



City of Carmel

Carmel Board of Zoning Appeals

Regular Meeting

Monday, June 27, 2022

Time: **6:00 PM**

Location: Carmel City Hall Council Chambers, 2nd Floor, 1 Civic Square, Carmel, IN 46032

PLEASE NOTE:

- This In-Person meeting will be on Carmel TV and livestreamed on <http://carmelin.new.swagit.com/views/1>
- The meeting will be audio recorded and minutes taken by the BZA Secretary
- The recordings will be available via Laserfiche online

Agenda:

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. Declaration of Quorum
- E. Approval of Minutes and Findings of Facts of Previous Meetings
- F. Communications, Bills, and Expenditures
- G. Reports, Announcements, Legal Counsel Report, and Department Concerns
- H. Public Hearings

TABLED TO JULY 25 - (V) 11335 N. Michigan Road Apartments Variances.

~~The applicant seeks the following development standards variance approvals:~~

- ~~1. Docket No. PZ-2021-00224 V — UDO Section 5.28 — Parking — 506 parking spaces required, 400 requested.~~
- ~~2. Docket No. PZ-2021-00228 V — UDO Section 2.24 — Minimum Lot Area — 5,000 sq. ft. per multiple family dwelling unit allowed, 2,996 sq. ft. requested.~~
- ~~3. Docket No. PZ-2021-00234 V — UDO Section 2.24 — Maximum Lot Coverage — 40% maximum lot cover for multi-family dwellings in the B3 zone allowed, 52% requested.~~
- ~~4. Docket No. PZ-2021-00240 V — UDO Section 3.88(C) — Building Height — 20' maximum height allowed adjacent to residential uses; 26' 2-3/8" and 37' 8-1/4" requested.~~
- ~~5. Docket No. PZ-2021-00241 V — UDO Section 3.88(D) — Building Facades — Buildings with continuous facades that are 90' or greater in width shall be designed with offsets not less than 8' deep and at intervals of not greater than 60' required, 1.5' requested.~~
- ~~6. Docket No. PZ-2021-00244 V — UDO Section 3.96(B) — Minimum Rear Yard Building Setback — 51.7' required adjacent to residential, 40' requested.~~

~~The site is located at 11335 N. Michigan Road, at the former Altum's Plant Nursery site. It is zoned B3/Business and located in the US 421 Overlay zone. Filed by Rick Lawrence of Nelson & Frankenberger LLC on behalf of Ryan Wells of REI Real Estate Services, LLC.~~

(V) Oberweis – That Burger Joint – Woodgrain Pizzeria Variances.

The applicant seeks the following development standards variance approvals:

- 7. Docket No. PZ-2022-00074 V UDO Section 3.95.F Drive Thru Location: Must be located to the rear of the parcel, Site has three frontages therefore this requirement cannot be met.**
- 8. Docket No. PZ-2022-00075 V UDO Section 3.88.C Building Height: Max. 20' allowed when adjacent to residential, 21' to 25'8" requested.**

9. **Docket No. PZ-2022-00077 V UDO Section 5.39.H.2.a Number of Signs: 5 requested, 3 allowed.** The 1.15-acre site is located at 10920 N. Michigan Road, at the southwest corner of Weston Pointe Blvd. and Michigan Rd./US 421. It is zoned B3/Business and US 421 Overlay Zone. Filed by Joe Oberweis, owner.

(UV) Coram Deo Academy Use Variance.

The applicant seeks the following use variance approval:

10. **Docket No. PZ-2022-00079 UV UDO Section 2.21 & Appendix A.03 Permitted Uses - Elementary or Secondary Education School not permitted; Pre K-12 School requested.** The site is located at 525 Congressional Blvd. and 11720 College Ave. It is zoned B2/Business. Filed by Matthew Simpson of Coram Deo Academy.

(UV, V) Carmel Midtown Redevelopment Variances.

The applicant seeks the following use variance and development standards variance approvals:

11. **Docket No. PZ-2022-00081 V UDO Section 2.10 Minimum 10,000 sq. ft. R2 lot sizes required, 7,617 sq. ft. requested for Parcels E & F.**
12. **Docket No. PZ-2022-00082 UV UDO Section 2.09 Permitted Uses, Office use in R2 zoning district requested for Parcels C & D.**
13. **Docket No. PZ-2022-00083 V UDO Section 2.10 Minimum 35-ft R2 front yard setbacks required, 10.2-ft requested for Parcels E & F.**
14. **Docket No. PZ-2022-00084 V UDO Section 2.10 Minimum 20-ft R2 residential rear yard setback required, 5.7-ft requested for Parcels E & F.**
15. **Docket No. PZ-2022-00085 V UDO Sections 2.10 Maximum 35% R2 lot cover allowed, 39% requested for Parcels E & F.**
16. **Docket No. PZ-2022-00086 V UDO Section 2.36 Maximum 80% C2 lot cover allowed, 85% requested for Parcels A, B, C & D.**
17. **Docket No. PZ-2022-00087 V UDO Sections 5.19 Bufferyard Width - Minimum 30' rear bufferyard required; 25' requested for Parcels C & D.**
18. **Docket No. PZ-2022-00088 V UDO Sections 5.19 & 5.21 Bufferyard Content - Hardscape improvements and parking lot located in portion of bufferyards requested for Parcels A, C & D.**
19. **Docket No. PZ-2022-00089 V UDO Section 1.07 Transportation Plan Compliance: 90', 56', and 56' street right of way widths required for 3rd Ave SW, Industrial Dr., and Emerson Rd.; Request for ROW widths as shown on Site Exhibit.**

The site is located at 210 3rd Ave SW (former AT&T site) and 449 & 451 Emerson Rd. (Johnson Addition Lots 29-30.) It is zoned C2/Mixed Use District and R2/Residence. Filed by Brian Tuohy of Tuohy Bailey & Moore LLP on behalf of PST Land Holdings LLC and Pure Development Capital, Inc.

- I. New Business
J. Old Business
K. Adjournment

Dated: Friday, June 17, 2022
File: 6.27.22 regular meeting.doc
By: Joe Shestak, BZA Secretary
jshestak@carmel.in.gov or 317-571-2419