

Staff Report – Board of Zoning Appeals

Docket #:	BZA2023-002	Hearing Date:	February 13, 2023
Applicant:	India Olson, The Garrett Companies		
Owner:	#1: Dolores Montgomery (2/3) c/o R. Lee Money#2: The Estate of Arthur J. Sumrall (1 /3) c/o Arthur E. Mandelbaum		
Subject Property Address:	374 N. Emerson Ave., Greenwood, IN		
Staff Contact:	Gabe Nelson, nelsong@greenwood.in.gov, 317-887-5231		

Request:

In accordance with Section 10-02-16: Residential Multi-Unit Complex Zone, the minimum building height is 30 feet. Petitioner requests to reduce the minimum height to 25 feet.

See attached Exhibit D: Building Elevations

Location:

The subject property (parcel 41-02-28-044-059.000-025) is a 15.968 acre property located west of Emerson Ave and East of Indy South Greenwood Airport. The current address for the subject property is 374 Emerson Avenue.

See attached Exhibit B: Aerial Location Map

Surrounding Land Uses:

- The Site: Residential, Multi-Unit Complex (RMC)
- North: Industrial, Large (IL), Outdoor Storage Facility
- East: Industrial, Large (IL), Medical Offices
- South: Residential, Attached Single-Family (RA), Maple Grove
- West: Airport Commerce (AC), Indy South Greenwood Airport

See Exhibit A: Zoning Map

Ordinance References:

Unified Development Ordinance (UDO), Sec. 10-02-16: Residential Multi-Unit Complex Zone, Building Height.

Indiana Code Reference(s):

• Section 36-7-4-918.5 (Dimensional Variances)

Statutory Criteria:

- Indiana Code Section 36-7-4-918.5 Dimensional/Development Standard Variances may be approved 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.
 - 3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property.

- Indiana Code Section 8-21-10-3 No Hazard to Air Navigation (if applicable)
 - 1. The structure is regulated under Indiana Code 8-21-10-3 and the Board of Zoning Appeals has received a copy of the Determination of No Hazard to Air Navigation issued by the Federal Aviation Administration and the Board of Aviation Commissioners has been delivered notice in accordance with Indiana Code 8-21-10-3 not less than sixty days before the proposal is considered.

Greenwood Code References:

Unified Development Ordinance, Section 10-02-16: Residential Multi-Unit Complex Zone, Building Height: Minimum 30 feet, to allow for a reduction in the minimum height to 25 feet.

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

The change in elevation to a new minimum does not directly impact public health, safety, morals, and general welfare of the community because the building height reduction would visually compliment the multi-family buildings and keep our community as appealing as possible for our surrounding neighbors. This variance will only affect the clubhouse building near the center of our property eliminating any impact to neighboring properties.

Exhibit D: Building Elevations

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 change in elevation to a new minimum will not affect the adjacent properties in a substantially adverse manner as it only impacts one building elevation on the owners' property, away from the surrounding property, and seeks to only benefit them by improving sight line variability.

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

The minimum building height of 30 ft. for a standalone building that is being utilized as a clubhouse and amenity space would be impractical because it wouldn't allow for building height variation throughout the site. Additionally, the clubhouse is a one level building and it serves no practical reason for this structure to be designed at Minimum Height of 30 ft considering its use as an amenity space and leasing office.

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

The applicant is working with the FAA on the above application and acknowledges this approval will be conditional on securing the aforementioned approval.

Comments and Findings:

Staff does not find issue with the requested variance. The height of the clubhouse building will be approximately twenty-six (26) feet and will by a complimentary fit to the apartment buildings which will be approximately thirty-four (34) feet in height. The approval of the variance request has no effect on any surrounding property and does nothing to harm this property. A denial of the variance would cause the building to be an additional four (4) feet in height for no useful purpose.

Summary and Proposed Conditions:

Staff provides a positive recommendation for the variance with the following condition:

1. The final plans shall substantially conform to the building elevations depicted in Exhibit D.

Attachments:

Exhibit A: Zoning Map Exhibit B: Aerial Location Map Exhibit C: Site Plan Exhibit D: Building Elevations



Exhibit A: Zoning Map

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	- KEN-TEX BLUEGRASS SO (MEDIUM WATER USE) - KENTUCKY BLUEGRASS (LOW WATER USE)
 FOUNDATION PLANTINGS: SHRUBS, PERENNIALS, ORNAMENTAL GRASSES AT THE RECOMMENDED SPACING BY PLANT TYPE AND LOCATED WITHIN FIVE (5) FEET ALONG THE LENGTH OF THE BUILDING FOUNDATION FACING THE STREET. 29,025 SQ. FT. TOTAL PARKING LOT PERIMETER PLANTINGS: A MINIMUM 5-FEET WIDE, LANDSCAPED AREA WITH A CONTINUOUS ROW OF SHRUBS MUST BE PROVIDED AT THE PERIMETER OF THE PARKING LOT. SHRUBS MUST BE A MINIMUM OF 18" IN HEIGHT WHEN PLANTED AND MUST REACH A MINIMUM SIZE OF 3' IN HEIGHT WITHIN 3 YEARS OF PLANTING. 6,505 SQ. FT. TOTAL 	NOTE: ALL SHRUB, PERENNIAL AND O DEPTH HARDWOOD MULCH. TOTAL A
ORIVE AISLE PERIMETER PLANTINGS: A MINIMUM 5-FEET WIDE, LANDSCAPED AREA WITH A CONTINUOUS ROW OF SHRUBS MUST BE PROVIDED ALONG DRIVE AISLES. SHRUBS MUST BE A MINIMUM OF 18" IN HEIGHT WHEN PLANTED AND MUST REACH A MINIMUM SIZE OF 3' IN HEIGHT WITHIN 3 YEARS OF PLANTING. 4,523 SQ. FT. TOTAL	REFERENCE SHEET L101 FOR SHEET L103 FOR COMPLETE L TABULATIONS. REFERENCE S









FRONT ELEVATION





THIN BRICK VENEER: 61% LAP SIDING: 7% BOARD AND BATTEN: 15% TRANSPARENCY: 17%

THIN BRICK VENEER: 50% LAP SIDING: 14% BOARD AND BATTEN: 6% PANEL: 16% TRANSPARENCY: 15%



THE GARRETT COMPANIES

CLUB HOUSE ELEVATION

RIGHT ELEVATION

THIN BRICK VENEER: 61% BOARD AND BATTEN: 16% TRANSPARENCY: 23%

LEFT ELEVATION

THIN BRICK VENEER: 57% LAP SIDING: 4% BOARD AND BATTEN: 21% TRANSPARENCY: 18%

