



# City of Carmel

## Carmel Board of Zoning Appeals Hearing Officer August 27, 2018 Meeting Minutes

Location: Carmel City Hall Caucus Rooms, 2<sup>nd</sup> Floor, 1 Civic Square, Carmel, IN 46032  
Hearing Officer: Mr. Alan Potasnik  
Staff Present: Angie Conn, Planning Administrator  
Joe Shestak, BZA Administrative Assistant  
Legal Counsel: John Molitor  
Time: 5:30 p.m.

### Public Hearings:

#### **TABLED TO SEPT. 24 - (V) 14435 Pemberton Ln, Pool Equipment Setback.**

The applicant seeks development standards variance approval for the location of pool equipment:

1. ~~Docket No. 18070002 V UDO Section 5.02.C.7 Min. 10' side yard setback for pool/decking/equipment, 5' proposed.~~ The site is located at 14435 Pemberton Ln. (in Overbrook Farms, Section 2, Lot 41). It is zoned S1/Residence ROSO III. Filed by Mike Rutherford of Blue Haven Pools.

#### **(V) Telamon Sign.**

The applicant seeks development standards variance approval for a 3<sup>rd</sup> sign:

2. **Docket No. 18070003 V UDO Section 5.39.H Maximum 1 sign per frontage allowed, 1 additional sign proposed for a total of 3.** The site is located at 1000 E. 116<sup>th</sup> Street. It is zoned M3/Manufacturing. Filed by Heather Reeve of Fast Signs.

**Petitioner:** Michael Puza, Telamon Corp.

- We need a directional sign for our property
- We have commercial trucks and employees that use this site
- We have had problems with directing trucks to the correct location
- We want to direct traffic correctly to our loading docks and site
- We want to prevent traffic accidents from occurring

**Public Comments:** None

**Department Report:** Angie Conn:

- The 3<sup>rd</sup> sign will act as a traffic directional sign
- They have 1 ground sign on 116<sup>th</sup> and they have 1 wall sign on the building
- Staff recommends approval of this variance

**Board Comments:**

**Alan Potasnik:** Is Mitchell Drive a public or private thoroughfare? **Michael Puza:** Private thoroughfare.

**Alan Potasnik:** Does Telamon have a sign on the building? **Michael Puza:** Yes. **Alan:** Would this proposed sign be seen from 116<sup>th</sup> Street? **Michael:** It would be difficult to see from 116<sup>th</sup> Street but once you are on Mitchell Drive, you would see the sign.

**Alan Potasnik:** Does the sign meet the requirements? **Angie Conn:** Yes, it meets the sign ordinance requirements.

### Approved 1-0

#### (V) Juniper on Main.

The applicant seeks the following development standards variance approvals for a restaurant:

3. **Docket No. 18070005 V UDO Section 3.64.A.1.c: Max. 70% lot coverage allowed, 80.5% requested.**
  4. **Docket No. 18080001 V UDO Sections 3.64.A.9.c & 5.28: Min. 13 parking spaces allowed, 10 requested.**
- The site is located at 110 E. Main Street. It is zoned B1/Business and located within the Old Town Overlay Zone, Character Sub Area. Filed by Jim Streeter of Innovative Planning, LLC on behalf of the owner, Ken Keltner.

#### Petitioner: Jim Streeter

- The existing lot coverage space is 80%, UDO allows 70%
- We have asked for a change in the amount of lot coverage, to 84%
- We've met with Racheal Keesling of DOCS, and John Thomas of the City Engineering to discuss our new plans
- We want to put in a pergola with a concrete deck, which would take up more space than initially requested
- *Shows a picture of the new proposed pergola*
- John Thomas asked us to build in a rain garden to handle the access rain water because of the extra lot coverage
- The pergola will take up 894 sq. ft.
- The owners want the pergola to have a concrete floor than a wood decking floor for sanitary reasons
- *Shows a drawing of the site map:* The proposed location of the rain garden, bike parking, pergola, wheelchair access, and the swell that is own by the City.

#### Public Comments: None

#### Department Report: Angie Conn:

- They will be 3 spaces short, but staff is comfortable because there's public parking to south and north, and on street parking on Main Street
- Staff is in support of both variance requests
- We would want a commitment that there is landscaping between the sidewalk and the pergola

#### Board Comments:

**Alan Potasnik:** When you came into the Plan Commission Committee, was the pergola a wooden floor? **Jim Streeter:** Yes. **Alan:** Why did you want to change it to a concrete pergola? **Jim:** The concrete floor would be more sanitary. The food droppings would be easier to sweep up instead of falling in between the wooden floor boards. **Alan Potasnik:** Has anything else changed since the Plan Commission hearing? **Jim Streeter:** No

**Alan Potasnik:** I don't like to diminish the number of parking spots, but the City has street parking and other parking options. Is staff comfortable with this approval of parking? **Angie Conn:** Yes

### Approved 1-0

**(V) Fowler Residence, Rear Setback.**

The applicant seeks the following variance approval for proposed building additions:

5. **Docket No. 18080002 V UDO Section 2.08 Minimum 20' rear yard building setback allowed, 15' requested.** The site is located at 4247 Centennial Ct. It is zoned R1/Residence and is Lot 88 in Brookshire North Section 1. Filed by Paul & Laurie Fowler, owners.

**Petitioner: Paul Fowler**

- We have an irregular lot, with two rear borders
- This area functions as a side yard that is adjacent to another side yard
- There's a utility and drainage easement in between the two yards
- *Shows site plan* – A small portion of the building addition will encroach within the setback
- The building addition will match the existing structure
- We will eventually enclose the deck by building a screened-in porch
- We do not have standing water where the building addition will be built
- There's standing water that occurs in the back of the lot by the swell

**Public Comments: None**

**Department Report: Angie Conn:**

- The structure will encroach around 5' of the 20' rear setback
- We did have one concern from a neighbor about the existing standing storm water
- We see the storm water as a separate issue that we will forward to the Engineering Dept. and they will take a look on what's going on with the standing water.
- We do not see this building addition impacting the storm water negatively
- We recommended approval of this variance

**Board Comments:**

**Alan Potasnik:** Will this solve the setback issue with your home? **Paul Fowler:** Yes, this will make it legal.

**Approved 1-0**

**Meeting Adjourned at 5:55 p.m.**

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Alan Potasnik – Hearing Officer

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Joe Shestak – Recording Secretary