



CITY OF NOBLESVILLE
BOARD OF ZONING APPEALS
VARIANCE OF DEVELOPMENT STANDARDS APPLICATION

Application Number: **BZNA-0125-2022**

The undersigned requests a Variance of Development Standards as specified below. Should this variance request be approved, such approval shall only authorize the particular use described in this application and as further limited by reasonable conditions imposed upon such approval by the Board of Zoning Appeals.

Project Name or Occupant Name: Startzman Tob
Common Address: 1268 Grant St. Noblesville, In 46060

Applicant Name: Michael Wright

Applicant Address: 21581 S.R. 37

Applicant City/State/Zip: Noblesville, In 46060 E-mail: dhbs@comcast.net

Applicant Phone #1: 317-223-4587 Phone #2: _____ Fax: _____

Owner Name: Lyman Startzman

Owner Address: 1268 Grant St.

Owner City/State/Zip: Noblesville, In 46060 E-mail: _____

Owner Phone #1: 317-773-3857 Phone #2: 317-764-7613 Fax: _____

Property Location: ☐ Not located in a recorded subdivision, see legal description attached.

Subdivision Name: _____

Subdivision Section: _____ Lot Number: _____ Last Deed of Record Number: _____

Existing Land Use: _____

Common Description of Request: _____

Zoning District of Property: _____ Code Section(s) Appealed: UDO § _____

Date: 6-15-2022

Applicant's Signature: Michael Wright

The Noblesville Board of Zoning Appeals (BZA) is authorized to approve or deny Variances of Development Standards from the terms of the Unified Development Ordinance. The BZA may impose reasonable conditions as part of its approval. A Variance of Development Standards may be approved only upon a determination in writing that the following three (3) statements are true (see Indiana Code § 36-7-4-918.5):

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community. Explain why this statement is true in this case:

Only shed roof being constructed

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 by the approval of this variance request. Explain why this statement is true in this case:

Not extending any closer than the existing Building

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property. Explain why this statement is true in this case:

This is being done to protect the hammocks from weather related activities

CITY of NOBLESVILLE



CITY PLANNING

CITY HALL
16 SOUTH 10TH STREET
NOBLESVILLE, INDIANA 46060

317/776-6325

February 14, 1990

Lyman Startzman
1268 Grant Street
Noblesville, IN 46060

RE: LAND USE VARIANCE & VARIANCES

The Noblesville Board of Zoning Appeals of the City of Noblesville has acted on application 90N-13-032. The application which was submitted to the Department of Planning and Development on January 18, 1990 and which was considered at the February 5, 1990 meeting has been approved. The following recommendations have been made:

LAND USE VARIANCE FOR LYMAN STARTZMAN IS APPROVED SUBJECT TO THE CONDITION THAT, SHOULD THE PROPERTY EVER BE SOLD, THE SECOND DWELLING WILL BE RECONVERTED INTO A GARAGE. THIS CONDITION IS TO BE RECORDED WITH THE HAMILTON COUNTY RECORDER.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steven R. Huntley".

Steven R. Huntley
Director of Planning
City of Noblesville

SRH/lss

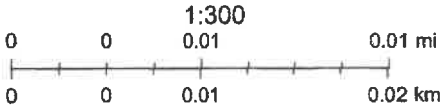
Hamilton County, Indiana

Center Alley



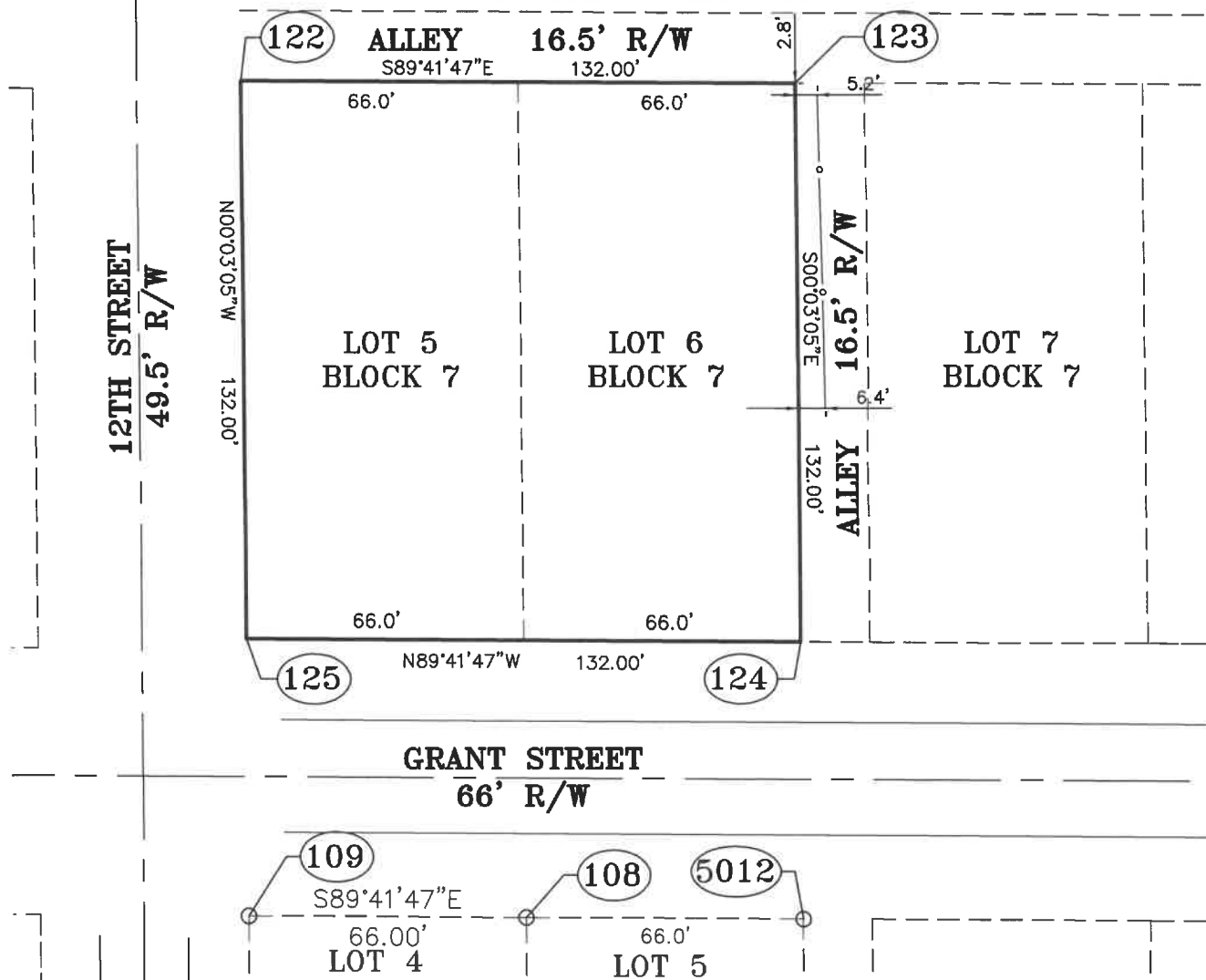
April 18, 2022

- Address Points
- ▭ Parcels



RETRACEMENT SURVEY

LOTS NUMBER 5 AND NUMBER 6 IN SQUARE NUMBER IN JONATHAN EVANS
SUGAR RIDGE ADDITION TO THE CITY OF NOBLESVILLE
HAMILTON TOWNSHIP, HAMILTON COUNTY, INDIANA



LAND DESCRIPTION

LOTS NUMBER FIVE (5) AND SIX (6) IN SQUARE 7 IN JONATHAN EVANS 2ND SUGAR RIDGE, AN ADDITION TO THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA, AS PER PLAT THEREOF, RECORDED IN DEED RECORD 17, PAGE 170 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

LEGEND

R/W RIGHT OF WAY
—•— EXISTING FENCE LINE

FLOOD ZONE DEFINITION

ZONE	EXPLANATION
"X"	AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN.

THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS ESTABLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY NATIONAL FLOOD INSURANCE PROGRAM AS PER SCALED INTERPRETATION OF FLOOD RATE MAP #18057C 0142H AREA IN ZONE "X" MAP DATED NOVEMBER 19, 2014.

POINT INVENTORY

POINT #	REMARKS
122 123	5/8" IRON ROD WITH YELLOW CAP STAMPED "MILLER S0083" SET
124 125	
118 119 120	PINCH-TOP IRON PIPE FOUND

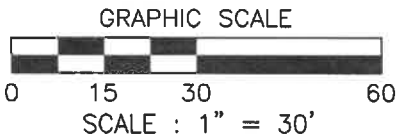


K. Nathan Althouse

6/22/2022
DATE:

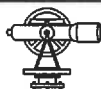
R.L.S.

S0083



THIS SURVEY IS NOT COMPLETE AND/OR
VALID WITHOUT ALL BOTH PAGES.

PAGE 1 OF 2



MILLER SURVEYING INC.

948 CONNER STREET
NOBLESVILLE INDIANA 46060
PH. # (317) 773-2644 FAX 773-2694



LOCATION: LOT #5 & #6 IN SQUARE #7 JONATHAN EVANS 2ND SUGAR RIDGE ADD. NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, IN.	DRAWN BY: LRL	CHK'D BY: KNA
FIELD WORK COMPLETED: 6/2/2022	SCALE: 1" = 40'	FIELD BOOK: D.C.
CLIENT: MICHAEL WRIGHT	DATE: 6/22/2022	PAGE: D.C.
DESCRIPTION: RETRACEMENT SURVEY	JOB NUMBER: B40559	SURVEY 4 FILE: 24 COFFEY

RETRACEMENT SURVEY

LOTS NUMBER 5 AND NUMBER 6 IN SQUARE NUMBER IN JONATHAN EVANS
SUGAR RIDGE ADDITION TO THE CITY OF NOBLESVILLE
HAMILTON TOWNSHIP, HAMILTON COUNTY, INDIANA
SURVEYOR'S REPORT

IN ACCORDANCE WITH TITLE 865, ARTICLE 1, CHAPTER 12 OF THE INDIANA ADMINISTRATIVE CODE (RULES FOR LAND SURVEYS IN INDIANA), THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED REGARDING THE VARIOUS UNCERTAINTIES IN THE LOCATIONS OF THE LINES AND CORNERS ESTABLISHED THIS SURVEY AS A RESULT OF UNCERTAINTIES IN REFERENCE MONUMENTATION; IN RECORD DESCRIPTIONS AND PLATS; IN LINES OF OCCUPATION; AND AS INTRODUCED BY RANDOM ERRORS IN MEASUREMENT ("RELATIVE POSITIONAL ACCURACY"). THERE MAY BE UNWRITTEN RIGHTS ASSOCIATED WITH THESE UNCERTAINTIES. THE CLIENT SHOULD ASSUME THERE IS AN AMOUNT OF UNCERTAINTY ALONG ANY LINE EQUAL IN MAGNITUDE TO THE DISCREPANCY IN THE LOCATION OF THE LINES OF POSSESSION FROM THE SURVEYED LINES.

THERE MAY BE DIFFERENCES OF DEED DIMENSIONS VERSUS MEASURED DIMENSIONS ALONG THE BOUNDARY LINES SHOWN HEREON AND LIKEWISE, THERE MAY BE FOUND SURVEY MARKERS NEAR, BUT NOT PRECISELY AT, SOME BOUNDARY CORNERS. IN CASES WHERE THE MAGNITUDE OF THESE DIFFERENCES ARE LESS THAN THE RELATIVE POSITIONAL ACCURACY AND LESS THAN THE UNCERTAINTY IDENTIFIED FOR THE REFERENCE MONUMENTATION (DISCUSSED BELOW), THE DIFFERENCES MAY BE CONSIDERED INSIGNIFICANT AND ARE SHOWN ONLY FOR PURPOSES OF MATHEMATICAL CLOSURE. SUCH DIFFERENCES THAT ARE GREATER THAN THE RELATIVE POSITIONAL ACCURACY AND THE UNCERTAINTY IN REFERENCE MONUMENTATION SHOULD BE CONSIDERED WORTHY OF NOTICE AND ARE THEREFORE DISCUSSED FURTHER BELOW.

THIS SURVEY AND REPORT ARE BASED IN PART UPON OPINIONS FORMED IN ACCORDANCE WITH AN INDIANA LAND SURVEYOR'S RESPONSIBILITY TO CONDUCT A SURVEY IN ACCORDANCE WITH "LAW OR A PRECEDENT" (865 IAC 1-12-11(5), RULES OF THE INDIANA STATE BOARD OF REGISTRATION FOR LAND SURVEYORS). SINCE INDIANA HAS NO STATUTES ADDRESSING HOW TO RESOLVE BOUNDARY LINES, A SOLUTION BASED ON PRINCIPLES DERIVED FROM COMMON LAW PRECEDENT MUST BE RELIED UPON AS THE BASIS FOR A BOUNDARY RESOLUTION. UNLESS OTHERWISE NOTED OR DEPICTED HEREON, THERE IS NO EVIDENCE OF OCCUPATION ALONG THE PERIMETER LINES OF THE SUBJECT TRACT. ALL SURVEY MONUMENTS SET OR FOUND THIS SURVEY ARE FLUSH WITH EXISTING GRADE UNLESS OTHERWISE NOTED.

THE RELATIVE POSITIONAL ACCURACY (DUE TO RANDOM ERRORS IN MEASUREMENT) OF THE CORNERS OF THE SUBJECT TRACT ESTABLISHED THIS SURVEY DOES NOT EXCEED THAT ALLOWABLE FOR A SUBURBAN CLASS SURVEY (0.13 FEET PLUS 100 PPM) AS DEFINED IN IAC 865.

THE WITHIN SURVEY IS A RETRACEMENT SURVEY OF LOTS NUMBER FIVE (5) AND SIX (6) IN SQUARE 7 IN JONATHAN EVANS 2ND SUGAR RIDGE, AN ADDITION TO THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA, AS PER PLAT THEREOF, RECORDED IN DEED RECORD 17, PAGE 170 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

BASIS OF BEARING: ASSUMED BEARING

CONTROLLING MONUMENTS:

5012 N.E. CORNER, LOT #3, SQUARE #8, JONATHAN EVANS 2ND SUGAR RIDGE ADDITION
PINCH TOP PIPE FOUND

5015 N.E. CORNER, LOT #5, SQUARE #8, JONATHAN EVANS 2ND SUGAR RIDGE ADDITION
PINCH TOP PIPE FOUND

CONTROL ESTABLISHED BY THE SPLITTOF OF CURBS:
GRANT STREET TO THE NORTH & 12TH STREET TO THE EAST

IN MY OPINION, THERE IS 0.5 FEET OF UNCERTAINTY IN THE LOCATION OF THESE MONUMENTS.

- 1. POSSESSION TO THE SOUTH IS TO THE STREET IMPROVEMENTS OF GRANT STREET.
POSSESSION TO THE WEST IS TO THE STREET IMPROVEMENTS OF 12TH STREET.
POSSESSION TO THE NORTH, AND EAST IS TO THE EXISTING ALLEY.
- 2. THE ACCURACY OF ANY FLOOD HAZARD DATA SHOWN ON THIS REPORT IS SUBJECT TO MAP SCALE UNCERTAINTY AND TO ANY OTHER UNCERTAINTY IN LOCATION OR ELEVATION ON THE REFERENCED FLOOD INSURANCE RATE MAP. THE WITHIN DESCRIBED TRACT OF LAND LIES WITHIN FLOOD ZONE "X" AS SAID TRACT PLOTS BY SCALE ON COMMUNITY PANEL NUMBER 18057C 0142H OF THE FLOOD INSURANCE RATE MAPS FOR HAMILTON COUNTY, INDIANA (MAPS DATED NOVEMBER 19, 2014).
- 3. OWNERSHIP INFORMATION INDICATED HEREON IS AS IDENTIFIED IN COUNTY RECORDS. (05/31/2022)
- 4. THE SURVEY HEREIN DOES NOT PURPORT TO SHOW THE WATERSHED AREAS AFFECTING THE SUBJECT PARCELS NOR DOES IT PURPORT TO SHOW THE PRESENCE OR ABSENCE OF ALL REGULATED OR NON-REGULATED DITCHES OR DRAINS.
- 5. THE WITHIN PLAT AND SURVEY WERE PREPARED WITHOUT BENEFIT OF A CURRENT TITLE POLICY FOR THE SUBJECT TRACT OR THE ADJOINING TRACTS AND ARE THEREFORE SUBJECT TO ANY STATEMENT OF FACTS REVEALED BY EXAMINATION OF SUCH DOCUMENTS.



THIS SURVEY IS NOT COMPLETE AND/OR
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PAGE 2 OF 2

K. Nathan Althouse 6/22/2022
R.L.S. S0083 DATE:

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