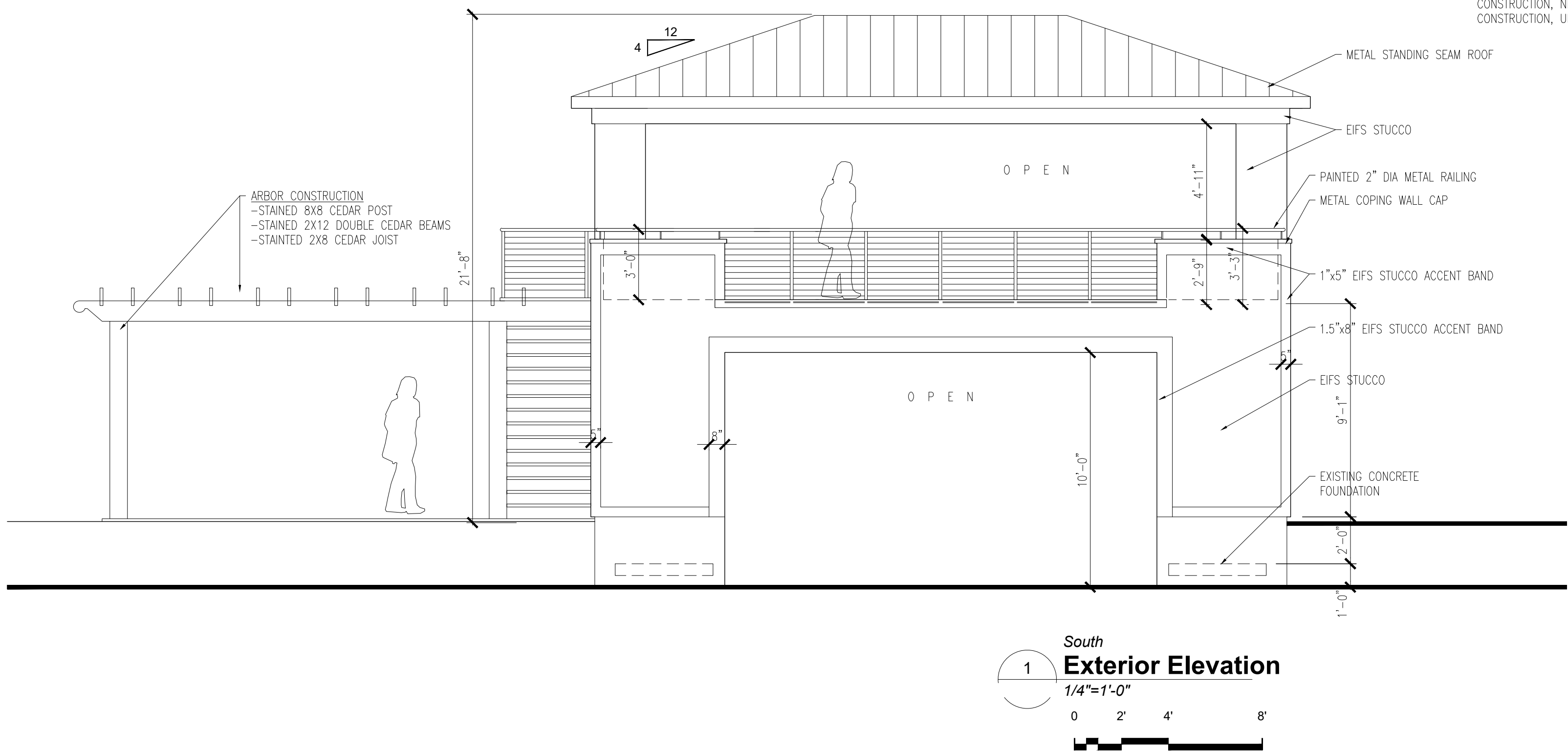
DemerlyArchitects
ARCHITECTURE / INTERIORS / PLANNING
6590 Westfield Blvd., Indianapolis, IN 46220
P: 317.575.2525
F: 317.575.2521
E: mark@demerlyarchitects.com

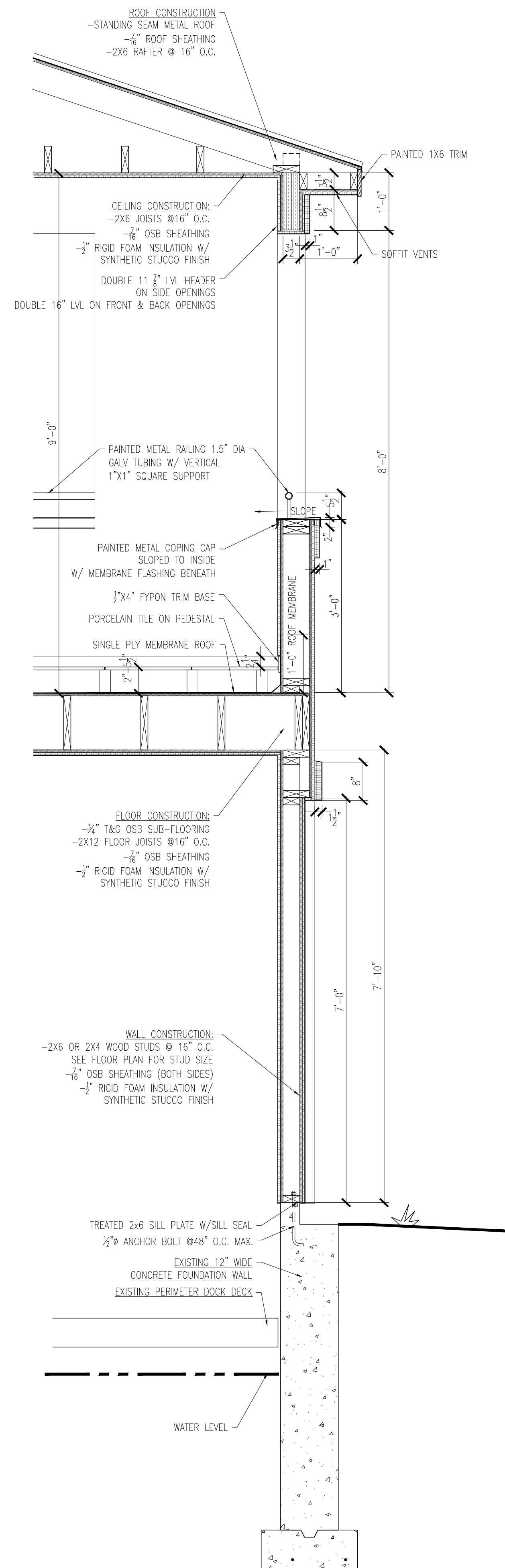
Issue for Construction
Date: 02.08.23
Revise:

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

Second Floor Plan

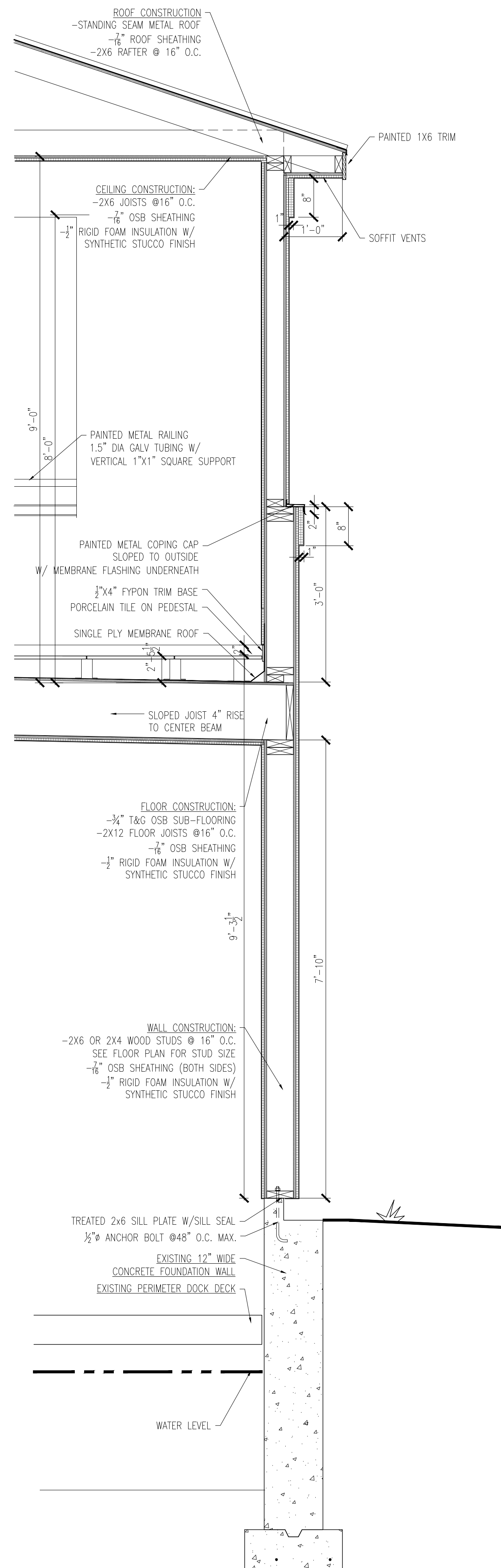
1. THE OWNER WILL NOT BE OCCUPYING THE RESIDENCE DURING CONSTRUCTION.
2. ALL WORK SHALL BE DONE IN ACCORDANCE TO WITH THE 2020 INDIANA RESIDENTIAL CODE AND ALL OTHER APPLICABLE CODES AND REGULATIONS.
3. ONLY WRITTEN DIMENSIONS SHALL BE USED. DO NOT SCALE THE DRAWINGS. DIMENSIONS SHALL BE VERIFIED ON THE JOB SITE BY THE CONTRACTOR. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.
4. DIMENSIONS ARE TO FACE OF EXISTING CONSTRUCTION, NEW FRAMING OR MASONRY CONSTRUCTION, UNLESS OTHERWISE NOTED.



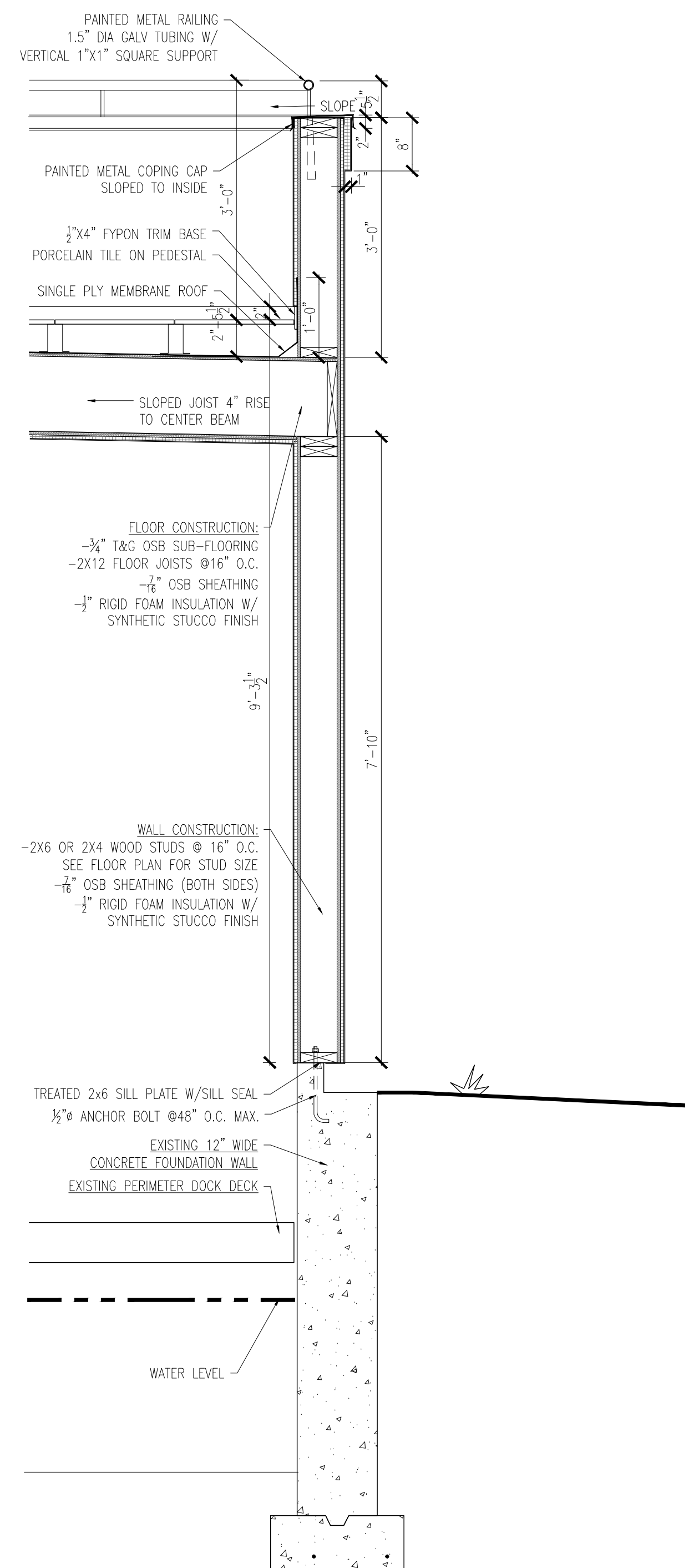


Wall Section
3/4"=1'-0"

0 6" 1' 2'



2 Wall Section
3/4"=1'-0"
0 6" 1' 2'

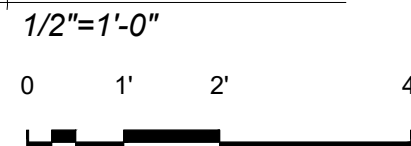
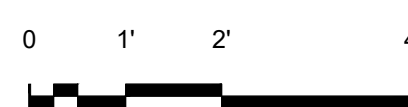
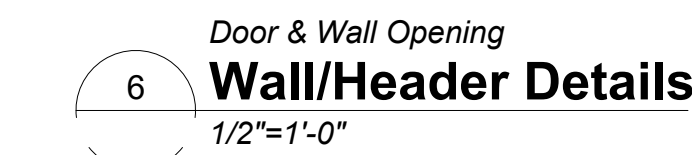
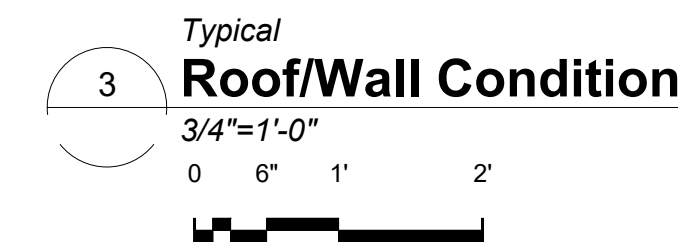
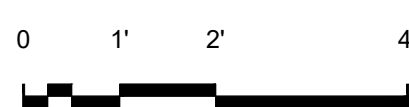
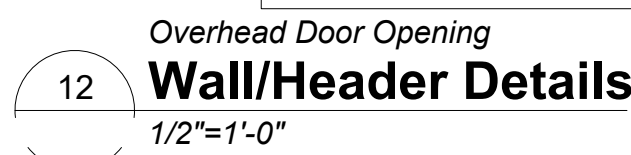
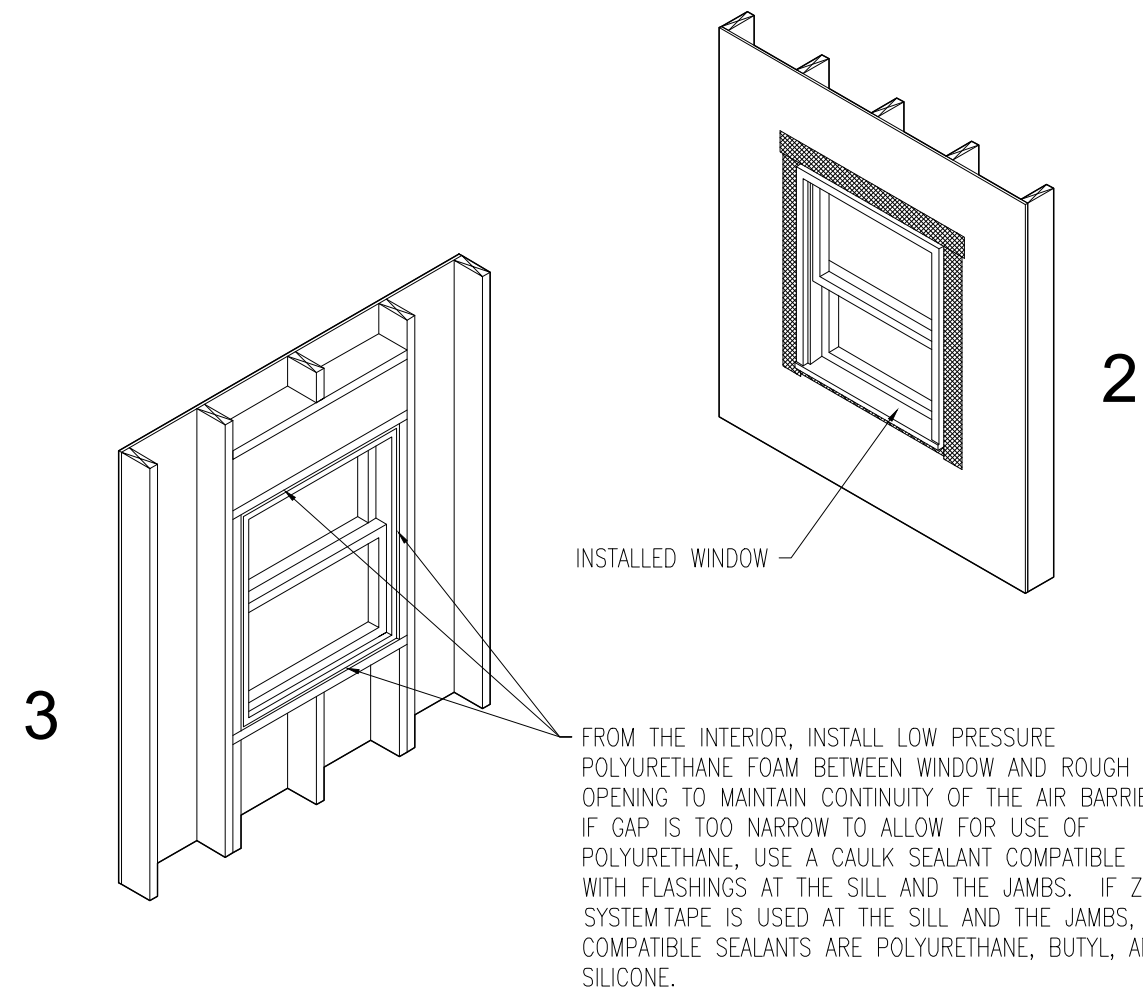


Wall Section
3/4"=1'-0"



0 6" 1' 2'

The diagram shows a cross-section of a wall. A horizontal line represents the ground level. Above the line, a circle with the number '1' inside represents a window or opening. Below the line, a scale bar is shown with markings for 0, 6 inches, 1 foot, and 2 feet. The text 'Wall Section' and the scale '3/4"=1'-0"' are positioned above the diagram.





Board of Zoning Appeals Staff Report

Meeting Date: April 26, 2023

DEPARTMENT CONTACT: Tyler Folk, Planner folkt@fishers.in.us		CASE NUMBER: VA-23-14
PETITIONER: Mark Demerly, on behalf of the property owners, Robert and Sarah Meneghini		PROPERTY ADDRESS/LOCATION: 11411 Forest Knoll Circle, Fishers, IN 46037
REQUEST: Consideration a variance of three Development Standards from Section 6.2.2 of the City's Unified Development Ordinance (UDO), to allow for the construction of a boathouse with a maximum height over 18' and side and rear setbacks of 0'.		
APPLICABLE REGULATIONS: Sec 6.2.2 of the City's Unified Development Ordinance (UDO)	EXISTING ZONING: R2 Residential District	FISHERS 2040: Estate Residential
LOT SIZE: 6.5 acres		
LOCATION MAP		
STAFF RECOMMENDATION ☐ Approve ☐ Continue ☐ Deny ☒ No Recommendation		

ZONING HISTORY:

The subject lot is located in the Forest Knoll Subdivision, which was initially developed in the mid 1970s, with the existing home on this lot beginning construction around 2004. The development of the area around Geist Reservoir, including the Forest Knoll Subdivision, was under the City of Noblesville's purview.

The subject property is within the R2 Zoning District, and as such, is beholden to the Accessory Structure Standards found within the Fishers Unified Development Ordinance (UDO) Section 6.2. Specifically, Residential Accessory Structures within the R2 zoning district are limited to a height of 18', and, if the structure is over 600 square feet in size, must be set back from the side and rear property lines at a distance equal to the structure's height.

In March 2023, an Accessory Structure Permit application for a boathouse was submitted to the City of Fishers. The scope of the proposed work was to construct a 1500 square foot boathouse on an existing foundation on the shore of Geist Reservoir. Staff informed the permit applicant (Mark Demerly of Demerly Architects, on behalf of the property owner) that the proposed plan did not meet the height, rear setback, and side setback requirements for a residential accessory structure within the R2 Zoning District, and that the proposed plan would either need to be amended to meet the zoning requirements or a variance sought. The proposed boathouse would also encroach across the subject property line and into common area belonging to the Forest Knoll HOA. Written permission from the HOA for this encroachment has been attained, and that letter may be found within the attachments of this staff report.

SURROUNDING LAND USE & ZONING:

North, East: R2 Residential District - HOA Common Area

South: OS District (Open Space) – Geist Reservoir

West: R2 Residential District – Single Family Residential Home

The subject site is surrounded by other straight-zoned R2 residential lots to the north, east, and west, or Geist Reservoir (zoned OS) to the south.

This aerial map displays the Forest Knoll area, highlighting a specific property outlined in red. The property is located within a larger lot and is adjacent to several other lots. The map includes the following details:

- Property Outlined in Red:** 13-15-02-00-01-027.000, 11411 Forest Knoll Cir.
- Adjacent Properties:**
 - 13-15-02-00-01-023.000, 115 Forest Knoll Ln
 - 13-15-02-00-01-021.000, 120 Forest Knoll Ln
 - 13-15-02-00-01-038.000, 11416 Forest Knoll Cir
 - 13-15-02-00-01-025.000, 11415 Forest Knoll Cir
 - 13-15-02-00-01-019.000, 0 Forest Knoll Ln
 - 13-15-02-00-01-030.000, 11407 Forest Knoll Cir
 - 13-15-02-00-01-029.000, 11407 Forest Knoll Cir
 - 13-15-02-00-01-031.000, 11405 Forest Knoll Cir
 - 13-15-02-00-02-017.000, 13501 E 114th St
 - 13-15-02-00-00-045.004, 0 Reservoir
- Zoning Designations:**
 - R2:** Residential Single-Family, located in the central area.
 - OS:** Office, located in the bottom right corner near the reservoir.
- Other Labels:**
 - FOREST KNOLL (Area Name)
 - Forest Knoll Cir (Street Name)
 - 00-01-037.000 Forest Knoll Cir
 - 00-01-033.000 st Knoll Cir
 - GUEST RESERVOIR (Water Body)

No Public Comments have been received as of the writing of this Staff Report

The petitioner is requesting a variance of three Development Standards from Section 6.2.2 of the City's Unified Development Ordinance (UDO), to allow for the construction of a boathouse with a maximum height over 18' and side and rear setbacks of 0'.

- 1) Requesting a height of 22'
- 2) Requesting a rear setback of 0' instead of 22'
- 3) Requesting a side setback of 0' instead of 22'

Meeting Date: April 26, 2023

Case Number: VA-23-14

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. Should the Board approve this petition, staff recommends it is done with the condition that the variance is recorded on the property with the County.

STAFF RECOMMENDATION

☐ Approve ☐ Continue ☐ Deny ☒ No Recommendation



Board of Zoning Appeals Staff Report

Meeting Date: April 26, 2023

DEPARTMENT CONTACT: Ross Hilleary (hillearyr@fishers.in.us)	CASE NUMBER: VA-23-15
--	---------------------------------

PETITIONER: Gradison Design Build o/b/o the Property Owner Adam Mears (amears@gradison.net)	PROPERTY ADDRESS/LOCATION: 8705 Morgan Drive Fishers, IN 46038
---	---

REQUEST: Consideration of a Development Standards Variance from Figure 1.3 VC – Village Center of the City’s Nickel Plate District Code to allow for a side yard setback of 60 feet, an increase from the maximum of 15 feet.

APPLICABLE REGULATIONS: Figure 1.3. Development Standards, Setbacks, VC: Village Center	EXISTING ZONING: Nickel Plate District Code, Ordinance No. 111813A	FISHERS 2040: Core Residential
---	--	--

LOT SIZE: Currently .14 Acres, Proposed .26 Acres

LOCATION MAP



STAFF RECOMMENDATION

☐ Approve
 ☐ Continue
 ☐ Deny
 ☒ No Recommendation

Meeting Date: April 26, 2023

Case Number: VA-23-15

ZONING HISTORY:

This property was rezoned 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 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.

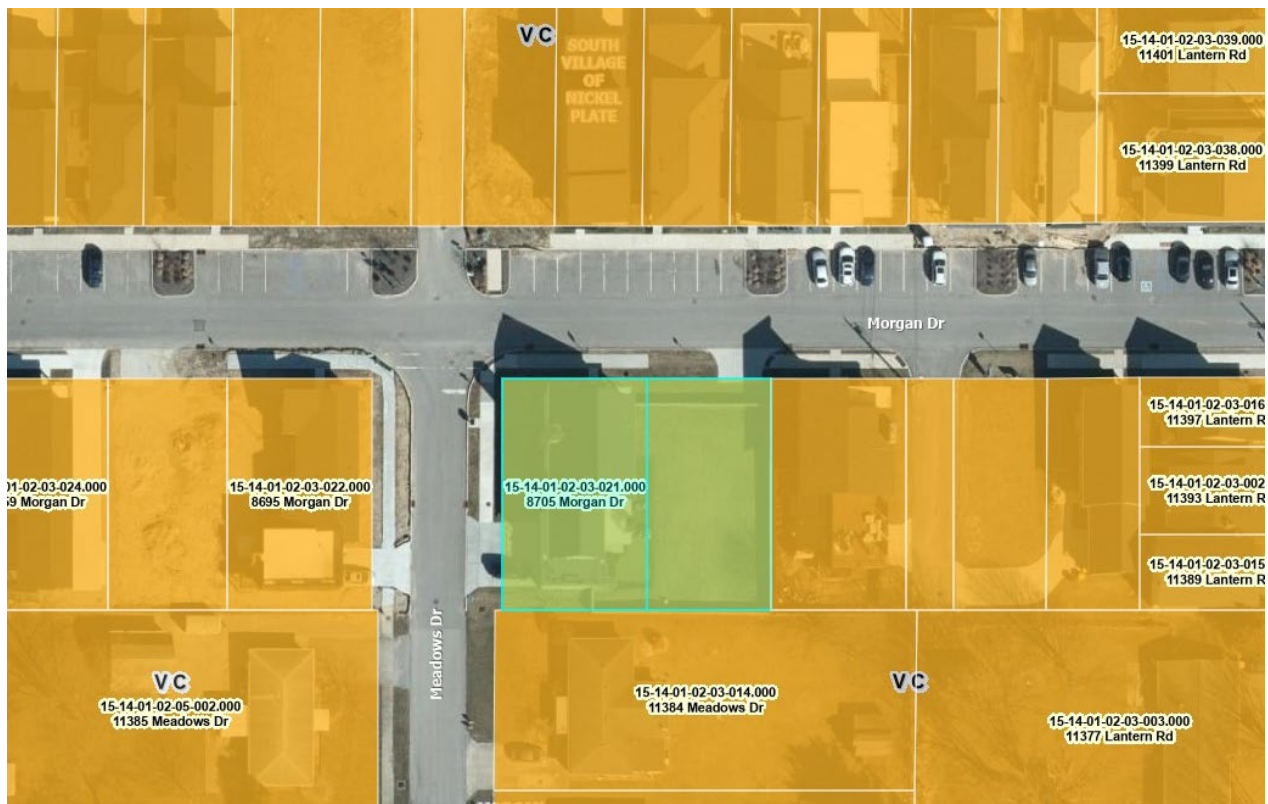
SURROUNDING LAND USE & ZONING:

North: VC – Village Center

East: VC – Village Center

South: VC – Village Center

West: VC – Village Center



SUMMARY OF PUBLIC COMMENTS:

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

Staff did speak with two residents who inquired about the public notice sign and the mailed notice but had no remonstrations.

PETITION OVERVIEW:

8705 Morgan Drive (Lot 8, .14 acres) was built by Gradison Design Build as part of the South Village at Nickel infill residential project. The property owners Dainel and Jill Mattingly took possession and construction began in 2018. A Certificate of Occupancy was provided in July 2019.

8723 Morgan Drive (Lot 7, .12 acres) the adjacent parcel was purchased by Mattingly's in March 2020.

The Nickel Plate District Code has a minimum and maximum setback which is atypical from the Unified Development Ordinance, which has minimum setbacks for front, side, and rear.

This minimum and maximum setback within the Nickel Plate District Code and the VC – Village Center specifically is to encourage a denser residential development style versus the traditional suburban residential lots. Because of this type of density model the lots in the South Village of Nickel Plate do not have a traditional back yard.

The property owners have purchased the adjacent lot to be used as traditional “back yard” and plan to make improvements. As part of this they wish to combine the lots into one parcel, approximately .26 acres in total (Lot 8 and Lot 7). They started the City’s platting process to combine the lots in February 2023. Staff made them aware that by combining these lots the side yard setback was no longer in compliance and required a Development Standards Variance.

If the property was to be replatted into two lots, this variance would no longer be applicable.

STAFF RECOMMENDATION:

Staff has NO RECOMMENDATION.

Meeting Date: April 26, 2023

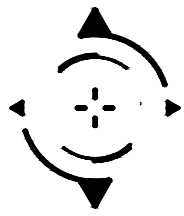
Case Number: VA-23-15

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

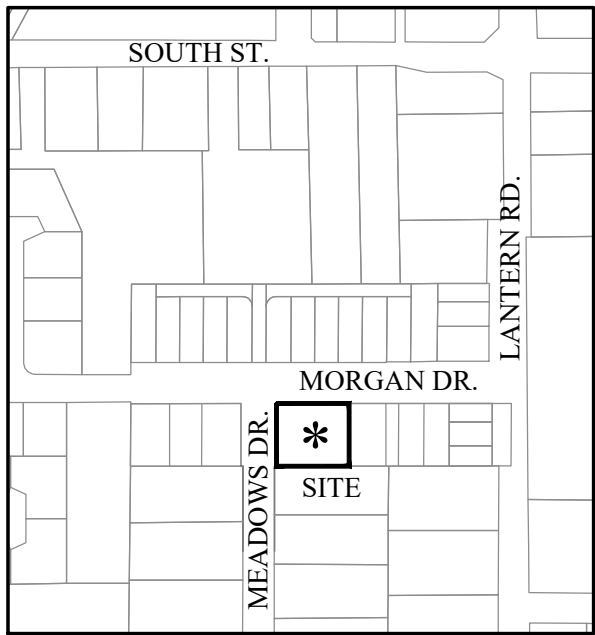


STOEPPELWERTH & ASSOCIATES, INC.
THIS INSTRUMENT PREPARED BY:
DENNIS D. OLMSTEAD, PLS
STOEPPELWERTH & ASSOCIATES, INC.
7965 E. 106TH STREET
FISHERS, INDIANA 46038
PHONE: (317) 849-5935

THIS INSTRUMENT PREPARED FOR:
GRADISON LAND DEVELOPMENT, INC.
6330 EAST 75TH STREET, SUITE 156
INDIANAPOLIS, IN 46250
PHONE: (317) 557-9782
amears@gradison.net

SECONDARY PLAT NO.: SP-23-2

REPLAT OF LOTS 7 & 8
SOUTH VILLAGE OF NICKEL PLATE
HAMILTON COUNTY, DELAWARE TOWNSHIP
SECTION 1, TOWNSHIP 17 NORTH, RANGE 4 EAST
CITY OF FISHERS



KEY MAP
N.T.S.

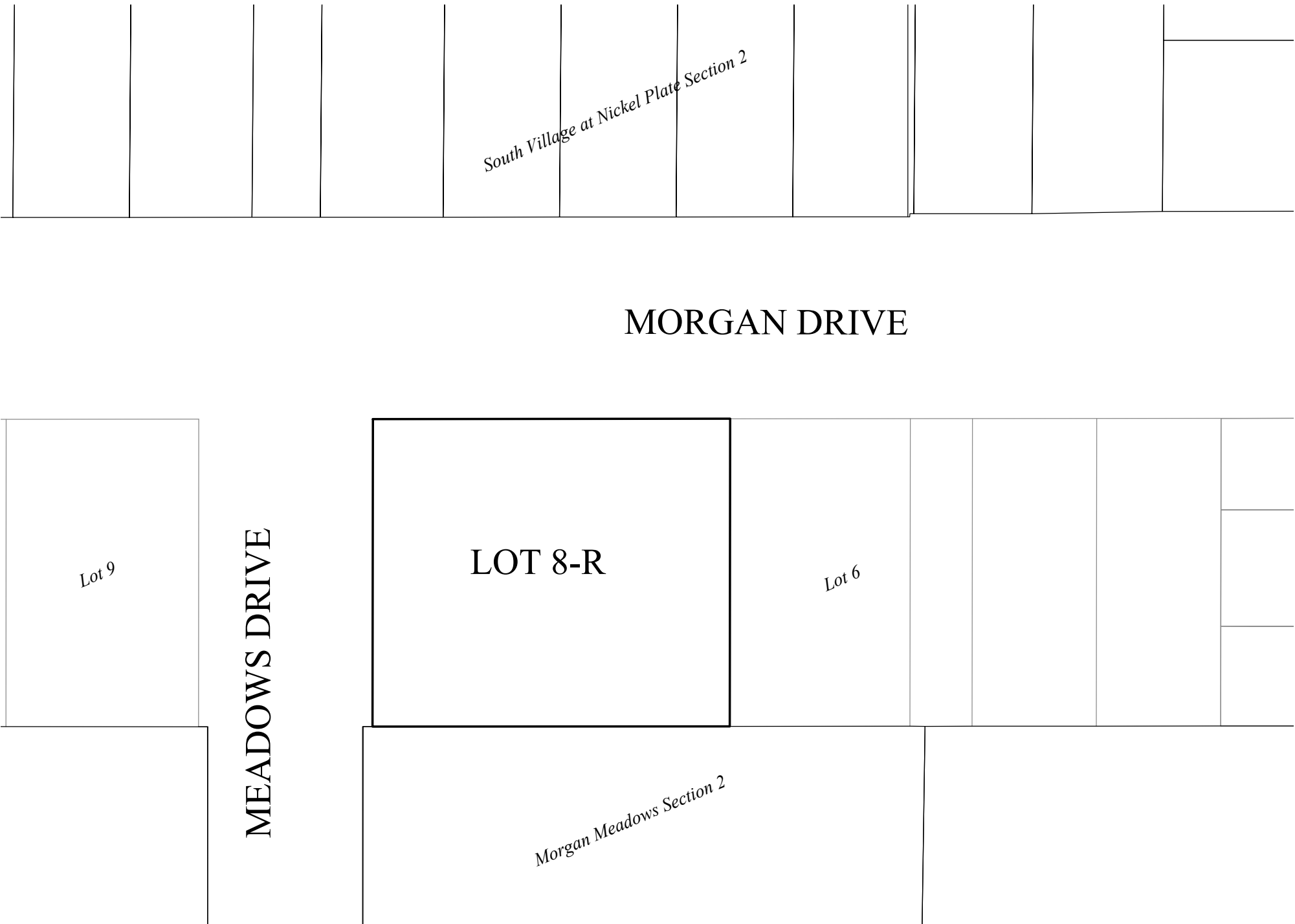
SUBDIVISION
MONUMENTATION

PER INDIANA ADMINISTRATIVE CODE (IAC), TITLE 865 IAC 1-12-18, AN AFFIDAVIT, CROSS-REFERENCED TO THIS PLAT, WILL BE RECORDED AFTER THE SUBDIVISION MONUMENTATION HAS BEEN COMPLETED AND MAY BE DELAYED FOR UP TO TWO YEARS FROM THE DATE OF RECORDATION OF THIS PLAT.

MONUMENTS SET OR TO BE SET INCLUDE SUBDIVISION PERIMETER CORNERS, CENTERLINE INTERSECTIONS, CENTERLINE POINTS OF CURVATURE, CENTERLINE POINTS OF TANGENCY AND INTERIOR LOT/PARCEL CORNERS (INCLUDING BEGINNING AND ENDS OF CURVES AND THE INTERSECTION OF LOT/PARCEL LINES).

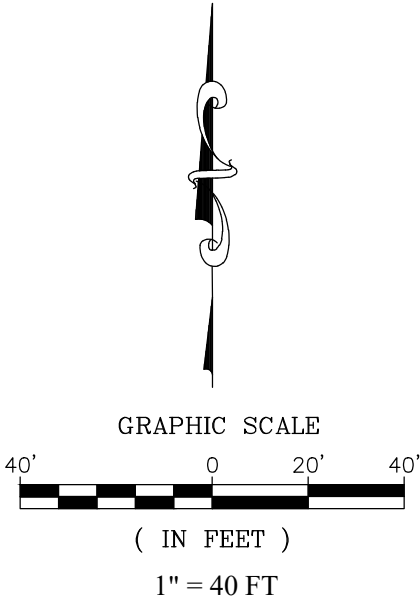
○ DENOTES A 5/8" DIAMETER X 30" LONG REINFORCING BAR (REBAR) WITH CAP STAMPED "S&A FIRM #00008" SET FLUSH WITH THE FINISH GRADE

□ DENOTES A 4" SQUARE X 30" LONG PRECAST CONCRETE MONUMENT WITH A CROSS CAST IN THE TOP SET FLUSH WITH THE FINISH GRADE

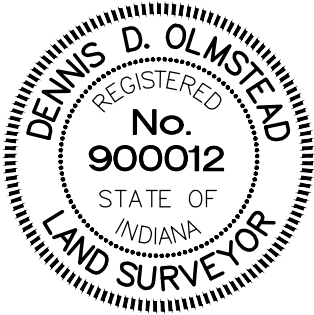


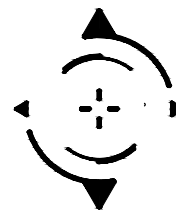
LEGEND

[12159]	ADDRESS
8-R	LOT NUMBER
D.&U.E.	DRAINAGE & UTILITY EASEMENT
D.U.&S.S.E.	DRAINAGE, UTILITY & SANITARY SEWER EASEMENT
R/W	RIGHT OF WAY



Dennis D. Olmstead
Professional Land Surveyor
Indiana No. 900012





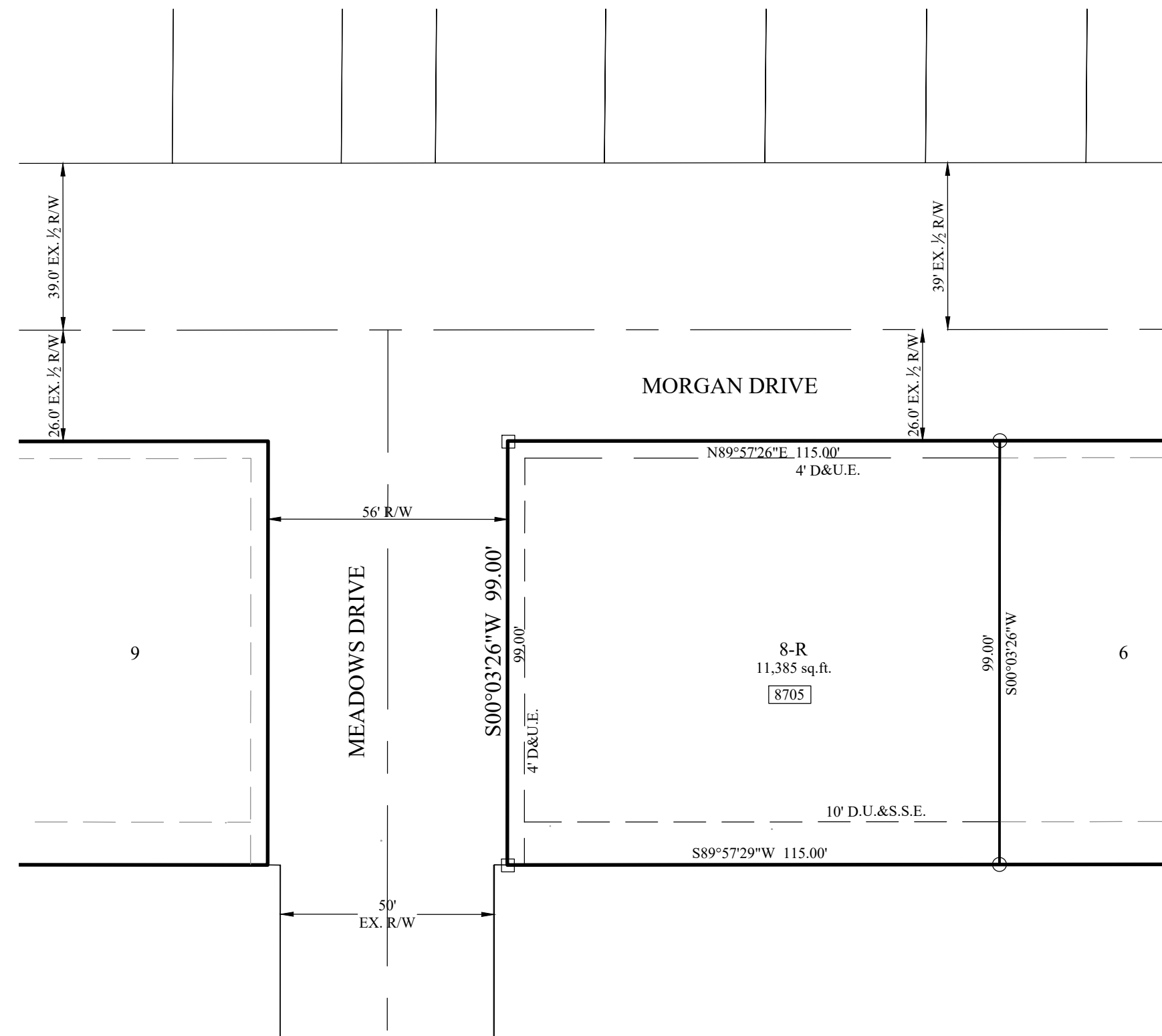
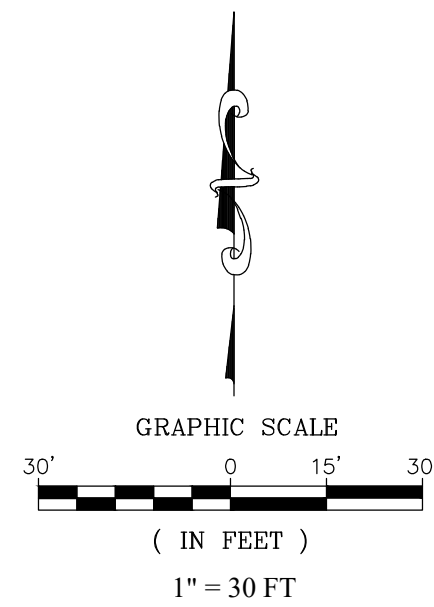
STOEPPELWERTH & ASSOCIATES, INC.
THIS INSTRUMENT PREPARED BY:
DENNIS D. OLMSTEAD, PLS
STOEPPELWERTH & ASSOCIATES, INC.
7965 E. 106TH STREET
FISHERS, INDIANA 46038
PHONE: (317) 849-5935

THIS INSTRUMENT PREPARED FOR:
GRADISON LAND DEVELOPMENT, INC.
6330 EAST 75TH STREET, SUITE 156
INDIANAPOLIS, IN 46250
PHONE: (317) 557-9782
amears@gradison.net

SECONDARY PLAT NO.: SP-23-2

REPLAT OF LOTS 7 & 8 SOUTH VILLAGE OF NICKEL PLATE

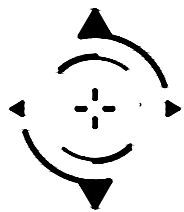
HAMILTON COUNTY, DELAWARE TOWNSHIP
SECTION 1, TOWNSHIP 17 NORTH, RANGE 4 EAST
CITY OF FISHERS



Dennis D. Olmstead
Professional Land Surveyor
Indiana No. 900012



JOB NO. 105652GRD
SHEET 2 OF 3



STOEPPELWERTH & ASSOCIATES, INC.
THIS INSTRUMENT PREPARED BY:
DENNIS D. OLMSTEAD, PLS
STOEPPELWERTH & ASSOCIATES, INC.
7965 E. 106TH STREET
FISHERS, INDIANA 46038
PHONE: (317) 849-5935

THIS INSTRUMENT PREPARED FOR:
GRADISON LAND DEVELOPMENT, INC.
6330 EAST 75TH STREET, SUITE 156
INDIANAPOLIS, IN 46250
PHONE: (317) 557-9782
amears@gradison.net

SECONDARY PLAT NO.: SP-23-2

REPLAT OF LOTS 7 & 8 SOUTH VILLAGE OF NICKEL PLATE

HAMILTON COUNTY, DELAWARE TOWNSHIP
SECTION 1, TOWNSHIP 17 NORTH, RANGE 4 EAST
CITY OF FISHERS

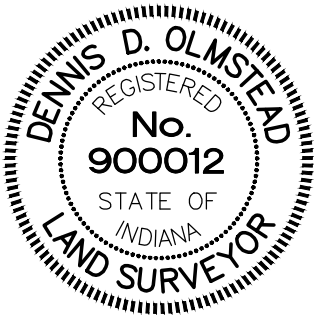
Lots 7 and 8 in South Village of Nickel Plate, the plat of which was recorded as Instrument #2017003826, Plat Cabinet #5, Slide #634 in the Office of the Recorder for Hamilton County, Indiana.

This replat consists of 1 lot numbered 8-R. The size of lots and width of streets are shown in feet and decimal parts thereof.

I, the undersigned, hereby certify I am a Professional Land Surveyor, licensed in compliance with the laws of the State of Indiana and the within plat represents a subdivision of the lands within the cross referenced plat, and to the best of my knowledge and belief there has been no change from the matters revealed by the cross-reference plat on any lines that are common with the new subdivision.

Witness my signature this _____ day of _____, 2023.

Dennis D. Olmstead
Professional Land Surveyor
No. 900012



COMMISSION CERTIFICATE:

Under authority provided by Title 36, Acts of 1981, I, P.L. 309 enacted by the General Assembly of the State of Indiana, and all acts amendatory thereto and an ordinance adopted by City of Fishers as follows:

Adopted by the City of Fishers Plat Committee, a Subcommittee of the Advisory Plan Commission on _____, 2023.

Megan Vukusich, Designee

Ross Hilleary, Secretary

We, the undersigned owners of the real estate shown and described herein, do hereby certify that we have laid off, platted and subdivided, and do hereby lay off, plat and subdivide, said real estate in accordance with the plat, herein.

There are designated parcels as shown on the within plat marked as Sanitary Sewer Easement or S.S.E., designated parcels marked as Drainage Easement, or D.E., designated parcels marked as Utility Easement or U.E., either separately or in any combination of the same. Such designated parcels are hereby subjected to easements, which are hereby created and reserved for the uses defined as follows: (When easements are combined in the same strip of ground or area, all uses specified by each easement description below shall apply.)

"Sanitary Sewer Easements" are hereby created for the use of the Developer, and of the Utility, public or private, having jurisdiction over the sanitary waste disposal system. Sanitary Sewer Easements shall be used to construct, extend, operate, inspect, maintain, reconstruct, and remove mains, ducts, or other related utility structures of sanitary sewers that are part of said system, and for Ingress and egress thereto.

"Drainage Easements" are created for the use of the Developer and any governmental agency having jurisdiction over drainage and storm sewer systems to provide paths and courses and a system for natural area and local storm drainage, either overland or in appropriate underground installations to serve the needs of this and adjoining grounds and the public drainage system. Drainage Easements shall be used to grade, construct, operate, Inspect, maintain, reconstruct, and remove mains, ducts, or other related structures of storm sewers that are part of said system, and for ingress and egress thereto. The owners of all lots are and shall be required to keep any areas of their lots designed for the natural flow of water unimpeded, and any improvements made on or under any such easements by the owner are and shall be at the risk of the property owner. Fishers shall be responsible of the care, maintenance, repair and/or replacement of actual structures in place, such as storm pipes, manhole castings, etc., and each property owner, as it pertains to their lot or lots, shall maintain surface drainage systems and open swales, as well as all basement sump drains and swale subsurface drains (SSD).

"Utility Easements" are created for the use of all public or private utility companies, including but not limited to sanitary sewers, gas, phone, electric, water, and cable television companies, but not including transportation companies, for the installation and maintenance of mains, ducts, poles, lines, wires, drains, pipes, and other utility installations for the purpose of furnishing utility services, and for ingress and egress thereto.

This subdivision shall be known and designated as the Replat of Lots 7 & 8 in South Village of Nickel Plate a subdivision in Hamilton County, Indiana.

This lot is subject to the declaration of covenants, conditions and restrictions of South Village of Nickel Plate, recorded as Instrument No. 2017003827 in the Office of the Recorder for Hamilton County, Indiana and any amendments thereto.

In Testimony whereof, witness the signatures of the Owners and Declarants this _____ day of _____, 2023.

Owners Lot 8-R

Daniel E. Mattingly

Jill S. Mattingly

State of Indiana)
) SS
County of _____)

Before me, the undersigned, a Notary Public in for said County and State, personally appeared Daniel and Jill Mattingly and acknowledged the execution of this Instrument of their voluntary act and deed and affixed their signatures thereto.

Witness my signature and seal this _____ day of _____, 2023.

County of Residence: _____

Notary Public

My Commission Expires: _____

Printed Name

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law. Dennis D. Olmstead, PLS