



City of Carmel

Carmel Board of Zoning Appeals

Regular Meeting

Monday, November 28, 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 with 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
 1. **2023 BZA Calendar**
 2. **Service Recognition**
- H. Public Hearings
 1. **TABLED INDEFINITELY-** (A) Willow Haven Group Home Appeal: Docket No. PZ-2022-00179 A. The applicant seeks to appeal the 8/5/22 Determination Letter written by the Carmel Dept. of Community Services Director. The site is located at 2080 W. 106th Street (Lot 1 in 1800 106th Street Subdivision). It is zoned S1/Residence. Filed by John Higgins of SKO (Stoll Keenon Ogden PLLC) on behalf of Hari & Saranya Nagireddy, applicants.

(UV, V) Insurance Office Variances.
The applicant seeks the following use variance and development standards variance approvals:
 2. Docket No. PZ-2022-00192 UV UDO Section 2.03 Office use not allowed, Use variance requested.
 3. Docket No. PZ-2022-00193 V UDO Section 5.39.H.5.b.iii Ground Sign type requested for residential structure converted to office.
 4. Docket No. PZ-2022-00201 V UDO Section 2.04 Minimum 40-ft front yard building setback required, 31 feet requested.
 5. Docket No. PZ-2022-00203 V UDO Section 5.39.H.2 One sign allowed, Two signs requested.
The site is located at 4991 E. Main St. and is zoned S1/Residence. Filed by Katelyn Klingler (Leveque) of Dinsmore Law Firm, on behalf Marshall Holdings LLC.

(V) Chick-Fil-A Variances.

The applicant seeks the following development standards variance approvals:

6. ~~WITHDRAWN - Docket No. PZ-2022-00210 V~~ ~~UDO Section 5.28.E.4.: Wheel stops required when less than 10' sidewalk width provided adjacent to parking spaces; 6' proposed (west).~~
7. **Docket No. PZ-2022-00211 V** **UDO Section 3.95.F.: Drive Thru location: Must be located to the rear of the parcel, Site has two public street frontages and one private street frontage, therefore, this requirement cannot be met.**
8. **Docket No. PZ-2022-00212 V** **UDO section 5.39.H.2: Two signs facing south: wall sign & ground sign oriented south.**
9. **Docket No. PZ-2022-00214 V** **UDO Section 3.88.D.: 8' offsets required for facades greater than 90' in width, at intervals of 60'; 4' provided.**
10. **Docket No. PZ-2022-00215 V** **UDO Section 3.92.C.: Lighting plan does not meet 0.3 footcandle maximum at property lines.**
11. **Docket No. PZ-2022-00216 V** **UDO Section 5.19.F.3.: Foundation plantings required, none provided.**
12. ~~WITHDRAWN - Docket No. PZ-2022-00217 V~~ ~~UDO section 5.39.H.2.a: Sign facing east towards a private street (a non-fronting street).~~
13. **AMENDED - Docket No. PZ-2022-00218 V** **UDO Section 5.39.H.2.a: Signage – Number: 3 proposed, 2 allowed.**
14. ~~WITHDRAWN - Docket No. PZ-2022-00219 V~~ ~~UDO Section 5.39.E.5.: Signage – Wall signs cannot obscure architectural details, non-compliant as proposed.~~
15. ~~WITHDRAWN - Docket No. PZ-2022-00220 V~~ ~~UDO Section 3.88.H.: Metal or aluminum awnings are prohibited.~~
16. ~~WITHDRAWN - Docket No. PZ-2022-00221 V~~ ~~UDO Section 3.88.F.: Building entrance: not defined and articulated.~~

The site is located at 9965 N. Michigan Road (previous location of Red Robin), part of West Carmel Marketplace, Block F. It is zoned B2/Business and within the US 421 Overlay District. Filed by Joe Vavrina of HR Green, on behalf of Chick-Fil-A.

17. (A) Appeal, Director's Acceptance of Buckingham Multifamily Project Application: Docket No. PZ-2022-00225 A.

The Petitioner seeks to appeal the Carmel Dept. of Community Services Director's decision to accept and docket the DP/ADLS application for the Buckingham Multifamily Carmel Midtown project (Docket No. PZ-2022-00202 DP/ADLS) proposed for a portion of the former AT&T site located at 210 3rd Ave SW. The site is zoned C2/Mixed Use. Filed by Charles Demler.

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

Dated: Friday, November 18, 2022
File: 11.28.22 regular meeting.doc
By: Joe Shestak, Carmel BZA Secretary
jshestak@carmel.in.gov or 317-571-2419