



BOARD OF ZONING APPEALS FINDINGS OF FACT

APPLICATION: BZNA-000213-2024

PROPERTY ADDRESS: 17927 Little Chicago Road, Noblesville, Indiana

A Variance of Development Standards application was submitted to the Noblesville Planning Department for the above referenced location. The application submitted by owners John and Patricia Nichols requested that approval be granted to variance of development standards application BZNA-000220-2024 pursuant to Unified Development Ordinance § 9.B.2.C.3.a to allow the combined square footage of all accessory structures to exceed the maximum square footage permitted. The Noblesville Board of Zoning Appeals conducted a hearing regarding this application on January 6, 2025. After testimony was given, and evidence was presented to the Board, motions to APPROVE were made, and the motions carried 4-0.

VARIANCE OF USE 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 Conditional Use. Consistent with Indiana Code §36-7-4-918.4 the Noblesville Board of Zoning Appeals hereby makes 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 barn, as proposed, will be no greater than of 2,400 square feet in size. While the total combined square footage of the detached accessory structures on the property will exceed the maximum 4,000 square feet allowed with the existing 2,683 square feet of accessory structures and the proposed 2,400 square foot barn, the proposed accessory structure will provide an additional area for indoor agriculture-related storage. The addition of the barn would allow the property owners to move agriculture-related items into the detached accessory structure.

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. Should nothing contrary be brought to light by adjacent owners at the public hearing, it is presumed that the approval of this variance request will not have a substantially adverse effect on the use and value of adjacent properties.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.

The strict application of the terms of the zoning ordinance WILL result in practical difficulties in the use of the property because the proposed barn design will match the historic architecture of the existing barn on the property. The design of the proposed accessory structure is based on the existing barn and will be architecturally compatible with the existing barn. If the proposed accessory structure was outside City limits, an agriculture exemption could be applied for; however, this does not apply to this property as it within City limits.

The findings of fact contained herein are adopted by the Noblesville Board of Zoning Appeals on January 6, 2025. In addition, the Board of Zoning Appeals hereby adopts the following conditions to its approval with the petitioner must adhere by; failure to adhere by any of these conditions is a violation of this variance and could subject petitioner to additional action permitted by law:

1. Allow no more than 2,400 square feet of additional accessory structure on the property in addition to the square footage of all existing accessory structures.
2. The proposed detached accessory structure on the property shall be used for the storage of personal agricultural-related materials only and shall not be used for any commercial, industrial, or separate residential purpose.
3. Any alterations to the approved building plan or site plan, other than those required by the Board of Zoning Appeals (BZA), shall be submitted to the Department of Planning and Development prior to the alterations being made, and if necessary, a BZA hearing shall be held to review such changes.
4. The applicant shall sign the Acknowledgement of Variance document prepared by the Department of Planning and Development Staff within 60 days of this approval. Staff will then record this document against the property and a file stamped copy of such recorded document shall be available in the Department of Planning and Development.

Mike Field, Chairman

Caleb Gutshall, Secretary