



BOARD OF ZONING APPEALS FINDINGS OF FACT

APPLICATION(S): BZNA 0088-2018
BZNA 0089-2018

PROPERTY ADDRESS: 14510 Herriman Boulevard, Noblesville, Indiana

Two Variance of Development Standards applications were submitted to the Noblesville Planning Department for the above referenced location. The applications submitted by Paul Drummond requested that approval be granted to two Variance of Development Standards applications pursuant to the following: a) UDO § Table 8.C Variance of Development Standards application to permit the construction of a non-residential building that exceeds the maximum building height in a PB (Planned Business) district (3 stories permitted, 4 stories requested); b) UDO § Table 12.0.5.D.2 Variance of Development Standards application to permit the reduction of the perimeter parking lot side yard landscape area (10 ft required, 0 ft requested). The Noblesville Board of Zoning Appeals conducted a hearing regarding this application on June 4, 2018. After testimony was given and evidence was presented to the Board, a motion to APPROVE was made, and the motion carried 5-0.

In its deliberations, the Noblesville Board of Zoning Appeals weighed the evidence associated with the following criteria and made the following findings in granting the request for a Variance of Development Standards. Indiana Code §36-7-4-918.5 states that a Variance of Development Standards may be approved only upon a determination in writing that the following are true:

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

It is likely that the proposed variance will not be injurious to public health, safety, and general welfare of the community. The proposed structure is in keeping with others that are along the 146th Street corridor. The Board approved another structure to the east also at four stories and there are a number of three story buildings nearby. It is unlikely that the proposed structure will have any effect on the surrounding industrial buildings. The proposed landscaping reduction is located along a parcel that will be used for dry detention.

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:

It is likely that the use and value of real estate adjacent to the subject site will NOT be affected in a substantially adverse manner by allowing the requested variance. Nearby property owners may remonstrate against this petition if they believe this request will have significant adverse effects on adjacent properties. Should nothing contrary be brought to light by adjacent owners at the public hearing, it is presumed that the approval of this variance request will not have a substantially adverse effect on the use and value of adjacent properties.

3. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought:

The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. Based upon the already established industrial use with a structure that sits within twenty feet of their eastern property line, the sixty foot right-of-way for the extension of Herriman Boulevard will come from this property. The dedication of this property results in both a difficulty meeting the parking and landscaping requirements as well as reducing the footprint of the area to develop a building. A number of PB uses are going to have a larger number of parking spaces required as this is our general commercial zoning district that allows retail, office, and restaurants.

The findings of fact contained herein are adopted by the Noblesville Board of Zoning Appeals on July 2, 2018.

Mike Field, Chairman

Sarah Reed, Secretary