

### **Call to Order**

The meeting was called to order at 6:00PM by Mr. Knartzer.

Members Present: Kenneth Knartzer, Vickie Peters, Josh King, Chris Mull, and Steve Milbourn. Members attended in-person with the option to use Zoom.

Also in Attendance: Planning Director Gabriel Nelson, City Planner Kevin Tolloty, Assistant City Attorney Terry Swihart, Recording Secretary Stevie Jarrett, and Exos IT Chrissy Anderson.

### **Approval of Meeting Minutes**

Mr. King moved to approve the minutes from March 10, 2025, seconded by Mrs. Peters. Vote: Ayes: Mr. Knartzer, Mrs. Peters, Mr. King, Mr. Mull, and Mr. Milbourn. (5-0). **MOTION CARRIES**

### **Special Requests/Continuances**

**BZA2025-008 Development Standards Variance**, 800 Block, West Side of Combs Road, Petitioner, Eric Prime, on behalf of Davis Homes LLC, is requesting relief from the following sections of the Unified Development Ordinance:

1. Section 10-03-14 (B) Single-Family Residential Building Design Standards (1), General Design (A) to allow a garage door to cover up to 85% of the width of the front façade
2. Section 10-03-14 (B) Single-Family Residential Building Design Standards (1), General Design (A) to allow a garage door to cover up to 85% of the front façade area
3. Section 10-03-14 (B) Single-Family Residential Building Design Standards (1), General Design (B) to allow a single window on a front façade

Eric Prime, Van Valer Law Firm, 225 S Emerson Avenue, requested a continuance for BZA2025-008. This continuance will allow for the petitioner to get additional information including renderings of the propose townhomes to staff.

Mr. Prime requested a continuance to April 28<sup>th</sup>.

Mr. Mull moved to continue BZA2025-008 to April 28<sup>th</sup>, seconded by Mr. King. Vote: Ayes: Mr. Knartzer, Mrs. Peters, Mr. King, Mr. Mull, and Mr. Milbourn. (5-0). **MOTION CARRIES**

### **Findings of Fact**

**BZA2025-004 Development Standards Variance**, Petitioner, Charles Baxter, for property located at 886 Cutsinger Road

Mr. Mull moved to adopt the written Findings of Fact as presented, incorporating the evidence submitted into the record, as the final decision and final action for Variance Petition Number

BZA2025-004, seconded by seconded by Mr. Milbourn. Vote: Ayes: Mr. Knartzer, Mrs. Peters, Mr. King, Mr. Mull, and Mr. Milbourn. (5-0). **MOTION CARRIES**

**BZA2025-005 Development Standards Variance**, Petitioner, John Haver, for property located at 26 Frostwood Lane

Mr. Milbourn moved to adopt the written Findings of Fact as presented, incorporating the evidence submitted into the record, as the final decision and final action for Variance Petition Number BZA2025-005, seconded by seconded by Mr. Mull. Vote: Ayes: Mr. Knartzer, Mrs. Peters, Mr. King, Mr. Mull, and Mr. Milbourn. (5-0). **MOTION CARRIES**

**BZA2025-006 Development Standards Variance**, Petitioner, Jericho Morris, on behalf of Milmar Buildings, for property located at 1275 W. Stones Crossing Rd.

Mr. Milbourn moved to adopt the written Findings of Fact as presented, incorporating the evidence submitted into the record, as the final decision and final action for Variance Petition Number BZA2025-006, seconded by seconded by Mr. Mull. Vote: Ayes: Mr. Knartzer, Mrs. Peters, Mr. King, Mr. Mull, and Mr. Milbourn. (5-0). **MOTION CARRIES**

### **New Business**

**BZA2025-009 Development Standards Variance**, 1155 Barcelona Drive, Petitioner, Michael Laing, is requesting relief from the following sections of the Unified Development Ordinance:

1. Section 10-03-13 (C) Accessory Structures (6), to allow an accessory structure over 300 square feet to not have a 36" masonry wainscot

Mr. Tolloty confirmed that all notices were in order and in the file. Mr. Swihart submitted certified copies of the Comprehensive Plan and Unified Development Ordinance into the record.

The public hearing was opened.

Michael Laing, 1155 Barcelona Drive, Greenwood, IN, was administered the oath.

Mr. Laing requested relief from the 36-inch masonry for accessory structures.

**VARIANCE #1: To allow an accessory structure over 300 square feet to not have a 36" masonry wainscot.**

**Greenwood Code References:** Unified Development Ordinance, Section 10-03-13 (C) Accessory Structures, (6) Accessory structures over 300 square feet shall have a 36-inch tall

mortared masonry wainscot and shall utilize wood, fiber cement, masonry, steel or the same materials as the primary structure for the balance of the façade.

**Petitioner's Detailed Statements of Reasons and Staff Comments:**

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

It will be built by professional carpenters on private property which is surrounded by a privacy fence utilizing drawings specific to the building.

*Staff Comment:* Staff agrees with the petitioner's statement that the presence of the wainscoting will not affect public safety or the 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 because:**

The design of this structure is such that it will increase the property value. It will provide a clean look and additional enclosed parking adding value to the home and therefore the area.

*Staff Comment:* Staff agrees with the petitioner's statement.

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

Any wainscoting will not be seen by the public at large due to the privacy fence surrounding the property.

It will increase the cost to build for no reason when the public at large will not be able to see it.

*Staff Comment:* Staff agrees with the petitioner's statement.

**4. The structure is/is not regulated under Indiana Code 8-21-10-3 for hazard air navigation.**

N/A

**Recommendation and Proposed Conditions:**

Staff is providing a favorable recommendation. This standard is meant for primarily aesthetic purposes with perhaps some increased material protection, although that is debatable. The structure will be enclosed by a privacy fence on all sides, and the only part that will be visible, will be that above where the mortared masonry would have been located. Staff believes that this requirement causes a practical difficulty in building an accessory structure at a reasonable cost by requiring an exterior treatment that will add little to no value in this instance.

Staff recommends **approval** of this variance with no conditions.

Mr. Tolloty stated staff is in favor of this variance. It is surrounded by a privacy fence and will not be seen by the public.

The public hearing was closed.

Mr. Milbourn moved to admit all the evidence presented in regard to this matter, including the notices, receipts, maps, photographs, written documents, Petitioner's application and attachments, Petitioner's Detailed Statement of Reasons, the Staff Report prepared by the Planning Department, certified copies of Comprehensive Plan and Unified Development Ordinance, testimony of the Petitioner, City planning staff and any Remonstrators, and all other exhibits presented, be they oral or written, for consideration by this Board in regard to this petition, and to include the testimony of those present this evening, seconded by Mrs. Peters.

Vote: Ayes: Mr. Knartzer, Mrs. Peters, Mr. King, Mr. Mull, and Mr. Milbourn. (5-0). **MOTION CARRIES.**

Mr. King moved to approve request #1 with no conditions, seconded by Mr. Mull. Vote: Ayes: Mr. Knartzer, Mrs. Peters, Mr. King, Mr. Mull, and Mr. Milbourn. (5-0). **MOTION CARRIES.**

Mr. Mull moved to direct the Corporation Counsel's Office to draft written Findings of Fact, regarding the decisions on the variance request presented in Variance Petition Number BZA2025-009 said Findings to specifically incorporate the staff report and the evidence submitted into the record, for consideration and adoption by the Board of Zoning Appeals as the final decision and final action regarding this Petition at the next meeting, seconded by Mr. Milbourn. Vote: Ayes: Mr. Knartzer, Mrs. Peters, Mr. King, Mr. Mull, and Mr. Milbourn. (5-0). **MOTION CARRIES.**

**Announcements**

None.

**Adjournment**

Mr. Knartzer adjourned the meeting at 6:12PM.

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Kenneth Knartzer, President

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Stephanie R. Jarrett, Recording Secretary