



BOARD OF ZONING APPEALS FINDINGS OF FACT

APPLICATION(S): BZNA-0134-2023

PROPERTY ADDRESS: 1362 Grant Street, Noblesville, Indiana

A Variance of Development Standards application was submitted to the Noblesville Planning Department for the above referenced location. The application submitted by Alice E & David B Ebert requested that approval be granted to a Variance of Development Standards application pursuant to Unified Development Ordinance §Table 8.B to allow the reduction of a front yard setback within the R3 (Moderate to High Density Single Family Residential) zoning district (12 feet required; 7 feet requested). The Noblesville Board of Zoning Appeals conducted a hearing regarding this application on November 6, 2023. After testimony was given and evidence was presented to the Board, a motion to APPROVE was made, and the motion carried 3-0.

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 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:
There is an existing open (uncovered) porch where the proposed covered porch is located. The size and location of the porch will not be changed. The property owners plan to add a roof, pillars, railing and architectural details, as shown on attached historical photos of the house, to the existing open porch. The property owners are restoring the original appearance of the historic covered porch that was removed in the 1990s.
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:
This is a single-family home on a quiet residential street. The property owners are improving the value of their home with interior and exterior restoration and renovation. Increasing the value of the home may also increase the value of the neighboring properties in both its aesthetic and monetary value. The porch has a unique z-shaped footprint and will add historically accurate character to the neighborhood as shown in the attached photos of the home from the 1940s. 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.

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 because a portion of the previously existing front porch is within the front yard setback. The owners are restoring the exterior of an 1890s home to its original beauty, including the original, unique z-shape covered front porch. The porch cover was removed by previous property owners approximately 30 years ago and the property lost any non-conforming rights to the front yard setback within 12 months of the removal of the porch cover. The approval of this variance will allow the current property owners to reconstruct the original covered front porch.

The findings of fact contained herein are adopted by the Noblesville Board of Zoning Appeals on December 4, 2023.

Mike Field, Chairman

Caleb Gutshall, Secretary