

McCordsville

ESTD  1988

INDIANA

Board of Zoning Appeals Staff Report Meeting Date: March 1, 2023

PETITIONER: Archview, LLC (Cityscape Residential)

PETITION: Development Standard Variance

EQUEST: Petitioner requests approval of a Development Standard Variance from Section 4(A)(4)(a) of the Cityscape PUD Ordinance to allow a reduction in front-yard setback.

LOCATION: The property is located near the southwest corner of CR 600W & CR 600N

ZONING: The property is zoned the Cityscape Residential Planned-Unit Development (PUD). This zoning was approved by the Town Council, following receiving a favorable recommendation from the Plan Commission, last year.

Zoning

North: CN & R-3

South: R-3

East: I-1

West: R-3

Land Use

Single-family home & agriculture

Agriculture

Single-family home

Single-family home & agriculture

STAFF REVIEW: The Cityscape PUD includes two sites, the southwest corner and southeast corner of CR 600W and CR 600N. This variance request only applies to District A-1 (aka Broadacre) which is located at the southwest corner of CR600W & CR 600N.

The petitioner seeks approval for a reduction in the front-yard setbacks, for its primary structures, from thirty (30) feet to no less than five (5) feet. There is a total of twelve (12) primary structures, some of which will be setback greater than five (5). Nine (9) of the buildings are 2-stories tall, one (1) (clubhouse) is a single-story tall, and the remaining three (3) are 4-stories tall. The petitioner has sighted a number of factors in its decision to request this variance, the primary two (2) reasons are the requirements of the County Surveyor's office and the large amount of natural area that is being preserved/conserved on-site.

STAFF ANALYSIS/RECOMMENDATION:

The petitioner's site includes a significant amount of natural area that will be preserved/conserved, as highlighted below. These natural areas are impacting the developable area of the site.

- There is legal drain along the western property line. The County Surveyor's Office and County Drainage Board have requested this drain stay in place, and not be routed through the site. The County will also require a fifty (50) foot wide easement, from top-of-bank, which will not allow any improvements or changes to grade.
- Due to grade of the site, the petitioner is also preserving approximately thirty (30) immediately east of the legal drain easement. This along with the fifty (50) feet noted above create an (approximately) eighty (80) foot setback along the western property line of natural area. This has greatly impacted the placement of buildings.
- A large wetland was found on the site. This wetland is mostly center on the site, south of the detention area. The petitioner is preserving this wetland, per IDEM requirements. Again, this has a significant impact on building placement and developable area.

Staff has analyzed these site impacts and concurs that in order for this site to move forward an adjustment must be made. Secondly, in reviewing the PUD Ordinance (following the rezone process) we do not believe it was the intent of the Town or the petitioner to have internal front-yard setbacks of thirty (30) feet for the primary structures. In an ideal world, internal front-yard setbacks for these structures would be in the ten (10) to (15) foot range. However, we must account for the significant amount of natural area being preserved/conserved on this site. The preservation/conservation of the natural areas, more than makes up for the reduced front-yard setback. Additionally, the petitioner is measuring the front-yard setback from the wall plane closest to the street/sidewalk/parking lot. That is the correct measurement to make, but in many cases the more prominent massing/façade of the buildings will be further back due to wall plane articulation.

Staff has discussed with the petitioner the potential for a larger setback for Buildings 10 and 11, which are 4-story buildings. The petitioner is assessing a site plan revision that may address that concern, and we anticipate seeing that revised site plan prior to the BZA meeting. Pending a finding that the revisions address our concern, and for the reasons listed above, staff is in support of this request. We do have a few suggested conditions of approval:

- The petitioner commits to working with staff, through the Development Plan review process, to create a clear "line of distinction" between the natural areas and maintained areas.
- The reduced front-yard setbacks shall be as shown in the petitioner's packet.

The BZA may include these conditions of approval. If any conditions are included, those conditions should be incorporated into the ballots. They may be amended, added to, or removed by the BZA during the course of discussions. 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.

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

Existing Conditions

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Showing 1 of 1 Results



Subject Property

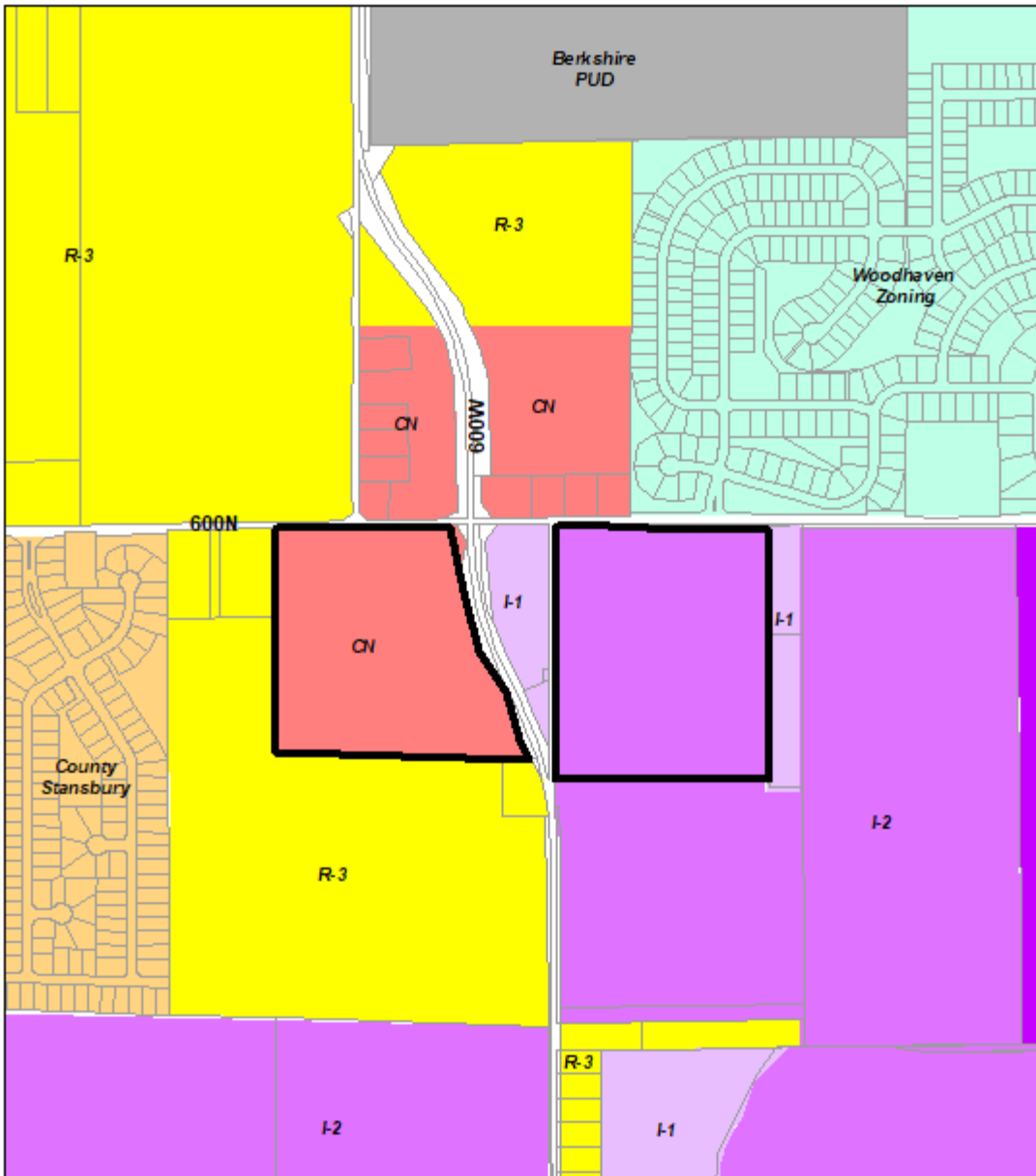



Zoning

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 Subject Site

