



# City of Carmel

## Board of Zoning Appeals **Hearing Officer** Meeting Monday, November 27, 2023

Time: **5:15 P.M.**

Location: Carmel City Hall **Caucus Rooms**, 2<sup>nd</sup> Floor, 1 Civic Square, Carmel, IN 46032

Hearing Officer: Mr. James Hawkins

Note: This in-person meeting will be audio recorded with minutes taken by the BZA Secretary; the recordings will be available via Laserfiche online.

Agenda:

- A. Call to Order
- B. Pledge of Allegiance
- C. Reports, Announcements, Legal Counsel Report, and Dept. Concerns
- D. Public Hearings

**TABLED INDEFINITELY - (V) Orahoad Accessory Building Variance.**

The applicant seeks the following development standards variance approval:

1. ~~Docket No. PZ-2023-00219 V UDO Section 2.04 Maximum 18-ft accessory building height allowed, 27.5-ft requested.~~ The 5.79-acre site is located at 5579 E. 146th St. (not in any subdivision) and is zoned S1/Residence. Filed by Joshua Orahoad, owner.

**(V) Factor Residence Pergola, Lot Cover Variance.**

The applicant seeks the following development standards variance approval:

2. ~~Docket No. PZ-2023-00221 V UDO Section 2.10 Maximum 35% lot cover allowed, 50% requested.~~ The site is located at 411 Guilford Rd. (not in any subdivision). It is zoned R2/Residence. Filed by Kim Factor (Rose), owner.

**TABLED TO SPECIAL DEC. 12 MTG. - (V) Whiteley Residence, Detached Garage Variances.**

The applicant seeks the following development standards variance approvals:

3. ~~Docket No. PZ-2023-00231 V UDO Section 5.02.B.1.b Minimum 3-ft setback from easement required for Accessory Building/Use, 8-ft encroachment requested.~~
4. ~~Docket No. PZ-2023-00208 V UDO Section 5.02.B.3 Combined square footage of the Ground Floor of a Private Garage and/or Accessory Building shall not exceed 75% of the Ground Floor Area of the Principal Building; 86% requested.~~ The site is located at 560 Cedar Lake Ct. (Cedar Lake Subdivision, Lot 11). It is zoned R1/Residence. Filed by Jason Whiteley, owner.

**(V) Hanna Residence, Pool Setback Variance.**

The applicant seeks the following development standards variance approval:

5. ~~Docket No. PZ-2023-00236 V Silvara PUD Section 5.2 and UDO Section 5.02(C)(7) Minimum 3-ft setback from easement required, 0-ft setback and 1-ft encroachment requested.~~ The site is located at 518 Almond Creek Dr. (Jackson's Grant on Williams Creek Subdivision, Lot 330). It is zoned Silvara PUD/Planned Unit Development (Ordinance Z-652-20), The Estates/Northvale planning area. Filed by Jim Shinaver of Nelson & Frankenberger, LLC on behalf of Paul Hanna, owner.

**(V) Bayless Residence, Swimming Pool Variances.**

The applicant seeks the following development standards variance approvals:

6. **Docket No. PZ-2023-00238 V UDO Section 2.06 Lot Coverage - Maximum 35% lot coverage allowed, 51% requested.**
7. **Docket No. PZ-2023-00239 V UDO Section 5.02.C.7 Side Setback - a swimming pool, hot tub, or its deck or equipment shall be set back a minimum of the greater of the following: 10-ft from the side lot line and rear lot line, or be 3-ft from any easement (4-ft side setback from lot line requested).**
8. **Docket No. PZ-2023-00240 V UDO Section 5.02.B Rear Setback - on Through Lots no residential accessory building shall be erected forward of any principal building, or in any required minimum yard (Minimum 20-ft setback required, 4-ft setback requested).**

The site is located at 12164 Teal Lane (Spring Lake Estates Subdivision, Lot 41) and is zoned S2/Residence. Filed by Evan Bayless, owner.

**(V) Doniela Fence Height Variance.**

The applicant seeks the following development standards variance approval:

9. **Docket No. PZ-2023-00245 V UDO Section 5.09 (B) Maximum 42-inch tall fence in the front yard allowed; 60-inch height requested.** The site is located at 3549 W 131st St. (not in any subdivision). It is zoned S1/Residence. Filed by E. Davis Coots of Coots Henke & Wheeler, P.C., on behalf Andrius Doniela / 131st LLC, owner.

**(V) Youkilis Residence Variances.**

The applicant seeks the following development standards variance approvals:

10. **Docket No. PZ-2023-00248 V UDO Section 3.64(C)(9)(a) Minimum 8:12 roof pitch required; 4:12 and 6:12 requested.**
11. **Docket No. PZ-2023-00261 V UDO Section 3.64(C)(3) Maximum 45% Lot Coverage allowed; 48% requested.** The site is located at 211 1st Ave NW (Henry Roberts Addition, Lot 4). It is zoned R4/Residence and Old Town Overlay District, Character Subarea. Filed by Jim Shinaver of Nelson & Frankenberger, LLC on behalf of Robert and Tina Youkilis, owners.

**(V) Browning Residence Variances.**

The applicant seeks the following development standards variance approvals:

12. **Docket No. PZ-2023-00249 V UDO Section 3.64(C)(3) Maximum 45% Lot Coverage allowed; 54% requested.**
13. ~~**WITHDRAWN - Docket No. PZ-2023-00265 V UDO Section 3.64(C)(11) Buildings shall not exceed the height of the tallest dimension of the nearest two Character Buildings by more than 7 feet.**~~ The site is located at 524 2nd Ave NE (CW Wiedler's Addition, Lot 32). It is zoned R3/Residence and Old Town Overlay District, Character Subarea. Filed by Jim Shinaver of Nelson & Frankenberger, LLC on behalf of Wedgewood Building Company, LLC.

**(V) Claybrook Residence, Pool Variances.**

The applicant seeks the following development standards variance approvals:

14. **Docket No. PZ-2023-00255 V UDO Section 2.10 Maximum 35% lot coverage allowed; 49% proposed.**
15. **Docket No. PZ-2023-00256 V UDO Section 5.02(C)(7) Swimming pool, decking, and equipment must be at least 10-ft from side/rear property lines, 3-ft and 8.5-ft requested.**

The site is located at 811 Oswego Rd. (Newark Addition, Lot 109). It is zoned R2/Residence. Filed by Frederick William Claybrook (Bill), owner.

**(V) Wilson Residence, Pergola Variances.**

The applicant seeks the following development standards variance approvals:

16. **Docket No. PZ-2023-00258 V UDO Section 2.10 Maximum 35% lot coverage allowed, 40% requested.**
17. **Docket No. PZ-2023-00259 V UDO Section 5.02(B)(3) Combined square footage of the Ground Floor of a Private Garage and/or Accessory Building shall not exceed 75% of the Ground Floor Area of the Principal Building; 82% requested.**

The site is located at 4550 Buckingham Ct. (Brookshire Subdivision, Lot 213). It is zoned R2/Residence. Filed by Shae Wilson, owner.

**(V) Monke Residence, Accessory Structure Setback Variance.**

The applicant seeks the following development standards variance approval:

18. **Docket No. PZ-2023-00260 V UDO Sections 2.08 & 5.02.B Minimum 20-ft rear building setback allowed, 12-ft requested.** The site is located at 3180 Driftwood Ct. (Smokey Ridge Subdivision, Lot 73). It is zoned R1/Residence. Filed by Aaron & Kyle Monke, owners.

**(V) Nan Residence Pool, Lot Cover Variance.**

The applicant seeks the following development standards variance approval:

19. **Docket No. PZ-2023-00263 V UDO Section 2.03 Maximum 35% lot coverage allowed; 44% requested.** The site is located at 2614 Towne Meadow Dr. (Estates at Towne Meadow Subdivision, Lot 43). It is zoned S1/Residence. Filed by Nick Kell of Family Leisure, on behalf of Hongmei Nan, owner.

**(V) 111<sup>th</sup> and Penn, Lot Cover Variance.**

The applicant seeks the following development standards variance approval for a mixed-use development:

20. **Docket No. PZ-2023-00264 V UDO Section 2.36 Maximum 80% lot coverage allowed; 95% requested.** The site is located at 110 E. 111<sup>th</sup> Street, at the northeast corner of 111<sup>th</sup> St. and Pennsylvania St. It is zoned C2/Mixed Use. Filed by Troy Buchanan of Pedcor.

**~~TABLED TO SPECIAL DEC. 12 MTG. - (V) 14373 Marsdale Pl. Side Setback Variance.~~**

~~The applicant seeks the following development standards variance approval:~~

21. ~~**Docket No. PZ-2023-00266 V Albany Village PUD Ordinance Z-666-21, Section 4.2 Minimum 5-ft side yard building setback required, 4 to 8-inch encroachment requested.**~~

~~The site is located at 14373 Marsdale Place (Albany Village Subdivision, Lot 51). It is zoned PUD/Planned Unit Development. Filed by Angela Murray of Drees Homes.~~

- E. Old Business
- F. New Business
- G. Adjournment

Dated: Friday, November 17, 2023 File: 11.27.23 hearing officer mtg.doc By: Joe Shestak, BZA Meeting Coordinator 317-571-2419, jshestak@carmel.in.gov
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