



PLAN COMMISSION STAFF REPORT

ITEM NO: 3

APPLICATION NO: PLAT-0015-2025

MEETING DATE: March 17, 2025

SUBJECT: Approval of Primary Plat

PETITIONER(S): Benjamin & Lauren Driskell (Owner/Applicant)
Miller Surveying, Inc. (Nathan Althouse, PLS) (Authorized Agent)

SUMMARY: Commission to consider a Primary Plat for the creation of a 1-lot subdivision to be known as Driskell Estate.

LOCATION: 15290 Allisonville Road (Parcel Number)

RECOMMENDATION: Approval

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Planning Terms

Primary Plat – A preliminary drawing or drawings, described in these regulations which indicates the proposed manner or layout of the subdivision to be submitted to the Plan Commission for approval.

Procedure

The primary plat application was filed in January 2025 for consideration at the February 20, 2025 Technical Advisory Committee meeting and for public hearing at the March 17, 2025 Plan Commission meeting. The Plan Commission hears the evidence presented by Staff, applicant/owner, and any individuals in the audience wishing to speak for or against the proposed plat or to just ask questions. The Plan Commission is the final authority over primary plats. As the platting process is ministerial, if the requirements of the Unified Development Ordinance are met, the Plan Commission is bound by State Statute to approve the primary plat. The Plan Commission has the authority to modify the proposal and/or attach conditions to their approval. Prior to the public hearing before the Commission, a published legal notice is advertised in the newspapers and public hearing notices are sent to the surrounding property owners per the adopted Rules of Procedure and have satisfactorily been completed. Beginning with the filing deadline date, the overall process is approximately 50 days provided there are no continuances.

Correspondence

Staff has not received any correspondence regarding this application.

Summary

The proposed project is the creation of a single-lot subdivision to be known as Driskell Estate by combining two metes and bounds parcels (10-10-13-00-00-015.001 and 10-10-13-00-00-015.000 & 10-10-13-00-00-014.000), totaling 7.48-acres. Lot 1 would be approximately 6.5-acres with the proposed right-of-way dedication along Allisonville Road. The lot would have access from Allisonville Road to the east, using an existing driveway that would provide for ingress and egress. The parcels are zoned R-2/FH and currently developed with a single-family residence, pole barn, shed and gravel driveway.

The current owners have lived on the property since 2016 and obtained a Land Use Variance (BZNA-0131-2023) to operate a Contractor's Office with outdoor storage on the property and three Variances of Development Standards (BZNA-0142-2023/ BZNA-0143-2023 / BZNA-0144-2023) to waive:

- the location of the outdoor storage yard behind the line of the principal building or structure;
- fence requirements for the screening of the outdoor storage yard and allow a landscape berm in lieu of a solid, opaque wall or fence; and
- parking lot improvement standards for the parking and outdoor storage areas.

The Board of Zoning Appeals (BZA) approved the variances with a condition to combine the parcels through the plat process. The applicant has completed all other actionable conditions of approval associated with the variances. The Land Use Variance shall expire when the property and/or business is transferred from the current property owners. The site will continue to be used for single family residential, with a contractor's office operating out of the existing accessory building.

In reviewing the applications for primary plat approval, the Plan Commission shall consider the following criteria per UDO Section 5.B.2.B.

1. *The degree to which the application meets the criteria for Site Plan Review found in Article 4, Part B, Section 2 (E), as determined by the reports of the Technical Advisory Committee and Director of Planning and Development;*

The primary plat application was reviewed for the February 20, 2025 TAC meeting and all requirements must be met prior to acceptance of a secondary plat.

2. *Consistency with the goals and objectives of the Comprehensive Plan;*

The Comprehensive Plan envisions residential land uses including live/work units. The site is zoned R-2/FH. The surrounding parcels are zoned R-1/FH. There is an approved Land Use Variance on the property for a contractor's office. This use is currently on a separate lot from the residential use. The contractor's office is owned and operated by the property owners. The proposed primary plat is consistent with the goals and objectives of the Comprehensive Plan in that the parcels will be combined into a single lot so that the residential and non-residential uses are on one lot. In addition, the Land Use Variance shall expire when the property and/or business is transferred from the current property owners.

3. *Consistency with the purposes of the zoning district in which it is located;*

The parcels are zoned R-2/FH and currently developed with a single-family residence, pole barn, shed and gravel driveway. There is no proposed change to the zoning district.

A portion of the property has been used for outdoor storage on and off since the 1970s. The property was previously owned by the Weihe family, who lived on the property and provided overflow storage for their business, Weihe Construction, on the residential property. The petitioner has lived on the property since 2016 and was granted approval by the Board of Zoning Appeals (BZA) for a Land Use Variance (BZNA-0131-2023) to operate a Contractor's Office with outdoor storage. This variance shall expire when the property and/or business is transferred from the current property owners. By combining the parcels, it ensures that the contractor's office use cannot be operated or sold separately from the property.

4. *The presence or absence of any exceptions to the development standards for the zoning district in which it is located, any general development standards, or Article 6, Site Design and Improvement Standards; as evidenced by the listing of any exceptions in the primary plat application;*

The petitioner obtained approval of three Variances of Development Standards (BZNA-0142-2023 / BZNA-0143-2023 / BZNA-0144-2023) on the property to waive the location of the outdoor storage yard behind the line of the principal building or structure; fence requirements for the screening of the outdoor storage yard and allow a landscape berm in lieu of a solid, opaque wall or fence; and parking lot improvement standards for the parking and outdoor storage areas.

5. *The presence or absence of any protective covenants for the subdivision which would alter its impact from what would typically be permitted in the zoning district in which it is located; as evidenced by the inclusion of any covenants in the primary plat application.*

Not applicable.

History

<i>Item</i>	<i>Description</i>	<i>Analysis</i>
<i>Surrounding Land Uses</i>	<p><i>North</i> – single family residential / vacant agricultural / freshwater forested/shrub wetland / Overdorff Stream</p> <p><i>South</i> – single family residential</p> <p><i>East</i> – single family residential</p> <p><i>West</i> – vacant agricultural / freshwater forested/shrub wetland / White River</p>	<p>The surrounding land uses to the north, south, and east are single-family residential. The parcels immediately north, west and south of the subject property are located within the flood hazard area and classified by the Hamilton County Assessor's Office as undeveloped tillable land. The parcel to the east, across Allisonville Road, is a large residential estate with an agricultural field and vehicles and equipment stored outside around the detached barn.</p>
<i>Comprehensive Master Plan and Future Land Use</i>	<i>Infill Residential / Residential</i>	<p>The Infill Residential and Residential typologies provide land for single-family and two-family homes. The Infill Residential also includes a mix of multi-family residential throughout the area. The housing types are vary from single-family detached, duplexes, townhomes, live/work units, and accessory dwelling units. The Infill Residential also includes a mix of multi-family residential throughout the area, including smaller-unit multi-family housing. Small-scale institutional, public and semi-public uses may also be permitted.</p> <p>The petitioner has lived on the property since 2016 and obtained a Land Use Variance (BZNA-0131-2023) to operate a Contractor's Office with outdoor storage on the property. The Land Use Variance shall expire when the property and/or business is transferred from the current property owners.</p>
<i>Traffic Circulations and Thoroughfare Plan</i>	<i>Allisonville Road</i>	<i>Primary Arterial</i>
<i>Environmental and Utility Considerations</i>		<p>Engineering department has noted that a portion of the property along the north property line is located within the FEMA floodplain and that there may be potential wetlands in this area. They recommended compliance with City and FEMA regulations as well as a waters report from a wetlands scientist if the petitioner is considering improvements in this area. There is no development proposed in the north portion of the property.</p> <p>The site has a private septic system and is not served by Noblesville utilities.</p>
<i>Technical Advisory Committee</i>		<p>The Noblesville Engineering Department has made the petitioner aware that the project is located within the Noblesville City limits and they have the option to connect to City sewer.</p>

Attachments

Exhibit 1	Aerial photograph
Exhibit 2	Primary Plat

Recommendation

Staff recommends approval of application for the primary plat known as Driskell Estate, PLAT-0015-2025, with the following stipulations:

1. All Technical Advisory Committee requirements shall be met prior to signature of the Secondary Plat for recording.

Motion Options

1. Motion to approve application for the primary plat known as Driskell Estate, PLAT-0015-2025 with the following stipulations:
 - a. All Technical Advisory Committee requirements shall be approved by TAC prior to the Secondary Plat being recorded.
2. Motion to deny application PLAT-0015-2025 (support with reasons).
3. Motion to continue application PLAT-0015-2025 until April 21, 2025.