

CITY OF FISHERS
BOARD OF ZONING APPEALS
CITY HALL AUDITORIUM
MINUTES

February 24, 2021

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

A roll call was taken. Members present: Steve Ferrucci, Rick Fain, Howard Stevenson, and Tom Grinslade(all via Teams). Others present: Rodney Retzner, Tony Bagato, Megan Schaefer, Ross Hilleary, Andrew Magee, Kay Prange, Jacob Gillette, Jason and Jill McEldowney, Kevin Scharnowske, Matt Harms, Steve Melton

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

Mr. Ferrucci opened the meeting to Election of Officers, Appointments, and Designations:

- I. **Election of President-Mr. Fain made a Motion to nominate Mr. Ferrucci as President of the BZA, seconded by Mr. Stevenson. The Nomination was approved, 4-0.**
- II. **Election of Vice President- Mr. Ferrucci made a Motion to nominate Mr. Stevenson as Vice-President, seconded by Mr. Fain. The Nomination was approved, 4-0.**
- III. **Appointment of Secretaries (Tony Bagato, Megan Schaefer, Ross Hilleary, Andrew Magee, Jessie Boshell). Mr. Stevenson made a Motion to appoint the Secretaries to the BZA, which was seconded by Mr. Fain. The Motion was approved, 4-0.**
- IV. **Appointment of Recording Secretary (Kay Prange) Mr. Ferrucci made a Motion to appoint the Recording Secretary, seconded by Mr. Stevenson. The Motion was approved, 4-0.**
- V. **Designation of Plan Commission Legal Counsel (Krieg DeVault)- Mr. Ferrucci made a Motion to designate Legal Counsel, seconded by Mr. Fain. The Motion was approved, 4-0.**
- VI. **Designation of Commission Legal Publications (Noblesville Times and The Current)- Mr. Ferrucci made a Motion to designate legal publications, seconded by Mr. Fain. The Motion was approved, 4-0.**

Roll call votes were taken on each item.

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

Public Hearings:

a. Case # VA-21-1: First Merchants Bank ATM

Consideration of a Variance of Use and Development Standards from the City's Unified Development Ordinance (UDO) to allow for a stand-alone bank ATM and associated site improvements at 13808 E 96th Street, generally located on the northeast corner of 96th St. and Olio Rd.

Jacob Gillette, First Merchants Bank, presented the request. A remote kiosk is needed in this location. There is no bank branch on this property.

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

Megan Schaefer, Assistant Director of Planning and Zoning, presented the Staff Report. This is for a use variance and a development standards variance. No Public Comments have been received. Staff recommends approval with the recording of the approval letter on the property and the condition of a pedestrian access sidewalk.

In Committee discussion, Mr. Fain asked about lighting. There are two pole lights to be installed for safety.

Mr. Ferrucci asked for a Motion on VA-21-1. Mr. Stevenson made a Motion to approve, seconded by Mr. Fain with a friendly amendment for the recording of the approval letter and the sidewalk. The Motion was approved 4-0.

b. **Case # VA-21-2 McEldowney Variance**

Jason and Jill McEldowney are seeking consideration of Development Standards Variance from Chapter 3, Section 3.2.5. R4 Residential. 5. Other. 5b. Impervious area of lot (max) from 40% to 45% to construct an outdoor patio and inground pool. The common address is 10461 Creektree Lane and the property is zoned R4 - Residential.

Jason and Jill McEldowney presented their request to increase their impervious surface coverage from 40% to 45% to construct a new pool and patio.

Mr. Ferrucci opened the Public Hearing. One comment had been received from a neighbor asking about the project. He then closed the Public Hearing.

Ross Hilleary, Planner III, presented the Staff Report. Staff recommends approval with the approval recorded on the property.

There was no Board discussion.

Mr. Ferrucci asked for a Motion for VA-21-2. Mr. Fain made a Motion to approve, with the approval letter recorded on the property, seconded by Mr. Stevenson. The Motion was approved, 4-0.

c. **Case # VA-21-3: 13625 Kingston Drive**

Consideration of a Development Standards Variance from Section 3.2.3.B.5b of the R2-Residential Development Standards to allow for an increase in maximum impervious surface area from 35% to approximately 48% to construct a pool and associated decking.

Matthew Harms with Modish Pools presented on behalf of property owners Jerald and Megan Ewing.

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

Andrew Magee, Planner I, presented the Staff report. The home is located in Springs of Cambridge, and due to lot size, this is typical of requests in this subdivision. There will be runoff into Geist, although they are two houses removed. Staff recommends approval, with the approval letter recorded on the property.

There was no Board discussion.

Mr. Ferrucci asked for a Motion for VA-21-3. Mr. Fain made a Motion to approve, with the approval letter recorded on the property, seconded by Mr. Stevenson. The Motion was approved, 4-0.

As there was no other business, the meeting was adjourned at 6:29 p.m.

Respectfully Submitted by:

Kay Prange

Kay Prange, Recording Secretary