

CITY OF FISHERS
BOARD OF ZONING APPEALS
MINUTES
May 22, 2019

APPROVED

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

A roll call was taken and those members present were: Warren Harling, Chuck Gillespie, Howard Stevenson, Rick Fain

Members absent: Steve Ferrucci

Others present were: Rodney Retzner, Kevin Stotts, Jessie Boshell, Ross Hilleary, Kay Prange, Michelle and Josh Davis.

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

Mr. Harling asked for a Motion to approve the Minutes from the April 24, 2019 meeting. Mr. Stevenson made a Motion to approve the Minutes, which was seconded by Mr. Fain. The Minutes were approved, 3-0-1. Mr. Gillespie abstained as he did not attend the April 24 meeting.

Public Hearings:

a. Case # VA-19-5 Geist Point Request for 2nd Continuance

Mr. Harling made a Motion to continue VA-19-5, which was seconded by Mr. Fain. The Motion was approved, 4-0.

b. Case # VA-19-11 9545 E. 106th Street

Jessie Boshell, Planner II, presented the Staff Report. Request to consider a Use Variance from Section 5.1.5 to allow an accessory dwelling unit above a detached garage to be used as an in-law quarters on the subject property in an R-2 zone. Staff recommends approval with the following commitments/conditions:

- Approval is subject to plans presented;
- Approval is based on the commitment that the Accessory dwelling unit will not be rented out for profit;
- Approval is based on the commitment that the Accessory dwelling unit will have the same address and utility meters;
- Approval is based on the commitment that the Accessory dwelling unit be used by guest of the property owners;
- Limited to the improvements presented and discussed; and
- The recording of the BZA letter, containing any terms and conditions agreed upon

Mr. Harling opened the meeting to Public Comment. Seeing none, he noted no remonstrations. He closed the Public Comment portion of the meeting and opened the meeting to Committee Discussion. There was no Committee Discussion. Mr. Harling asked for a Motion on VA-19-11. Mr. Gillespie made a Motion to approve, seconded by Mr. Stevenson. The Motion was approved 4-0.

c. Case # VA-19-13 Davis Variance

Requesting a Development Standards Variance from Section 3.2.3. R2 – Residential District 2B. Minimum Building Setbacks and Section 3.2.3. Residential District 5B. Impervious Area.

Mr. Davis presented their request for building an attached garage within 3 feet of the property line. Ross Hilleary, Planner II, presented the Staff Report. The owners have agreed to voluntarily dedicate Right-of Way along 131st Street with an impervious surface Area increase to a maximum of 50%. The Petitioner will seek voluntary annexation.

The Engineering Department has requested as a condition of this Variance to dedicate the applicable Right-of-Way for the 131st Street corridor. The petitioner will need to submit for the voluntary annexation and the earliest date of annexation will be January 1, 2020 due to the census.

Mr. Harling opened the meeting to Public Comment. Seeing none, he closed the Public Comment portion of the meeting and noted no remonstrations. He then opened the meeting to Committee Discussion. There was none. He then asked for a Motion for VA-19-13. Mr. Gillespie made a Motion to approve with the commitment to annex and to dedicate the Right of Way, which was seconded by Mr. Stevenson. The Motion was approved, 4-0.

New Business- none

As there was no other business, the meeting was adjourned at 6:10 p.m.

Respectfully Submitted by:


Kay Prange, Recording Secretary