



BOARD OF ZONING APPEALS FINDINGS OF FACT

APPLICATION(S): BZNA-000241, 242, 243, 244, 245, 246, 247, 248-2024

PROPERTY ADDRESS: 355 Park 32 West Drive Noblesville 46062

A Variance of Development Standards application was submitted to the Noblesville Planning Department for the above referenced location. The application submitted by Charlie Mattox, CrossRoad Engineers (applicant) and International Disaster Emergency Service Inc. (owner) requested that approval be granted to variance of development standards applications:

BZNA-000241-2024: Pursuant to UDO §8.H.8.J. to allow for a building addition to exceed the maximum permitted building height of 20 feet.

BZNA-000242-2024: Pursuant to UDO §8.H.8.L. to allow for a building addition without the required modulated façade or projected cornice.

BZNA-000243-2024: Pursuant to UDO §8.H.8.L. to allow for building addition that will result in a building façade parallel with Midland Trace to exceed the maximum permitted building façade of 80 feet.

BZNA-000244-2024: Pursuant to UDO §8.H.8.L. to allow for a building façade without the required minimum 20 percent of the wall square footage composed of glazed areas or having a glazed appearance.

BZNA-000245-2024: Pursuant to UDO §8.H.8.L. to allow for a building addition with roof pitch less than the required 4:12 pitch.

BZNA-000246-2024: Pursuant to UDO §8.H.8.L. to allow for a building addition without the required minimum masonry materials.

BZNA-000247-2024: Pursuant to UDO §8.H.8.I. to allow for no installation of an artistic piece for a development with frontage on Midland Trace.

BZNA-000248-2024: Pursuant to UDO §8.H.8.N. to allow for loading berths on the north side of the building to be visible from the Park 32 right-of-way and adjacent properties.

The Noblesville Board of Zoning Appeals conducted a hearing regarding these applications on January 6, 2025. After testimony was given and evidence was presented to the Board, a motion to APPROVE was made, and the motion carried 4-0.

VARIANCE OF DEVELOPMENT STANDARDS FINDINGS

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. Consistent with Indiana Code §36-7-4-918.4 the Noblesville Board of Zoning Appeals hereby makes 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.

The height variance would not likely be injurious to the public health, safety, morals, and general welfare of the community. The addition is approximately 60 feet from the nearest residential dwelling to the south across the trail. The warehouse would be the same height as what is allowed in the R-3 zoned district to the south.

The variances are to aesthetic requirements of the State Road 32 overlay district and are not likely to be injurious to the public health, safety, morals, and general welfare of the community. The additions would be compatible with the materials, roof line, and modulation of the existing building and to adjacent industrial users. The addition would be screened by vegetation from the trail and residential dwellings to the south.

Not installing an artistic piece would not be injurious to the public health, safety, morals, and general welfare of the community because there is no harmful effect of not installing a piece of art.

The two loading berths on the northeast corner of the warehouse addition, adjacent to Park 32 Drive West, would not be visible from the industrial users to the west, and more importantly from the residential subdivision to the south. The proposed location of the loading berths minimizes the visibility from other rights-of-way and adjacent properties.

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.

The use and value of the area adjacent to the property included in the variance will likely not be affected in the substantially adverse manner. The building height of 34 feet, seven inches is the same maximum height allowed in the adjacent R-3 zoning district.

The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner by allowing the requested

variances. Not providing masonry materials, required roof pitch, or a façade oriented at an angle of 60 degrees to the property line will not impede or prevent the use of adjacent properties, nor will values in the area be depressed.

The use and value of the area adjacent to the property included in the variance will likely not be affected in the substantially adverse manner by allowing the requested variance. Adjacent properties have developed for their intended uses and not installing an artistic piece will not impede those uses.

The use and value of the area adjacent to the property included in the variance will likely not be affected in the substantially adverse manner by allowing the requested variance. Loading berths along a side or front façade is typical of adjacent industrial users in this portion of the Park 32 West Drive.

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

Applying an overlay district restriction on building height to the subject site in an existing industrial park creates a practical difficulty in the use of the property for its intended purpose. This site is zoned and developed for industrial uses, and typical industrial uses require a building height in excess of 20 feet.

Applying an overlay district restriction on architectural design to an existing industrial park creates practical difficulties in the continued use of the subject site. This site is zoned and developed for industrial uses, and typical industrial uses and the proposed architectural design is compatible with the existing structure, adjacent industrial structures, and is inobtrusive to the adjacent residential dwellings. For example requiring *no non-residential façade greater than 80 feet in length shall be parallel with Midland Trace. Longer facades must be oriented at an angle greater than or equal to 60 degrees from the property line abutting Midland Trace* makes building a functional industrial space on any given parcel in an existing industrial park impractical. Furthermore, complying with UDO requirements for façade orientation, roof pitch, or modulation would create an addition that appears to be out-of-place to the existing architecture.

While the strict application of the terms of the zoning ordinance will not result in impractical difficulties in the use of the property if the variance request is denied not installing an artistic piece is an acceptable deviation from the UDO.

The strict application of the terms of the zoning ordinance will result impractical difficulties in the use of the property. Because of the way the existing building has been constructed and the site being located on the curved portion of Park 32 West Drive, further development of the site is limited. Placing the berths in the proposed location creates a site that maximizes functionality and maneuverability.

The findings of fact contained herein are adopted by the Noblesville Board of Zoning Appeals on January 6, 2025. In addition, the Board of Zoning Appeals hereby adopts the following conditions to its approval with the petitioner must adhere by; failure to adhere by any of these conditions is a violation of this variance and could subject petitioner to additional action permitted by law:

1. The Applicant shall sign the Acknowledgement of Variance document prepared by the Planning and Development Department Staff within 60 days of this approval. Staff will then record this document against the property and a file stamped copy of such recorded document shall be available in the Department of Planning and Development.
2. Any alterations to the approved building plan or site plan, other than those required by the Board of Zoning Appeals (BZA), shall be submitted to the Planning and Development Department prior to the alterations being made, and if necessary, a BZA hearing shall be held to review such changes.
3. Additional architectural features, such as awnings or faux windows, shall be provided on the south façade of the proposed warehouse addition.
4. A photometric plan of the full site shall be submitted.

Mike Field, Chairman

Caleb Gutshall, Secretary