**McCordsville Board of Zoning Appeals**

**Meeting Minutes**

**September 6, 2023**

**Call to Order**

**Members Present:** Steve Duhamell, Grant Adams, Dan Vail, Corey Karn, Brianne Schneckenberger

**Members Absent:** N/A

**Others Present:** Ryan Crum, Ethan Spalding, Gregg Morelock

**Agenda Considerations**

Mr. Crum asked if anyone was present regarding BZA-23-013 (Solgen Power) and there was no response or identification of a representative. Mr. Crum also asked if there were any representatives from the public attending tonight regarding the other two agenda items; only one individual identified themselves. Mr. Crum asked to continue BZA-23-013 to October, and to continue the meeting in order of BZA-23-016, BZA-23-014, then BZA-23-015. Mr. Vail made a motion to approve. Mrs. Schneckenberger seconded. Motion passed 5/0.

**Approval of Minutes**

The Minutes of the July meeting were approved. Mr. Adams made a motion to approve. Mr. Duhamell seconded. Motion passed 5/0.

**Old Business**

There was no old business to be discussed during the September 2023 BZA meeting.

**New Business**

**BZA-23-016, Premier Land Company's request for approval of Development Standard Variance for temporary signage at 8603 N 700W**

Mr. Crum introduced the petition, noting surrounding zoning and the Town’s Sign Ordinance issue in place.

Richard Henderson presented for the petitioner. Mr. Henderson explained that the request for the two temporary signs is to market each builder (Pyatt & Davis) inside the neighborhood. The signs would be placed at the respective builder lot entries. Mr. Henderson also noted that the petitioner had no issue taking the signs down immediately upon lot/neighborhood completion.

***Floor opened to the public***

Joseph Kucharski a Deer crossing resident and Hoa board member was concerned about the sign locations obscuring the view to enter onto Caroll Road.

***Floor closed to the public***

Mr. Crum stated that upon review, staff would always make sure that no sign would be inside the “Vision Clearance Triangle” to ensure maximum safety.

Mr. Henderson agreed to verify with staff prior to sign placement.

*Variance 1*

Staff additions apply with addition to staff approval of location.

Mr. Vail made a motion that if the variance is approved, conditions as amended shall apply. Mr. Adams seconded. The motion passed 5/0.

The ballots were counted and the variance passed 5/0.

**BZA-23-014, Rachel Ferryman's (Seasons of Life Flowers) request for approval of a Special Exception and Development Standard Variances for an expansion of a legal, non-conforming structure at 6468 W Broadway**

Mr. Crum introduced the petition, gave an overview of the petition requests, noted the site details, and surrounding zoning.

Amandia Jeschke presented for the petitioner. Mrs. Jeschke explained the overall operation of the flower shop and the transition that the existing structure would go through. She also explained the needs of the variance requests and spoke about the design of the shop to come.

Mr. Crum then announced the special exception and variance requests along with the conditions of approval tied to each individual request.

Mrs. Ferryman made it known that her usual business hours would be from 9am – 5pm and sometimes later for holiday requests but never in violation of the current zoning ordinance time standards.

Mr. Ferryman spoke about having the property well lit and safe, changing the structure color from blue and the use of fibrous cement siding.

*Floor opened to the public*

No comments.

*Floor closed to the public*

Mr. Crum stated that upon review, staff would always make sure that no sign would be inside the “Vision Clearance Triangle” to ensure maximum safety.

*Special Exception*

* Vinyl siding shall be prohibited. Siding materials shall be limited to fiber cement, brick/stone, and/or other materials approved by the ARC. Brick/stone shall not be required.

• The general architectural character and quality shall be in keeping with the elevations provided.

• Sconce or accent lighting shall be installed on the front façade.

*Variance 1*

• The building, including the front-porch, shall be no closer than 25’ from the existing curb-line of W Broadway.

• Wall signage shall not exceed 30 square feet and shall not be internally illuminated.

*Variance 2*

• Side Yard Setback encroaches shall be as presented.

*Variance 3*

• A minimum 5’ wide landscape area shall be provided along the north property line. This landscape area shall feature shrub plantings at a rate of 1 shrub per 4 lineal feet..

*Variance 4*

• A minimum of 6 parking spaces shall be provided.

*Variance #5*

• A foundation sidewalk shall not be required, so long as there is a paved pedestrian connection from the front porch to the drive aisle and to the perimeter sidewalk.

• Foundation planting beds shall be required along the north and south building facades.

• The petitioner has committed to providing a small foundation planting bed along the east façade, if the drive aisle can be located in a manner which allows the bed. The Zoning Administrator shall be charged with determining whether this is possible based upon review of the site plan and taking into account vehicle access and maneuverability needs.

*Variance 6*

• The Town of McCordsville ground signage standards will apply, except a masonry base shall not be required.

Mrs. Schneckenberger made a motion that if the Special Exception and all Varaiances are approved, conditions shall apply. Mr. Adams seconded. The motion passed 5/0.

The ballots were counted and the Special Exception & all Variances passed 5/0.

**BZA-23-015, Fritz Engineering's (Qdoba) request for a Special Exception and Development Standard Variances for a pick-up window and commercial structure at 7419 N 600W**

Mr. Crum introduced the petition, gave an overview of the petition requests, noted the site details, and surrounding zoning.

Ashton Fritz presented for the petitioner. Mr. Fritz clarified that the building is about +/- 5,300 sqft and plans to anchor with Qdoba as a tenant. Mr. Fritz then went in to describe the reasonings behind the Special Exceptions and Development Standards Variance requests.

Darren Peterson also presented for the petitioner. Mr. Peterson is the project architect. Mr. Peterson explained the project’s overall design and the various materials used for the building.

Mr. Crum stated that there has been an update regarding Peterson’s architecture that staff approves. Mr. Crum also noted that the project is in design compliance.

David Nash the petitioner explained the developer’s sign variance request.

Mr. Crum then announced the special exception and variance requests along with the conditions of approval tied to each individual request.

*Floor opened to the public*

No comments.

*Floor closed to the public*

*Special Exception*

* The Special Exception is limited to a pick-up window, described as window for customers to pickup orders previously made off-site via the web, phone, or app.
* Menu boards and “squawk boxes” shall not be permitted.
* No more than one pick-up window shall be permitted on the subject site.
* Orders shall not be taken from the pick-up window.

*Variance 1*

• No portion of the parking lot or building shall be closer than 30’ to the west property line.

*Variance 2*

• No portion of the parking lot or building shall be closer than 10’ to the north property line.

*Variance 3*

• No portion of the parking lot or building shall be closer than 14’ to the south property line.

*Variance 4*

* The foundation sidewalk, along the west facade shall be no less than 6’ wide, with a landscape bed of at least 4’ in width. The remaining foundation sidewalks shall be no less than 5’ wide, with 5’ wide adjacent landscape beds.
* Parking bumpers shall be installed in the parking spaces adjacent to the foundation sidewalk.
* The planting area along the east façade shall be no less than 5’ in width, with shrub plantings grouped in intervals to create an appealing landscaping of the rear façade. If wall or groundmounted mechanicals or utilities are located in this area, they shall be screened with landscaping and/or fencing, as determined by the Zoning Administrator.

*Variance #5*

• Continental style pavement markings shall be used for all crosswalks of drive aisles

*Variance 6*

* Street-trees are planted, every 50’ O.C., between the sidewalk and the southern entrance drive.
* Plantings at a rate of 5 trees and 10 shrubs per 100 lineal feet are planted between the rear drive aisle and the east property line. These plantings should be grouped. If there are any “back-of-house” areas of features, such a utilities or mechanicals, the plant groupings shall be used to screen these items.

*Variance 7*

* None

*Variance 8*

* Windows shall be no less than as presented.

*Variance 9*

* None

*Variance 10*

* No Longer Needed

*Variance 11*

* No Longer Needed.

*Variance 12*

* Wall plane articulation shall be presented.

*Variance 13*

* None

*Variance 14*

* No Longer Needed

Mrs. Schneckenberger made a motion that the original variance requests 10, 11, and 14 are removed. Mr. Adams seconded. The motion passed 5/0.

Variance #7 was denied 5/0.

Mrs. Schneckenberger made a motion that the Special Exception and all Variances are approved, conditions shall apply. Mr. Adams seconded. The motion passed 5/0

All other ballots were counted and the Special Exception & all Variances passed 5/0; except for Variance #7 which was denied 5/0.

**Announcements**

The next meeting will be October 4th, 2023.

**Adjournment**

There being no further business, the meeting was adjourned.