



BOARD OF ZONING APPEALS FINDINGS OF FACT

APPLICATION(S): BZNA-0154-2022 / BZNA-0155-2022 / BZNA-0156-2022

PROPERTY ADDRESS: 8555 E 206th Street, Noblesville, Indiana

Three Variance of Development Standards applications were submitted to the Noblesville Planning Department for the above referenced location. The application submitted by Andrew Wert of Church Church Hittle + Antrim requested that approval be granted to the following Variance of Use applications pursuant to:

- a) UDO § 4.B.6 – Variance of Development Standards to allow relief from development standards related to non-residential architectural standards;
- b) UDO § 10.0.4.D.1 – Variance of Development Standards to allow relief from development standards related to paved parking areas; and
- c) UDO § 12.0.6 – Variance of Development Standards to allow relief from development standards related to building base landscaping.

The Noblesville Board of Zoning Appeals conducted a hearing regarding this application on September 6, 2022. After testimony was given and evidence was presented to the Board, a motion to APPROVE was made, and the motion carried 4-0.

VARIANCE OF DEVELOPMENT STANDARDS FINDINGS

In its deliberations, the Noblesville Board of Zoning Appeals weighed the evidence associated with the following criteria and made the following findings in granting the request for a Variance of Development Standards. Indiana Code §36-7-4-918.5 states that a Variance of Development Standards may be approved only upon a determination in writing that the following are true:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community:

It is likely that this variance will NOT be injurious to the public health, safety, morals, and general welfare of the community. The redevelopment of the property will involve the demolition of several unsightly structures and the general clean up of the site including the removal of unused vehicles and equipment. One existing pole barn will be remodeled and reused as a contractor's office. A new building will be constructed for truck storage and will match the architecture of the existing building and the character of the existing non-residential buildings in the area. There will be an outdoor storage area for heavy trucks and equipment used in association with the contractor's office. The proposed outdoor storage area will have gravel instead of paving, but will be screened from any adjacent property or right-of-way by a solid, opaque wall or fence of not less than 7 feet in height. Landscaping

will be installed in accordance with the current UDO with the exception of the variance request for the building base landscaping along the south side of the proposed building.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner:

It is likely that the use and value of real estate adjacent to the subject site will NOT be affected in a substantially adverse manner by allowing the requested variance. Nearby property owners may remonstrate against this petition if they believe this request will have significant adverse effects on adjacent properties. The structures on the property have been regularly maintained and have been unused for some time. Over the years the property was used for the storage of vehicles and farm equipment in various stages of disrepair. The redevelopment of the property will involve the demolition of several unsightly structures and the general clean up of the site. The reuse of the property will improve the overall aesthetics of the property with the remodel of an existing building, construction of a new building and the addition of landscaping and screening.

3. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought:

The strict application of the terms of the zoning ordinance WILL result in practical difficulties in the use of the property because the project, as proposed, maximizes the available resources. The existing building to be remodeled is structurally sound. The new building will be constructed to be architecturally consistent with the existing building. The petitioner cannot meet the architectural standards with the new building while still being architecturally consistent with the existing building. The installation of paving within the outdoor storage area where heavy equipment and trucks are stored would require frequent maintenance due to deterioration. The installation of landscaping along the south side of the building would be difficult to maintain due to building height and frequent heavy equipment traffic. Strict application of the zoning ordinance would result in an inefficient use of resources.

The findings of fact contained herein are adopted by the Noblesville Board of Zoning Appeals on November 7, 2022.

Mike Field, Chairman

Caleb Gutshall, Secretary