



Board of Zoning Appeals Staff Report
Department of Planning and Building
Town of McCordsville

August 5, 2020

Project: Palacios Garage, BZA-20-008

Petitioner: Refugio (Cuco) Palacios

Location: 6084 W 800N

Request: The petitioner's request seeks a Special Exception to allow an expansion of a legal, non-conforming use.

Staff Review: Background: The subject site is comprised of one parcel and is zoned Professional Business Office (CO).

Existing Conditions: The subject site is approximately 2.4 acres and features a single-family home.

Surrounding Land Use & Zoning: The surrounding land uses are as follows:

- North: Undeveloped property zoned I-1
- East: Professional office building zoned CO
- South: Across 800N, agriculturally used property zoned R-1
- West: Single-family residential zoned CO

Special Exception – Section 9.05

The petitioner would like to construct a detached garage for the purpose of personal storage. The property is zoned Professional Business Office (CO) but has been used residentially since prior to being zoned CO by the Town, and therefore the residential land use is legal, non-conforming. The addition of detached garage, as an accessory structure to the primary structure, which is in use as residential, is therefore an expansion of the legal, non-conforming use and requires a Special Exception.

Staff Comments: The proposed garage location is directly behind the existing concrete pad and northwest of the existing home. This is a well-chosen location as it takes advantage of the concrete pad and will be somewhat screened from CR 800N by the existing vegetation south of the concrete pad. The location is not located in any setbacks or buffer-yards, nor is staff aware of any conflicts with utility easements or septic fields. The proposed garage building is 30' x 50'. Staff has

not seen any renderings of the garage, and we have encouraged the petitioner to provide a description of the expected exterior materials to the Board at the meeting. Additionally, if the petitioner plans any additional gravel areas, those areas need to be denoted to the Board as part of this Special Exception.

Staff supports the petitioner's investment in their property, so long as the garage is used as an accessory structure/use to the primary residential use and therefore is only used as personal storage. Staff's support is accompanied by the following suggested conditions of approval:

- The garage will only be used for the personal storage of those living on-site.
- No commercial vehicles shall be stored on the property.
- The siding and roof colors are complimentary to the primary structure and shall comply with the residential exterior material color restrictions of the Town Zoning Ordinance.
- The minimum roof pitch shall be 3:12.
- Landscaping will be installed and maintained, generally as shown on Exhibit A, at the southwest corner of the proposed garage.
- The existing evergreen trees at the south end of the concrete pad shall not be removed.

The BZA may include the conditions of approval noted above, and if so, those conditions should be incorporated into the ballots. 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.

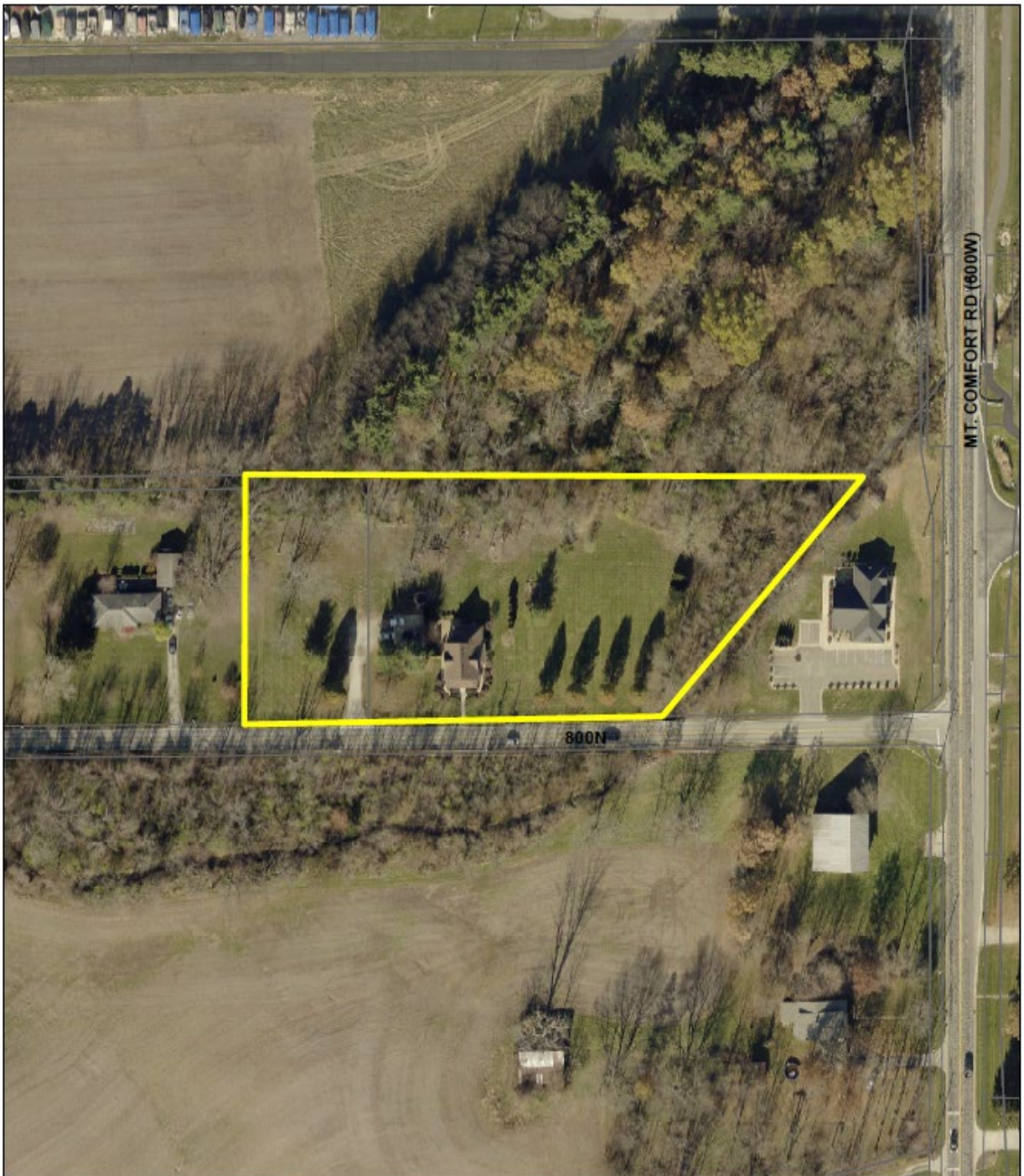
Decision Criteria: The BZA has four (4) options in considering this request; the Board may approve, approve with modifications, deny, or continue this petition.

Existing Conditions

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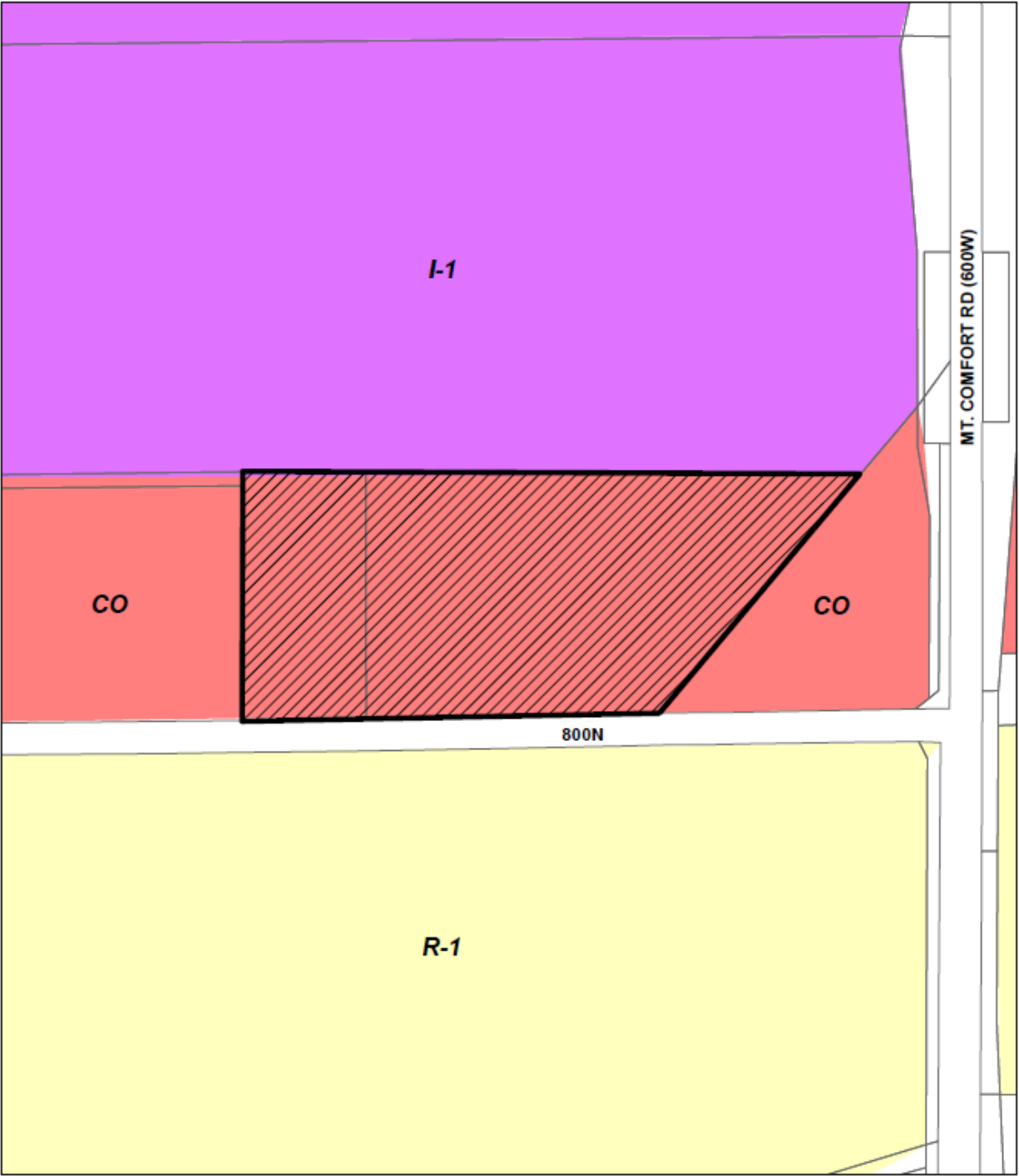
Next Stop  McCordsville



Subject Site



Zoning




 Subject Site



Exhibit A – Staff's Suggested Site Plan



Proposed Detached Garage



Landscaping Area



Proposed Door Locations

