



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: 9/27/2023, 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. 8-23-23

4. Public Hearings

- a. **Cook Accessory Structure Variance**

Address: 13595 E 114th Street Fishers, IN 46037

Case: VA-23-24

Request: Consideration of a Development Standards Variance from Section 6.2.2.A. Residential Accessory Structure Maximum Floor Area of the City Unified

Development Ordinance to allow for a maximum accessory size of 3720 square feet.

Petitioner: Adam Gilliatte (agilliatte@gilliatte.com)

Planner: Ross Hilleary, Director (hillearyr@fishers.in.us)

b. Impervious Surface Variance

Address: 13643 Haven Cove Lane, Fishers, IN 46055

Case: VA-23-25

Request: Consideration of a Development Standards Variance from Section 3.2.3 of the City's Unified Development Ordinance (UDO) and the Marina PUD Ordinance #: 041210 to increase the maximum permitted impervious surface area from 35% to 55% to allow a side load garage, pool, and pool deck.

Petitioner: Christian Rector, property owner (rector.christian@gmail.com)

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

5. New Business

6. Staff Communication

7. Board Signatures – Findings of Fact

8. Adjournment

**CITY OF FISHERS
BOARD OF ZONING APPEALS
LAUNCH FISHERS THEATER
MINUTES
August 23, 2023**

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

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

Others present: Megan Vukusich, Ross Hilleary, Rodney Retzner, Kay Prange, Gabrielle Herin, Amanda Deardorff

Mr. Ferrucci confirmed quorum and called the meeting to order. Mr. Ferrucci explained to the Petitioner that since only 3 members were present, their decision would need to be unanimous to pass. Petitioner has chosen to go forward.

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

Public Hearings:

a. Brooks Park Height Variance

Address: 9857 Backstretch Row, Fishers, IN 46040

Case: VA-23-23

Request: Consideration of a Development Standards Variance from the Southeast Fishers Planned Development Ordinance #100305E, as amended, to increase the maximum permitted height from 35 feet to 40 feet for 23 proposed single family homes of the Brooks Park Subdivision.

Petitioner: Amanda Deardorff of Fischer Homes of Indiana (adeardorff@fischerhomes.com)

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

Amanda Deardorff of Fischer Homes presented the Variance request to allow height on a section of homes in Brooks Park Subdivision to go to a height of 40 feet. Currently 35 feet is allowed. In practice, the models in question would only go to 39 feet high. The models in question are part of their Masterpiece and Grand Estates models. An explanation was given on how the height is calculated and is affected by grade and roof pitch. Woods at Thorpe Creek has these models already. The Jameson model is 39 feet.

Gabrielle Herin, Senior Planner, presented the Staff Report. The map showing the B1 section in question was reviewed. Public comments have been received, one in favor, and two remonstrances. Staff has no recommendation for the Board.

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

Mr. Grinslade asked how many floor plans and elevations there were. Customer demand would drive this. There are 6 floor plans, 3 elevations. Mr. Ferrucci confirmed that none are over 40 feet, and Mr. Stevenson confirmed with the builder that an anti-monotony stipulation is in place.

Mr. Ferrucci asked for a Motion. Mr. Grinslade made a Motion to approve with the recording of the variance with the County. Mr. Stevenson seconded. The Motion was approved, 3-0.

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

Respectfully Submitted by:

Kay Prange, Recording Secretary



Board of Zoning Appeals Staff Report

Meeting Date: September 27, 2023

DEPARTMENT CONTACT:

Ross Hilleary, Director of Planning & Zoning
(hillearyr@fishers.in.us)

CASE NUMBER:

VA-23-24

PETITIONER:

Adam Gilliatte (agilliatte@gilliatte.com)

PROPERTY ADDRESS/LOCATION:

13595 E 114th Street Fishers, IN 46037

REQUEST: Consideration of a Development Standards Variance from Section 6.2.2.A. Residential Accessory Structure Maximum Floor Area of the City Unified Development Ordinance to allow for a maximum accessory size of 3720 square feet.

APPLICABLE REGULATIONS:	EXISTING ZONING:	FISHERS 2040:
Unified Development Ordinance (UDO)	R2 – Residential	Estate Residential

LOT SIZE: 3.2 Acres

LOCATION MAP



STAFF RECOMMENDATION

☐ Approve, with Conditions

☐ Continue

☐ Deny

☒ No Recommendation

Meeting Date: September 2, 2023

Case Number: VA-23-24

ZONING HISTORY:

This property zoned R2 – Residential which is intended to provide for single-family homes in a lower density range of 1.0 to 1.7 units per acre. The property is 1.0 unit per 3.2 acres.

SURROUNDING LAND USE & ZONING:

North: ER – Estate Residential (Single-Family)

East: R2 – Residential (Single-Family)

South: Open Space (Geist Reservoir)

West: R2 – Residential (Single-Family)



Zoning Map

Meeting Date: September 2, 2023

Case Number: VA-23-24

SUMMARY OF PUBLIC COMMENTS:

No Public Comments have been submitted at the time of writing this Staff Report. Staff was provided an email of support from the HOA Board, attached.

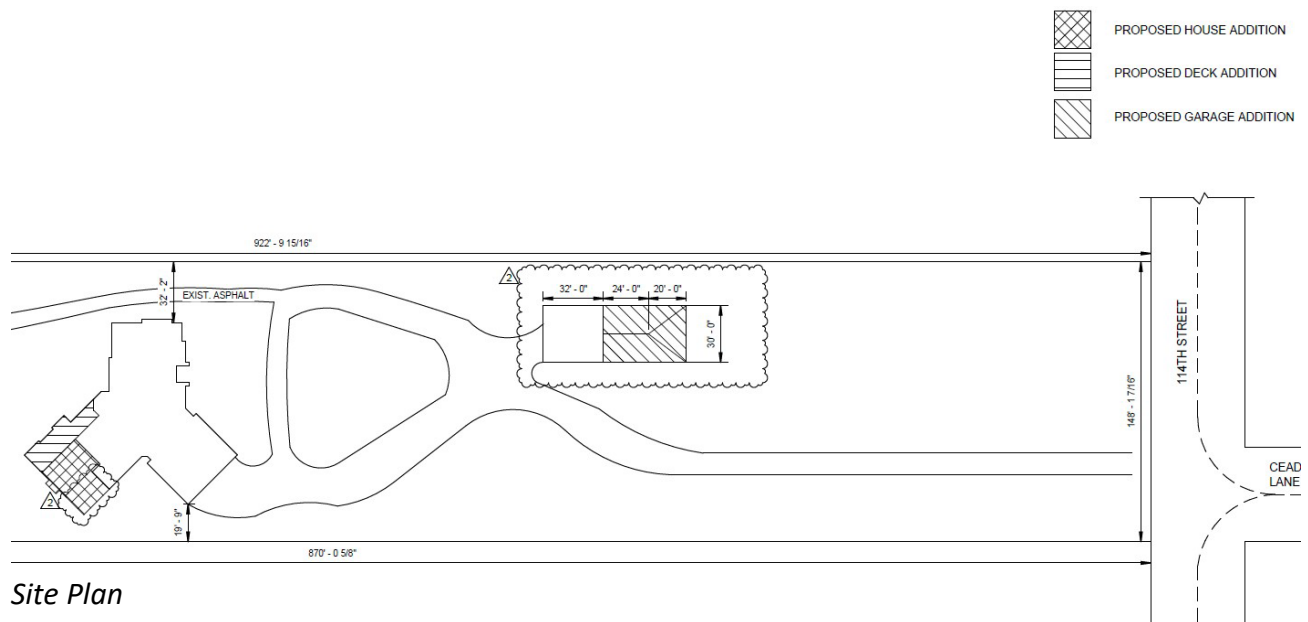
PETITION OVERVIEW:

Dan and Kim Cook purchased the property located at 13595 E 114th Street in 2022 and submitted a residential building permit to remodel the property in February 2023. Revisions were submitted in June 2023 that included an accessory structure. Upon review the residential building permit was split off so the primary structure could continue to be completed with out delay.

An existing structure 32 x 30 feet accessory structure (960 sqft) resides on the property. The petition is seeking to expand the accessory structure by 44 x 40 feet (1,760 sqft) for a total of 2,720 sqft. An approximately 1,000 sqft boat house is located near the shoreline of Geist Reservoir.

The Petitioner is seeking a consideration of a Development Standards Variance from Section 6.2.2.A. Residential Accessory Structure Maximum Floor Area of the City Unified Development Ordinance to allow for a maximum accessory size of 3720 square feet to accommodate:

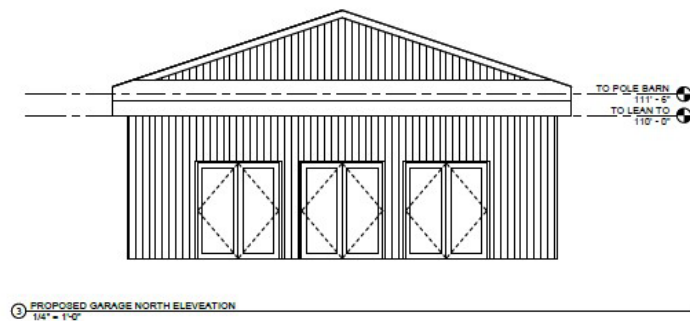
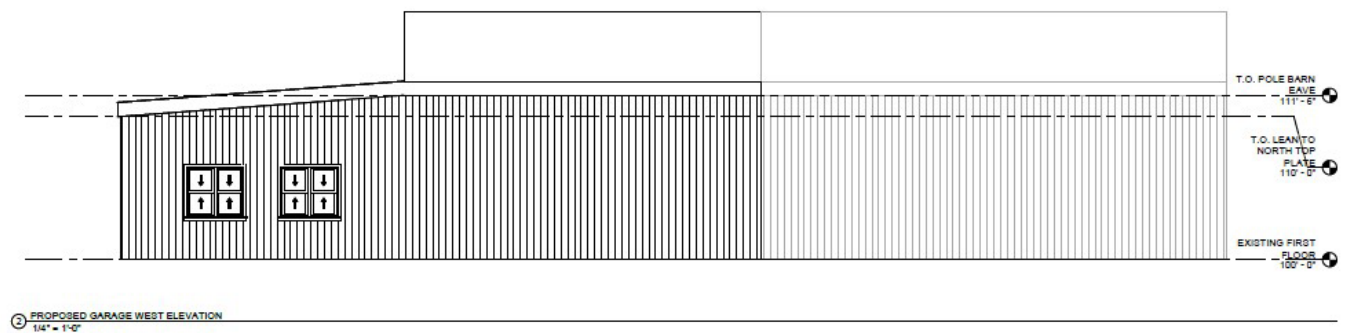
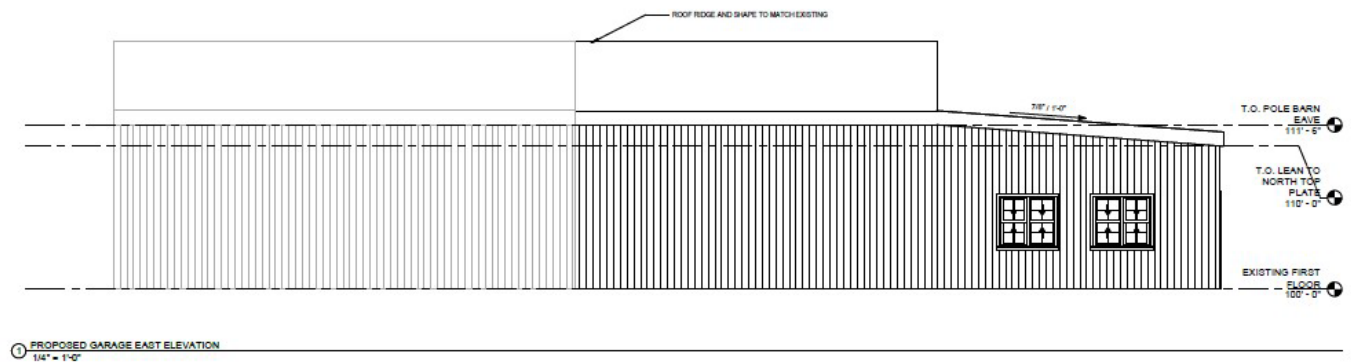
- Existing Boat House, approximately 1,000 sqft
- Proposed Accessory Structure Remodel, approximately 2,720 sqft



Site Plan

Meeting Date: September 2, 2023

Case Number: VA-23-24



Elevations

STAFF RECOMMENDATION:

Staff has no recommendation for the Board of Zoning.

Meeting Date: September 2, 2023

Case Number: VA-23-24

If the Board approves this Variance staff request the following conditions, and any others sought by the Board:

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

STAFF RECOMMENDATION

☐ Approve, with Conditions

☐ Continue

☐ Deny

☒ No Recommendation



CLIENT:
COOK RESIDENCE
13595 E. 114TH ST. FISHERS, IN 46037

① SITE PLAN
1" = 40'-0"

SCALE 1" = 40'-0"



CLIENT:
COOK RESIDENCE
13595 E. 114TH ST. FISHERS, IN 46037

[illegible]

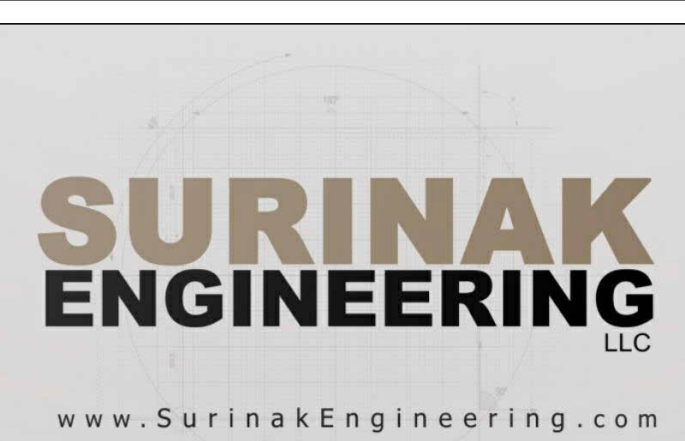
COOK REMODEL
13595 E. 114TH ST
FISHERS, IN 46037
PROPOSED GARAGE PLAN

A105

SCALE	1/4" = 1'-0"
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WINDOW SCHEDULE			
MARK	WIDTH	HEIGHT	SILL HEIGHT
W100	1' - 8"	5' - 0"	3' - 0"
W101	4' - 0"	3' - 6"	3' - 0"

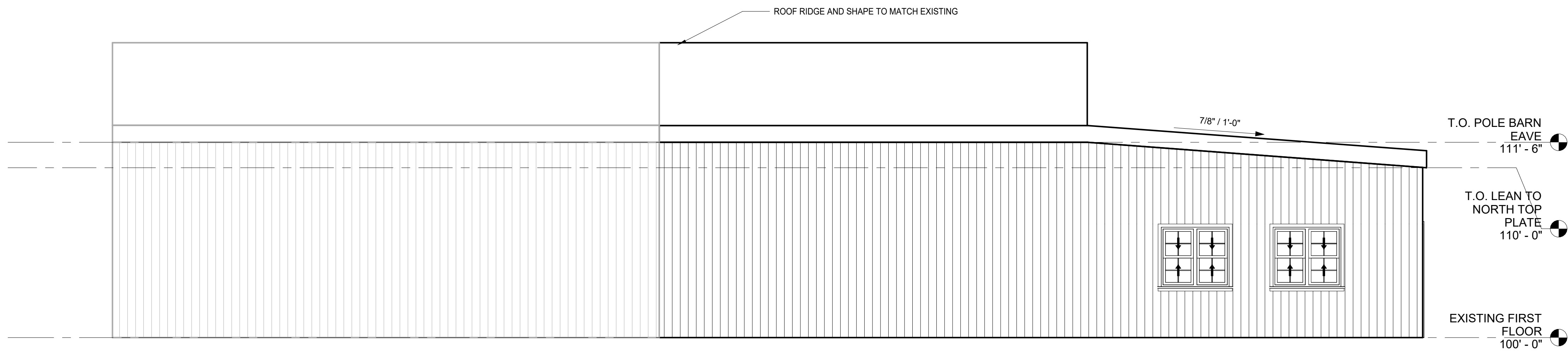


NOT FOR
CONSTRUCTION

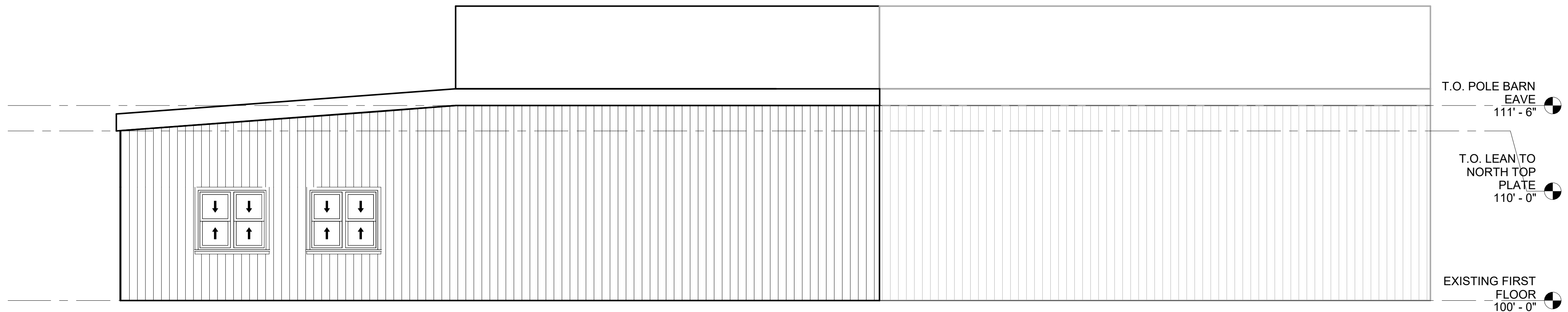
STRUCTURAL ENGINEERING BY:
SURINAK ENGINEERING LLC
3819 N. DELAWARE ST.
INDIANAPOLIS, IN 46205
317.500.3159
WWW.SURINAKENGINEERING.COM

CLIENT:
COOK RESIDENCE
13595 E. 114TH ST. FISHERS, IN 46037

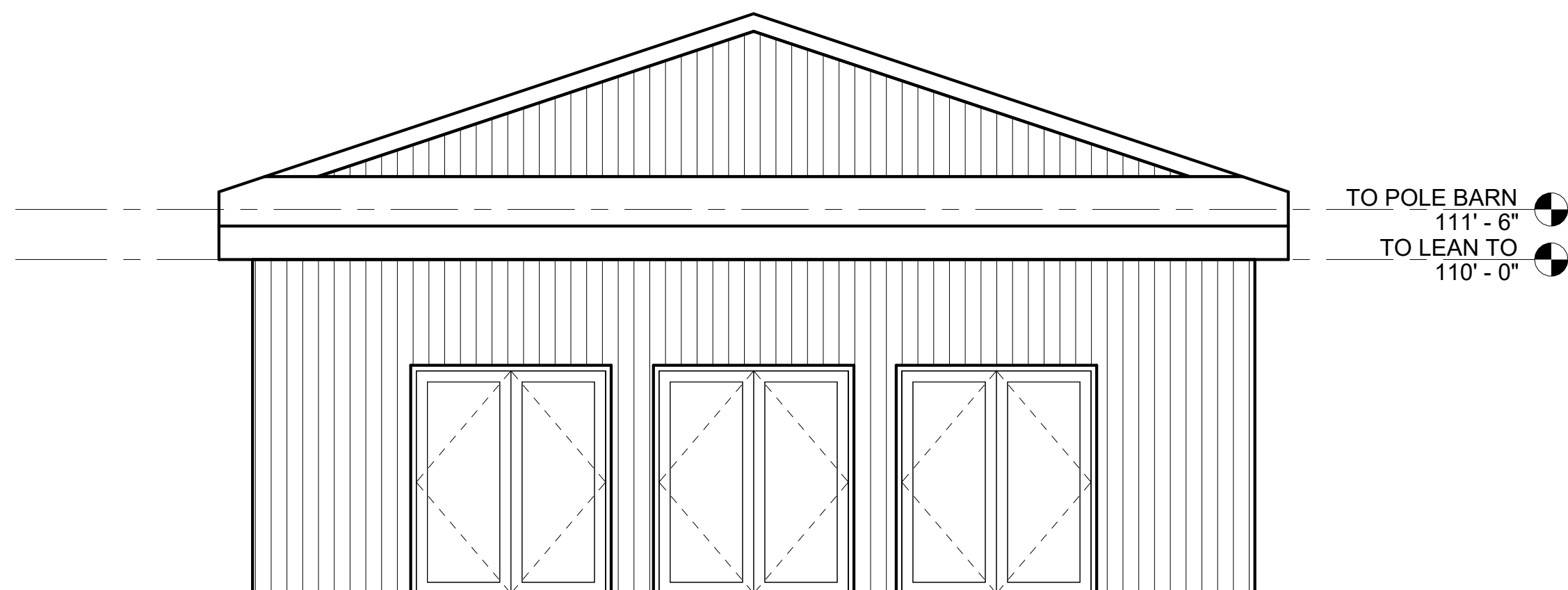
NOTES:



1 PROPOSED GARAGE EAST ELEVATION
1/4" = 1'-0"



2 PROPOSED GARAGE WEST ELEVATION
1/4" = 1'-0"



3 PROPOSED GARAGE NORTH ELEVATION
1/4" = 1'-0"

[illegible]

COOK REMODEL
13595 E. 114TH ST
FISHERS, IN 46037
GARAGE ELEVATIONS

PROJECT NUMBER	1732
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DATE	01/18/2023
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DRAWN BY NF

A201

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

From: [Adam Gilliatte](#)
To: [Alea Mills](#)
Subject: FW: Cook Updated plans
Date: Monday, August 14, 2023 3:22:51 PM
Attachments: [image001.png](#)
[image002.jpg](#)

Please upload this email to the Fishers website for the Cook project.

Adam Gilliatte

Gilliatte General Contractors, Inc.
2515 Bloyd Avenue
Indianapolis, Indiana 46218
(317) 638-3355 office
(317) 634-5997 fax
www.gilliatte.com



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From: Kim cook <kimlcook@msn.com>
Sent: Monday, August 14, 2023 3:20 PM
To: Adam Gilliatte <agilliatte@gilliatte.com>
Subject: Fwd: Cook Updated plans

CAUTION: This email originated from outside of the organization. Please do not click links or open attachments unless you recognize the sender and know the content is safe. If you are uncertain, forward to admin@gilliatte.com

Begin forwarded message:

From: "Kucic, Cam" <Cam.Kucic@colliers.com>
Date: August 3, 2023 at 7:40:12 AM EDT
To: kimlcook@msn.com
Subject: FW: Cook Updated plans

Kim,

Good morning. Per our conversation yesterday, please see the email below that states your plans for the barn were approved.

Good luck and please don't hesitate to reach out if you need anything else.

Thanks,

Cam Kucic, SIOR
Executive Vice President | Indianapolis
Logistics and Transportation Group
cam.kucic@colliers.com
Mobile: +1 317 557 4013

241 N Pennsylvania St | Indianapolis, IN 46204 | U.S. | colliers.com



From: Kucic, Cam
Sent: Monday, February 27, 2023 8:14 AM
To: dcook@onlinetransport.com; kimlcook@msn.com
Subject: FW: Cook Updated plans

Dan/Kim,

Good morning. Thanks for your patience on this but we finally got feedback from everyone. I was out for a while dealing with Achilles surgery, issues with surgery then covid so sorry for the delay.

The neighbors have approved your plans. Some did mention that due to the size of the expansion of the detached garage that you will need to get a variance from Fishers so just make sure you get everything approved from them first.

It looks very nice and good luck with the project!

Best,

Cam Kucic, sior
Executive Vice President | Indianapolis
Logistics and Transportation Group
cam.kucic@colliers.com
Mobile: +1 317 557 4013

241 N Pennsylvania St | Indianapolis, IN 46204 | U.S. | [colliers.com](https://www.colliers.com)

[<image001.png>](#)



Good morning. I have been asked to share the attached renovation plans for Dan and Kim Cook's house with you since you are part of the architectural committee and the neighboring property owners.

Please let me know if anyone objects to their plans or has any questions.

Thanks,

Cam Kucic, sior
Executive Vice President | Indianapolis
Logistics and Transportation Group
cam.kucic@colliers.com
Mobile: +1 317 557 4013

241 N Pennsylvania St | Indianapolis, IN 46204 | U.S. | [colliers.com](https://www.colliers.com)

[<image001.png>](#)

[<image002.png>](#)

From: LAURA VILLANYI <lauraworld@mac.com>
Sent: Wednesday, January 25, 2023 2:10 PM
To: Kucic, Cam <Cam.Kucic@colliers.com>
Subject: Cook Updated plans

Cam

These are the updated house plans for Kim and Dan Cook. Please send to the architecture committee and adjacent neighbors for approval.

Thanks

Laura

Sent from my iPhone

Begin forwarded message:

From: Kim cook <kimlcook@msn.com>

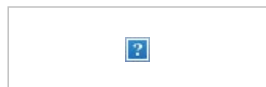
Date: January 25, 2023 at 8:03:31 AM MST

To: Laura Villanyi <lauraworld@mac.com>, Danny Cook <dcook@onlinetransport.com>

Subject: Fw: Updated plans

Good Morning,

Here are the set of plans for our home. Can you please forward them to the necessary people.



KIM COOK

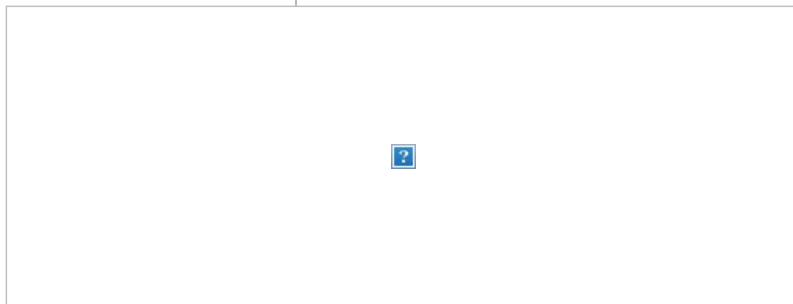
PROPRIETOR

p. 317-248-5222

e. klcook@danielsvineyard.com

www.danielsvineyard.com

9061 N 700 W; McCordsville, IN 46055



From: Todd Surinak <Todd@surinakengineering.com>

Sent: Tuesday, January 24, 2023 11:13 AM

To: Kim cook <kimlcook@msn.com>

Subject: Updated plans

Kim,

Attached are your updated plans. Let us know if you have any questions!

Thanks,

<image001.jpg>

Todd Surinak, PE

(IN, MO, NC, NV, NJ, OH, OR, PA,
and TX)

President | Surinak Engineering, LLC

<image002.png>

[3175003159](tel:3175003159)

<image003.png>

todd@surinakengineering.com

<image004.png>

<http://www.surinakengineering.com/>

<image005.png>

3739 N Illinois ST , Indianapolis, IN
46208

<image006.png>

<1732- Gilliatte Cook Residence 1-24-23.pdf>

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Board of Zoning Appeals Staff Report

Meeting Date: September 27, 2023

DEPARTMENT CONTACT:

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

CASE NUMBER:

VA-23-25

PETITIONER:

Christian Rector, property owner

PROPERTY ADDRESS/LOCATION:

13643 Haven Cove Lane, 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: 0.44 acres

LOCATION MAP

STAFF RECOMMENDATION

☐ Approve ☐ Continue ☐ Deny ☒ No Recommendation

ZONING HISTORY:

Christian Rector, the current property owner, reached out to the City of Fishers in August of 2023 to ask about filing a Variance to increase impervious surface area on a lot in Springs of Cambridge Section 12. He applied for the variance prior to submitting a residential building permit. He knew he would exceed the impervious surface area maximum with his side load garage, pool and pool deck. Staff confirmed he would need to increase his impervious surface coverage to 55%.

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.

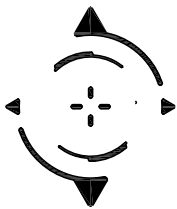
PETITION OVERVIEW:

The petitioner is requesting a Development Standards Variance to increase the lot's maximum impervious surface coverage from 35% to 55%.

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

Staff has no recommendation for the Board.

☐ Approve ☐ Continue ☐ Deny ☒ No Recommendation



STOEPPELWERTH

ALWAYS ON

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

JOB ID SPC12.492

CONTROL# 107903 SIL

13643 HAVEN COVE LANE
MCCORDSVILLE, IN 46055

PRELIMINARY

1" = 30'

LOT AREA: 19,602± Sq. Ft.

IMPERVIOUS AREA=9,221
LOT COVERAGE=47.0%

LOT COVERAGE

HOUSE:	4,185 ± Sq. Ft.
PORCH:	102 ± Sq. Ft.
PRIVATE WALKS:	404 ± Sq. Ft.
DRIVE TO R/W:	1,431 ± Sq. Ft.
PATIO:	295 ± Sq. Ft.
COVERED DECK:	319 ± Sq. Ft.
POOL:	900 ± Sq. Ft.
CONC. POOL DECK:	1,585 ± Sq. Ft.
TOTAL:	9,221 ± Sq. Ft.

LEGEND:

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



EMERGENCY FLOOD ROUTE



SANITARY MANHOLE



STORM MANHOLE



CURB INLET



FIRE HYDRANT

S.D.&U.E.

SEWER, DRAINAGE & UTILITY EASEMENT

S.E.

SEWER EASEMENT

D.E.

DRAINAGE EASEMENT

U.E.

UTILITY EASEMENT

B.L.

BUILDING LINE

M.F.L.G.

MINIMUM FLOOR GRADE

M.P.G.

MINIMUM PAD GRADE

B.F.E.

BASE FLOOD ELEVATION

F.P.G.

FLOOD PROTECTION GRADE

M.F.E.

MINIMUM FINISHED ELEVATION

I.C.W.E.

INDIANAPOLIS WATER COMPANY EASEMENT

2ND REV ADJ SW, ADJ POOL DECK
08/09/23 HRC
1ST REV ADJ HSE DIMS & POOL DECK
08/04/23 HRC
07/17/23 HRC

