

McCordsville

ESTD  1988

INDIANA

Board of Zoning Appeals Staff Report

Meeting Date: September 3, 2025

PETITIONER: Aaron Charles

PETITION: BZA-25-008

REQUEST: Petitioner requests approval of a Development Standard Variance to allow solar panels in a non-symmetrical panel grouping on a street-facing roof.

LOCATION: The property is located at 6190 W Bayfront Shores.

ZONING: The property is zoned Bay Creek at Geist PUD.

Zoning

North: PUD

South: PUD

East: PUD

West: PUD

Land Use

PUD Common Area

Single-family residential

Single-family residential

Single-family residential

STAFF REVIEW: The petitioner seeks approval to install a street-facing array that does not form a four-sided (square/rectangle) grouping as required by §154.060(D)(4). The Letter of Intent states the front (south-facing) roof is essential to system performance: rear-only placement would yield about 964 kWh/kW (~32.5% less than front) with ~42% annual offset, while the front alone is ~1,428 kWh/kW, and a combined front & rear layout is ~1,107 kWh/kW with ~72% offset. They contend that without using the south-facing roof, the system would not perform adequately and would be financially impractical.

A roof plan is provided as Exhibit A. Per the contractor's proposal, 16 panels are proposed on the street-facing roof; five (5) of those panels fall outside a symmetrical grouping, as shown on Exhibit B.

Note that §154.060(D)(4) permits multiple symmetrical groupings; the issue is layout (irregular perimeter), not the presence of panels on a street-facing plane. The section relating to residential solar from the recently updated Ordinance (2023) is provided as Exhibit C.

REQUESTED VARIANCE:

Section 154.060(D)(4) requires that solar panels mounted to a roof plane facing a street or are visible from a street or roadway, shall be limited to a symmetrical panel grouping. This shall be interpreted to mean the panels shall form a perimeter that is 4-sided, such as a square or rectangle. There may be more than one (1) symmetrical panel grouping.

BZA AUTHORITY: The Board of Zoning Appeals shall approve or deny variances from the development standards (such as height, bulk, or area) of the underlying zoning ordinance. A variance may be approved under Indiana Code § 36-7-4-918.5 only upon a determination in writing that:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
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; and
3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject Property.

STAFF RECOMMENDATION:

Staff supports residential solar and notes that the Town's street-facing array standard was adopted in 2023 and requires that arrays on street-visible roof planes be arranged as one or more symmetrical, four-sided groupings (square/rectangle). This recent update provides a clear, objective rule intended to balance renewable energy with an orderly, consistent streetscape.

In this case, the petitioner proposes five panels outside a four-sided grouping on the street-facing plane. The ordinance already provides flexibility, with multiple rectangles expressly permitted, so the standard can be met without a variance by removing the outlier panels and consolidating the remaining modules into one or more rectangles on the same plane.

The applicant's submittal focuses on energy production and financial efficiency (front roof performs better; rear plane is constrained). While understandable, those are preference/benefit arguments - not evidence that strict application of the symmetry standard creates a property-based practical difficulty. The code does not prohibit panels on the street-facing roof; it regulates how they're arranged. A desire to maximize panel count or offset does not establish practical difficulty when a compliant configuration remains feasible by reducing panel count.

Approving a non-symmetrical layout on a street-facing roof would undercut a recent, objective design standard, invite similar requests, and reduce the Town's ability to apply the rule predictably and fairly. Because a feasible, compliant alternative exists without relocating panels elsewhere and the difficulty arises from layout choices, and not unique site conditions, staff recommends denial of the variance to §154.060(D)(4).

Denial: If the Board is inclined to deny the variance, then the Department recommends adopting the findings below.

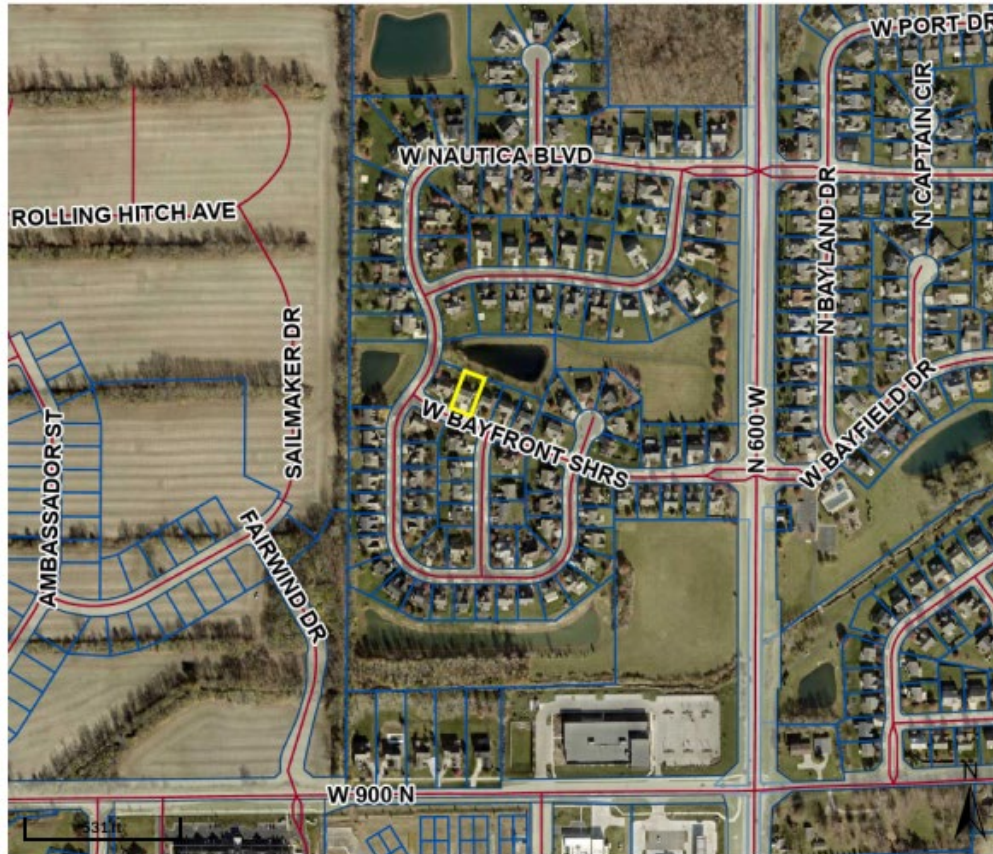
Recommended Findings for Denial:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community: *Finding: The proposed roof-mounted solar array will be flush and parallel to the roof, wholly within the roof perimeter, and installed under standard building/electrical permits and inspections. It does not alter the building footprint, obstruct sight distance, generate noise/traffic, or create lighting/glare hazards beyond typical residential levels. As conditioned for concealed/conforming equipment, the request is not injurious to public health, safety, morals, or the general welfare.*
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: *Finding: The array is roof-mounted, flush/parallel to the roof, and does not change use, intensity, traffic, noise, or lighting in a way that would materially impact neighboring properties. With typical residential solar equipment and standard inspections, staff finds the variance will not substantially adversely affect the use or 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 subject Property: *Finding: Strict application of §154.060(D)(4) does not prohibit street-facing solar; it regulates how panels are arranged—one or more symmetrical, four-sided groupings. On this property, a compliant configuration remains feasible on the street-facing plane without relocating panels elsewhere by removing the five outlier panels so the remaining modules form one or more rectangles with aligned margins. The petitioner's constraints concern system size/production goals (rear plane has limited area; south plane performs better), not a property-based condition that prevents compliance with the symmetry standard. Because the ordinance does not guarantee accommodation of a preferred panel count or offset, and a compliant layout can be achieved by reducing panel count on the same roof plane, Finding #3 is not satisfied.*

Approval: If the Board is inclined to approve the requested variance, then the Department recommends approving the variance, and tabling the adoption of findings until the Board's next meeting with direction to the Department to prepare the findings pursuant to the public hearing evidence and Board discussion.

Approve with Conditions: If the Board is inclined to approve the requested variance with conditions, then the Department recommends approving the variance with the following condition, and tabling the adoption of findings until the Board's next meeting with direction to the Department to prepare the findings pursuant to the public hearing evidence and Board discussion.


1. Layout (right-side lower front plane): Limit this plane to a two-module rectangular grouping with aligned top and side margins; remove the additional module on that plane as shown on Exhibit B. A revised roof plan reflecting this layout shall be submitted prior to permit issuance.



Overview



Legend

-  Corporate Limits
- Roads**
 -  I
 -  S
 -  U
 -  <all other values>
-  Rights of Way
-  Parcels

Parcel ID	30-01-14-401-053.000-018	Alternate ID	30-01-14-401-053.000-018	Owner Address	Charles, Aaron K & Mallory E
Sec/Twp/Rng	n/a	Class	510 - 1 Family Dwell - Platted Lot		6190 W Bayfront Shores
Property Address	6190 W Bayfront Shores McCordsville	Acreage	n/a		McCordsville, IN 46055

District MCCORDSVILLE TOWN
Brief Tax Description BAY CREEK @ GEIST S1 L53
 (Note: Not to be used on legal documents)

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GEOSPATIAL

Exhibit A



Exhibit B



Exhibit C

§ 154.060(D)(4) shall be amended as follows:

§ 154.060(D)(4) Solar Panels

(a) Solar panels may be permitted in all commercial zoning districts, industrial zoning districts, public/semi-public zoning district, Town Center zoning district, and commercial/industrial zoned areas of PUD zoning districts with the following restrictions:

1. Solar panels shall only be roof-mounted;
2. Solar panels are only permitted on flat roofs;
3. Solar panels must be completely screened by parapet walls. Solar panels and their associated components must not be visible from any other property or street;
4. Solar panels shall be designed and installed so as to allow proper access to and around the roof structure for emergency personnel.
5. The panels, components, and equipment shall be matte black.

(b) Solar panels may be permitted in all residential zoning districts, Old Town zoning district, and residentially zoned areas of PUD zoning districts with the following restrictions:

1. Solar panels shall only be roof-mounted;
2. Solar panels which are mounted to roof plane facing a street or are visible from a street or roadway, shall be limited to a symmetrical panel grouping. This shall be interpreted to mean the panels shall form a perimeter that is 4-sided, such as a square or rectangle. There may be more than one (1) symmetrical panel grouping
3. Solar panels shall project no more than a maximum of ~~18~~ 6 inches above the roof plane and be parallel to the roof plane;
4. Solar panels shall not project about the maximum structure height of applicable zoning district;
5. Solar panels shall only be mounted to a primary residential structure; accessory buildings shall not be used for solar panels;
7. Solar panels are subject to private restrictions (i.e., HOA covenants); however, the town's permit process will not include such reviews. Any enforcement of private restrictions shall be the responsibility of the applicable private parties;
8. Solar panels shall be designed and installed so as to allow proper access to and around the roof structure for emergency personnel.
9. Solar panels shall be designed and located to avoid glare or reflection onto adjacent properties and roadways. They shall not interfere with traffic or create a safety hazard.