

McCordsville

ESTD  1988

INDIANA

Board of Zoning Appeals Staff Report

Meeting Date: November 5, 2025

PETITIONER: Primary Engineering

PETITION: BZA-25-010

REQUEST: The petitioner's request seeks a special exception to allow a professional office in the Old Town zoning district, along with Development Standards variances relating to parking, buffer yard and screening, and landscaping.

LOCATION: The property is located at 6348 W 750 N, McCordsville, Vernon Township.

ZONING: The property is zoned Old Town, with the following surrounding land uses and zoning:

<u>Zoning</u>	<u>Land Use</u>
North: OT	Commercial
South: PUD	Multi-Family Residential
East: OT	Vacant
West: OT	Single Family Residential

STAFF REVIEW: The subject parcel, an unplatted 0.46 acre lot in Old Town, currently contains a single-family home and a shed, with two paved driveways on the east and west sides of the property providing access off of CR 750 N. The structure is well-maintained and in good condition, requiring no significant modifications for conversion to a small professional office. The petitioner intends to maintain the property as a residential rental until their engineering firm, Primary Engineering, is ready to establish an office in McCordsville, anticipated in 2027.

The site presents certain constraints that have been discussed with the petitioner and landowner. Several of these matters remain under review and will be addressed in detail through the associated variance requests.

The site plan is included as Exhibit A.

The petitioner seeks approval of one (1) special exception as detailed below.

Appendix A: Official Schedule of Uses

Professional Office requires special exception approval in Old Town

Land Use Matrix														
Primary Use	Zoning District													
	R1	R2	R3	R4	R5	MF 1	MF 2	CN/TC	CO	CR	I1	I2	P	OT
Print Shop or Copy Center, Retail					S	S	S	P	P	P	P	P		S
Printing/Publishing Facility										S	P	P		
Professional Office						S	S	S	P	P	S			S
Radio or TV Station								S	S	S	P	S	S	S
Recreation Facility, Indoor								S		P	P		P	

Access and Circulation:

Section 154.114(E)(1)(a) prohibits non-residential developments from backing directly onto a public street. While the existing residential driveways provide access to CR 750 N, staff advised that this condition should be addressed prior to the site's conversion to office use. The petitioner has submitted a site plan illustrating an east-west connecting driveway between the two existing drives to allow vehicles to circulate on-site and exit onto 750 N in a forward motion. This design approach is intended to offer an appropriate means of addressing the ordinance requirement, with final details and effectiveness to be evaluated at the time of conversion. Staff has included conditions of approval related to signage to help ensure that vehicles exit onto 750 N in a forward motion.

Foundation Landscaping:

Section 154.119(B)(2) requires foundation plantings along all sides of free-standing, non-residential buildings. Because the existing structure was built as a residence, it does not currently meet this standard. Upon conversion to a professional office, the petitioner will be required to install foundation plantings in accordance with Town landscaping standards. Staff finds this requirement to be easily achievable given the site's scale and available space and has included it as a condition of approval for the special exception.

STAFF RECOMMENDATION – special exception:

Staff supports approval of the special exception. The proposed use represents a compatible and appropriate transition between existing residential and commercial development within Old Town. The site's location, condition, and access improvements will make it well-suited for a professional office without disrupting the surrounding neighborhood fabric.

The property's location along 750 North, between Broadway and Mt. Comfort Road and across from existing multi-family development, makes it ideally positioned for a professional office use that serves as a logical transition between residential and commercial land uses. This area is expected to gradually evolve toward more commercial and office activity over time, consistent with the Town's long-term land use vision for this area of Old Town.

Furthermore, the Town's recently adopted Comprehensive Plan encourages the integration of low-intensity

commercial uses that complement Old Town's existing character and promote reinvestment. The petitioner's proposed use aligns with these goals and represents an appropriate step toward the Town's intended development pattern for this area.

If the Board is inclined to approve the special exception, the Department recommends the following conditions:

1. All required site improvements, including but not limited to parking, landscaping, signage, and buffering, shall be completed in accordance with Town Ordinance or as otherwise approved through associated variances, prior to occupancy or conversion of the property to a professional office use.
2. The petitioner shall obtain all applicable state and local permits prior to occupancy or conversion of the property to a professional office use.
3. The Special exception shall be limited to, and run with the petitioner, or an assignee or affiliate of the petitioner in which the petitioner has and maintains a controlling interest. Otherwise, the Special exception shall not be transferrable to any other petitioner, person or entity.
4. A maximum of eight (8) employees shall be on site at any time, as stated in the petitioner's letter of intent.
5. The property shall continue to be utilized for residential purposes until the petitioner initiates and occupies the approved professional office use.
6. The BZA reserves the right to revoke the special exception at a public hearing if the land use is demonstrated to constitute a public nuisance and/or does not comply with the terms of this special exception.
7. Prior to occupancy of the professional office use, the petitioner shall install an east-west connecting driveway between the existing east and west driveways to allow vehicles to turn around and exit onto CR 750 N in a forward motion. The design and materials of the driveway shall be reviewed and approved by the Town Engineer and Zoning Administrator to ensure compliance with Town standards.
8. No parking signage, approved by the Zoning Administrator, shall be installed at both ends of the east-west connecting driveway to prohibit parking on the new drive.
9. The petitioner acknowledges that a sanitary sewer easement and associated infrastructure are located within the area of the proposed driveway. The Town retains the right to access, excavate, or otherwise maintain this utility at any time as needed, and the petitioner accepts responsibility for any necessary restoration resulting from such maintenance.
10. All mechanical equipment, meter banks, and trash receptacles shall be fully screened from public view.
11. Exterior lighting shall be residential in scale, downcast, and shall not produce glare onto adjacent properties.

The BZA may include additional conditions of approval, and if so, these conditions should be incorporated into the record. They may be amended, added to, or removed by the BZA. The petitioner also has the right to request them to be amended, added to, or removed until the time the BZA has made a motion on the conditions.

STAFF RECOMMENDATION – Variances:

The petitioner is requesting five (5) variances relating to parking, landscaping, and screening. Two (2) of the requests, pertaining to the minimum number of parking spaces and accessible parking, cannot be supported by staff as submitted. The remaining variances represent reasonable accommodations to the site's physical

constraints and are generally consistent with the intent of the McCordsville Zoning Ordinance.

Staff acknowledges the petitioner's willingness to make site improvements where feasible, including the proposed connecting driveway to improve circulation, and acknowledges that screening and buffering will be required as conditions of approval. These improvements, along with the petitioner's general intent to bring the property into greater compliance with Town standards over time, reflect progress toward meeting the goals of the Old Town district.

Staff recommends that the Board consider the individual merits of each variance as outlined in this report, and that any approvals include the conditions listed to ensure consistency with Town development standards and the overall intent of the Old Town district.

Variance #1 – 154.114(E)(2)

Driving Surfaces: Town Ordinance requires “all parking areas, including parking spaces, interior drives, and ingress/egress into parking areas must be paved with asphalt, concrete, or porous pavement material ... to the nearest paved street ... and that all parking areas shall be clearly marked to show each parking space.” The petitioner is installing an east–west connecting driveway between the two existing drives to allow vehicles to circulate on-site and exit onto 750 N in a forward motion. This improvement is intended to bring the site into compliance with Town access standards and provide safe, efficient circulation consistent with non-residential design requirements. Because this improvement must be in place prior to the site's conversion to office use, staff can support the gravel surface shown on the site plan on an interim basis, provided that paving occurs within one (1) year of the Certificate of Occupancy. **Staff is in support of this variance with the following condition:**

1. Driving surface shall be paved within one (1) year from the date the petitioner receives their Certificate of Occupancy.

Variance #2 – 154.114(E)(5)

Minimum Number of Spaces: Appendix D of the Official Parking Schedule requires one (1) parking space for every 300 square feet of administrative or professional office area, plus one (1) parking space for each employee working on the largest shift. The primary structure is listed in county records as 2,340 square feet, and the petitioner's letter of intent anticipates up to eight (8) employees on-site at full capacity. Based on these standards, sixteen (16) parking spaces are required - eight (8) for visitors and clients, and eight (8) for the employees at full capacity. The petitioner's site plan illustrates eleven (11) parked vehicles; however, staff finds that only seven (7) of these can be reasonably accommodated, as double-parking within the garage and along the eastern edge of the property is not practical, safe, or sustainable. Staff has requested that the petitioner address the Board regarding potential solutions to the parking shortfall. **At this time, staff cannot support this variance request and recommends that the BZA discuss with the petitioner potential alternatives to achieve compliance or a reduction in office intensity.**

Variance #3 – 154.114(E)(6)

Accessible Parking Spaces: Town Ordinance requires all non-residential developments to provide ADA-accessible parking spaces, designed and located in accordance with applicable federal and state accessibility standards. The petitioner's site plan does not currently identify any accessible spaces. Staff has reviewed the layout and determined that, while the site is limited in overall parking

capacity, it is feasible to designate and stripe one or more of the proposed spaces as ADA-accessible, with an appropriate access aisle and signage. As drawn, the plan does not meet this requirement, and a variance would be necessary. **Staff cannot support this variance request and recommends that the petitioner revise the site plan to include compliant accessible parking spaces prior to permit approval.**

Variance #4 – 154.114(E)(1)(c)

Off-Street Parking (No Parking in Front Yard Setback): Town Ordinance prohibits parking within the required front yard setback for non-residential developments. The existing configuration of this site, however, limits practical parking opportunities to the two existing driveways located on the east and west sides of the property. Given the small lot size and the need to maintain circulation and forward movement onto 750 N, the driveways provide the only feasible on-site parking areas. Allowing parking within these driveways will enable the petitioner to utilize existing paved surfaces without expanding impervious area or compromising site safety. Staff emphasizes that approval of this variance applies only to parking located on-site within the existing driveways. It does not relieve the petitioner from meeting the overall parking requirements of the McCordsville Zoning Ordinance. Staff is in support of this variance, as it represents a reasonable accommodation of the site's physical constraints while maintaining safe and orderly access. **Staff recommends approval of this variance with the following conditions:**

1. This variance shall apply only to parking located within the front yard setback and limited to the existing paved driveways on the site.
2. Any additional parking areas installed in the future shall comply with Town standards and receive all necessary approvals prior to construction or use.
3. All on-site parking spaces within the driveways shall be striped or otherwise clearly delineated to ensure organized parking and maintain a neat, orderly appearance.

Variance #5 – 154.120(A)(2)

Buffering and Screening Standards: Town Ordinance requires substantial buffering between non-residential and residential uses, including mounding, canopy trees, and dense shrub plantings. This property will transition from residential to commercial use between two existing residential properties. While the mature trees along the property lines provide a solid foundation, the site will not fully meet the Town's current buffering and screening standards when it transitions from residential to commercial use. Staff recognizes that the scale of the site and existing vegetation make full compliance impractical; however, additional landscaping is still necessary to provide a meaningful visual buffer for neighboring residential properties. Staff therefore recommends a modified planting requirement that balances the ordinance's intent with site constraints. Staff is in support of this variance, provided that additional landscaping is installed to enhance screening between uses. **Staff recommends approval of this variance with the following condition:**

1. Prior to the occupancy of the professional office, a minimum of ten (10) ornamental shrubs per one hundred (100) lineal feet shall be installed along both the east and west property lines, to supplement existing trees and provide an effective visual buffer.

The BZA may include additional conditions of approval, and if so, these conditions should be incorporated into the record. They may be amended, added to, or removed by the BZA. The petitioner also has the right to request them to be amended, added to, or removed until the time the BZA has made a motion on the

conditions.

RECOMMENDED FINDINGS FOR APPROVAL:

If the Board is inclined to approve the **special exception** use, then staff recommend the following findings:

Special Exception:

1. The special exception shall be permitted by this chapter:
***Finding:** The proposed use — a professional office — is listed in Appendix A: Official Schedule of Uses as a Special Exception in the Old Town zoning district. Therefore, the request is permitted by this chapter, subject to BZA approval.*
2. The special exception can be served with adequate utilities, access roads, drainage, and other necessary facilities:
***Finding:** The site is an existing developed parcel in Old Town, currently served by public utilities and drainage infrastructure, with two driveways providing direct access to CR 750 N. The site can continue to be adequately served with existing facilities, and minor improvements (such as paving a connecting drive) will further ensure safe circulation and access.*
3. The special exception shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons, and shall comply with the development standards of this chapter:
***Finding:** The proposed use will operate within an existing structure that will be converted from residential to commercial occupancy, as required by the State of Indiana Building Code for a professional office use. This change of use ensures that all necessary life-safety, accessibility, and code compliance measures are satisfied prior to occupancy. The use itself is low-intensity and will not introduce any condition that is dangerous, injurious, or noxious to nearby properties or persons. Further, the project will comply with applicable development standards of the McCordsville Zoning Ordinance, including those related to lighting, screening, and site access.*
4. The special exception shall be sorted, oriented, and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties:
***Finding:** The existing structure will retain its residential form and orientation along W 750 N, maintaining visual consistency with surrounding Old Town properties. Site improvements will be modest and designed to complement the scale and character of adjacent development. Landscaping and screening will be used to soften the transition between the proposed office use and neighboring residential properties, producing a harmonious relationship between buildings and grounds.*
5. The special exception shall produce a total visual impression and environment which is consistent with the environment of the neighborhood:
***Finding:** The proposed professional office will occupy an existing residential structure that will maintain its current exterior character, scale, and setback pattern, preserving the visual continuity of the Old Town streetscape. Site features such as residential-scale lighting, limited signage, and required screening of mechanicals will further ensure that the overall visual impression remains*

consistent with the established environment of the surrounding neighborhood.

6. The special exception shall organize vehicular access and parking to minimize traffic congestion in the neighborhood:

Finding: *The property currently includes two paved driveways providing direct access to W 750 N. As a condition of approval, a connecting drive will be installed between these access points to allow vehicles to circulate on-site and exit safely onto the roadway. The small-scale nature of the professional office will generate minimal traffic, and the site's design ensures that vehicular access and parking are organized to minimize congestion within the neighborhood.*

7. The special exception shall preserve the purpose of this subchapter:

Finding: *The request preserves the purpose of the Old Town (OT) district, which is to accommodate residential uses and residential conversions while protecting the residential character of the original town plat. The proposed professional office is a low-intensity use that serves local residents and visitors rather than the motoring public, consistent with §154.086(C)(2). The use supports the Town's goal of encouraging small-scale reinvestment in Old Town while maintaining its historic and residential character.*

The BZA has four (4) options in considering this request; the Board may approve, approve with conditions, deny, or continue the petition.

Denial: If the Board is inclined to deny the requested special exception, then staff recommends denying, and then tabling the adoption of findings until the Board's next meeting with direction to staff to prepare the findings pursuant to the public hearing evidence and Board discussion.

RECOMMENDED FINDINGS FOR APPROVAL:

If the Board is inclined to approve the **variance(s)**, then staff recommend the following findings:

Variance #1 – 154.114(E)(2) – Driving Surfaces

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

Finding: *The requested variance would allow deferred paving of parking and drive areas for a period of one (1) year following issuance of the Certificate of Occupancy. The site will continue to operate safely during this interim period with gravel surfacing and defined circulation through the east-west connecting drive. The requirement to pave within two years of the Certificate of Occupancy ensures that the long-term intent of the ordinance is met. The variance therefore will not be injurious to the public health, safety, morals, or 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 variance represents a temporary delay in paving, not a permanent exemption. Surrounding properties, some of which exhibit similar gravel conditions, will not be adversely*

impacted. Once paving is completed, the site will be visually and functionally consistent with nearby development, thereby maintaining property values.

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

Finding: *The petitioner will continue to utilize the property for residential purposes until the site is converted to a professional office use. Requiring paving at this stage would impose unnecessary cost and site disruption before the commercial function begins. Allowing the east-west connecting drive to be installed at the time of conversion, with a two-year window to complete paving, provides a practical and phased approach that upholds the ordinance's long-term intent while accommodating the project's timeline.*

Variance #2 – 154.114(E)(5) – Minimum Number of Parking Spaces

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

Finding: *Insufficient parking can create unsafe conditions related to on-street parking and vehicle circulation. Without a demonstrated plan to accommodate the required number of spaces or to otherwise mitigate parking demand, staff cannot confirm that the variance would not be injurious to the public welfare. The Board may determine that this finding is satisfied if adequate off-site or shared parking solutions are presented at the public hearing.*

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 variance, as proposed, could result in overflow parking onto adjacent properties or public rights-of-way if no additional accommodations are made. However, if the petitioner demonstrates that parking demand can be managed on-site or through an approved arrangement, adverse impacts on neighboring properties may be minimized.*

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

Finding: *The site's limited area and existing residential configuration create genuine space constraints that make full compliance with the Town's parking standard difficult. However, staff finds that reasonable alternatives—such as reducing office intensity or securing supplemental parking—should be explored before granting a variance.*

Variance #3 – 154.114(E)(6) – Accessible Parking Spaces

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

Finding: *The absence of ADA-accessible parking could negatively affect accessibility and safety for visitors with disabilities, contrary to the intent of both the Town's standards and federal accessibility laws. Without a revised plan that demonstrates compliance, staff cannot confirm that the variance would not be injurious to the public welfare. The Board may determine this finding to be satisfied if the petitioner provides a revised plan including properly located and signed accessible parking spaces.*

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: *Failure to provide ADA-compliant parking could inconvenience visitors and potentially create liability or perception issues affecting the surrounding area. However, if the petitioner incorporates accessible spaces as part of site modifications or revised striping, no adverse impact on adjacent properties is anticipated.*

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

Finding: *The site's compact layout presents some challenges in allocating accessible spaces, but staff finds that at least one compliant space can reasonably be provided without major redesign. Therefore, strict application of this requirement does not result in an undue hardship or practical difficulty. Staff recommends that this standard be met through modification of the site plan rather than a variance.*

Variance #4 – 154.114(E)(1)(c) – Off-Street Parking in front yard Setback

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

Finding: *Allowing parking within the existing driveways will not be injurious to the public welfare. The arrangement maintains safe access and circulation by ensuring vehicles can enter and exit in a forward motion. Restricting parking to the existing paved areas also prevents encroachment into the public right-of-way and avoids additional impervious surface coverage.*

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 variance reflects the existing residential-style layout of the property and is consistent with the established character of Old Town, where shallow setbacks and front-drive parking are common. Parking within the existing paved driveways will not adversely affect neighboring uses and may improve the site's organization and appearance compared to informal or unstriped parking patterns.*

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

Finding: *The small lot size and the existing configuration of the building and driveways leave no practical alternative location for on-site parking outside the front yard setback. Strict application of the ordinance would eliminate all available parking on the site, creating an undue hardship for the property's intended use. Allowing parking within the existing paved driveways constitutes a reasonable and practical solution that maintains the ordinance's overall intent.*

Variance #5 – 154.120(A)(2) – Buffering and Screening Standards

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

Finding: *The proposed variance will not be injurious to the public welfare. The existing mature trees combined with the required supplemental shrubs will provide an appropriate level of visual and spatial separation between the proposed professional office and neighboring residences. The enhanced landscaping will maintain neighborhood character and soften the visual transition from residential to commercial use.*

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 proposed buffering improvements will enhance the visual quality of the property and promote compatibility with adjacent residential uses. The additional plantings will provide effective screening of activity areas and parking, minimizing potential adverse impacts and helping preserve nearby property values.*

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

Finding: *The lot's limited width and existing vegetation make full compliance with the ordinance's mounding and canopy-tree requirements impractical. Implementing the modified shrub standard provides a practical alternative that achieves the ordinance's purpose of visual buffering without imposing unreasonable spatial or financial burdens on the petitioner.*

Neighborhood Aerial



Overview



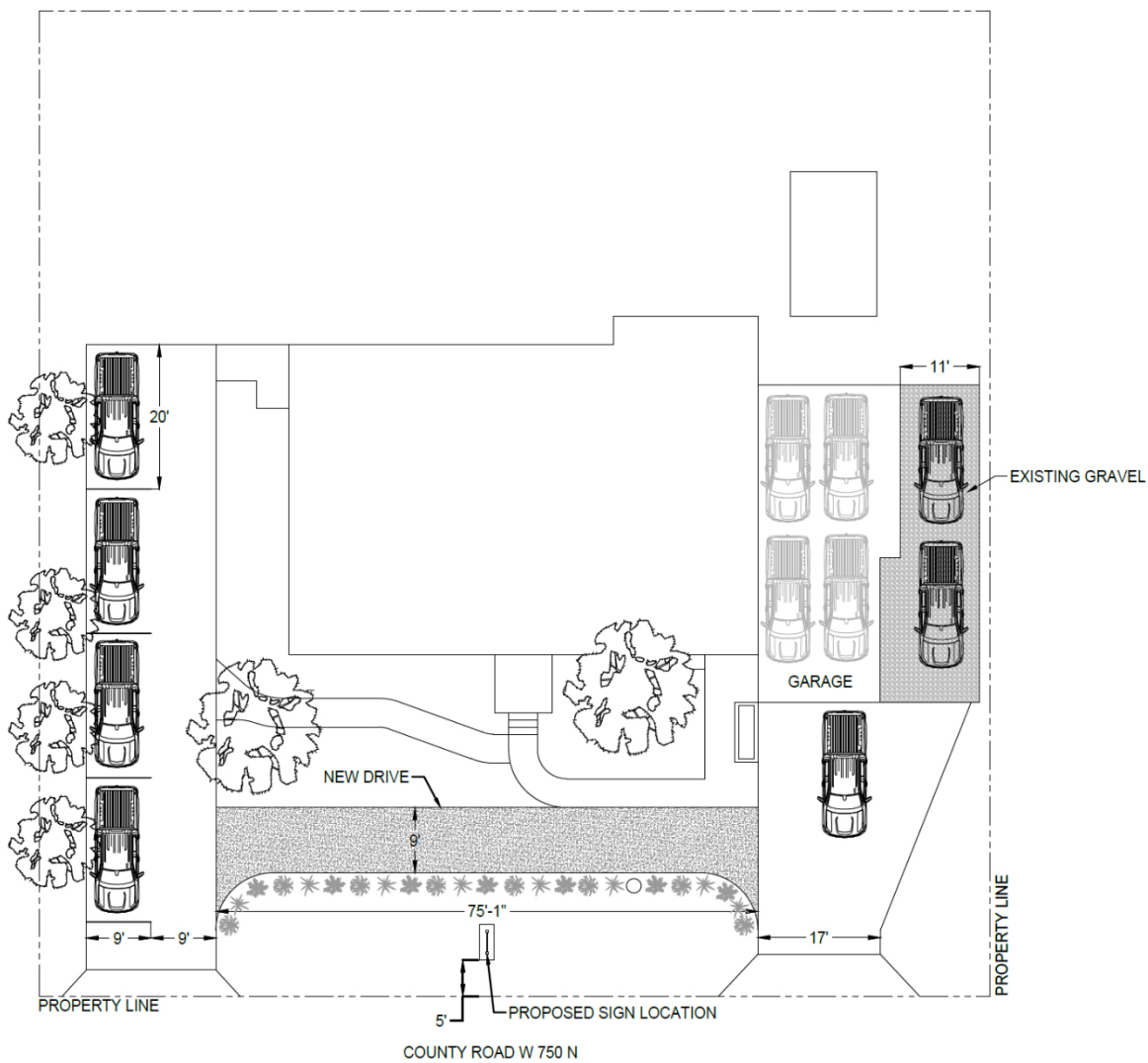
Legend

- Corporate Limits
- Roads
 - I
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- Rights of Way
- Parcels

Date created: 10/27/2025
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GEOSPATIAL

Exhibit A



SITE PLAN

SCALE: 1" = 20'-0"