



**Fishers Board of Zoning Appeals – Fishers
Minutes
2/22/2023**

BOARD/COMMISSION: Board of Zoning Appeals – Fishers Meeting

DATE: 2/22/2023

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

1. Call to order / Pledge of Allegiance

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

2. Roll Call

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, JunneFerrari, Cassio Ferrari, David Gilman, Larry Lannan.

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

3. Election of Officers, Appointments, and Designations:

- a. Election of Chairperson
- b. Election of Vice-Chairperson. Appointment of Secretaries (Megan Vukusich, Ross Hilleary, Bre King, Sydney Granlund, TylerFolk)
- c. Appointment of Recording Secretary (Kay Prange and Kelly Lewark)
- d. Designation of Plan Commission Legal Counsel (Krieg DeVault)
- e. Designation of Commission Legal Publications (Noblesville Times and The Current)

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.

4. Approval of Previous Minutes

- a. 12-14-22

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.

5. 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@wootonhoylelaw.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 THE MARCH 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-23-5 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.

6. New Business

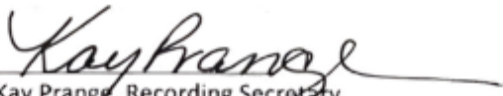
7. Staff Communication

8. Board Signatures – Findings of Fact

9. Adjournment

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

Respectfully submitted,



Kay Prange, Recording Secretary

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