

**MINUTES OF THE LAWRENCE
BOARD OF ZONING APPEALS
JANUARY 16, 2024**

MEMBERS PRESENT: Rebecca Lightle, Tom Crouch, Faith Alvarez, JD Mazur and Chris Downs

STAFF PRESENT: Chief of Staff Zachary Brown, Attorney Amber Finley and Board Secretary Renea Rafala

COUNCIL PRESENT: none

Mrs. Lightle called the meeting to order at 6:00pm and announced a quorum was present.

APPROVAL OF MINUTES FROM NOVEMBER 21, 2023: Mr. Crouch motioned for approval, the motion was seconded by Ms. Alvarez and passed 4-0

SPECIAL REQUESTS, WAIVERS OR WITHDRAWALS: None

Continuance to 2/20/24 with notice:

24-LUSV-01 ~ 5760 Wallingwood Drive

1. Variance of Use of the City of Indianapolis Consolidated Zoning/Subdivision Ordinance Table 743-1 to permit a public charter school serving kindergarten through 8th grade; school use permitted in SU2, C1 through C3, MU2, and CBD classifications.
2. Variance of Development Standards of 742-103(A)(1) to allow for construction of additional primary structures on the property; only one primary use per lot is allowed.
3. Variance of Development Standards of 743-103-1 to allow a 27-foot rear yard setback; 75 feet required.

Old Business:

23-LUSV-12 ~ 6525 Lee Rd

Petitioner's representative, Russell Brown, presented the request for a Variance of Development Standards of the City of Indianapolis Consolidated Zoning/Subdivision Ordinance Section 743-306(Y)(1) to allow a Portable Storage Unit (Shipping Container) to remain permanently on property.

Attorney Andrea Townsend, representing Nancy Chapman and Dan Lynch, stated they are in agreement with the location and commitments as provided at the meeting.

City of Lawrence, Rafala, recommends approval with revised location and the proposed commitments.

After discussion the Board voted unanimously to approve with the following commitments:

1. Owner shall not, so long as the immediately adjacent parcels are owned by their current owners (as provided on Exhibit A) or their descendants or heirs (living as of the date of this Agreement), including trusts or legal persons or entities owned or controlled by such current owners or their descendants or heirs (living as of the date of this agreement) remove the trees and brush (other than trees less than three inches in caliper at breast height, dead or dying trees and /or the removal of invasive species of trees or bushes) that are within the area shown of Exhibit B.
2. Within one hundred eighty (180) days of the approval of 2023-LUSV-12, the shipping container will be relocated to the area shown on Exhibit C, which is located at least one hundred (100') feet from the northern property boundary.
3. The Owner acknowledges that all other applicable zoning ordinances (apart from the variance related to the container being used for more than temporary storage) shall be applicable to the use of the container as an accessory building.
4. Without the written agreement of the owners provided on Exhibit A, the Owner shall not utilize the area west (in a straight line between the container and Lee Road) and northwest of the proposed relocation area (shown as Area 1 in Exhibit C) for a period of at least one (1) year from the approval of 2023-LUSV-12 for any existing or proposed frisbee disc course on the Property. Additionally, for the same period, Owner shall not conduct any new construction activity for an existing or proposed frisbee disc course on the Property in the area north of a straight line from the proposed relocation area (shown as Area 2 on Exhibit C) to the eastern boundary of the Property. Such prohibition shall not prohibit the removal of trees less than

three inches in caliper at breast height, dead or dying trees and/or the removal of invasive species of trees and bushes.

New Business:

23-LUSV-13 ~ 6313 Lee Rd

Petitioner's, Joel and Kristen Shaw, presented the request for a Variance of Use and Development Standards of the City of Indianapolis Consolidated Zoning/Subdivision Ordinance 743-3-06-GG.5 to allow a secondary dwelling unit in excess of 720 square feet (allowed).

The following neighbors spoke in reference to the petition:

Robert Wells ~ no concerns just wanted to see the plan

Erica Hilgefert is concerned about the removal of trees

Nathan Elliott is in support of the petition

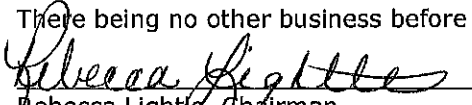
Mary Ann Wells is concerned about property values

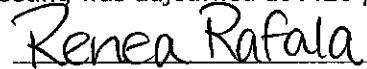
City of Lawrence, Rafala, recommends approval.

After discussion the Board voted unanimously to approve with the following commitments:

1. The secondary dwelling will not exceed 4,000 square feet on the main floor
2. The primary dwelling will be set back a minimum of 100 feet from the east property line

There being no other business before the board the meeting was adjourned at 7:26 p.m.


Rebecca Lightle, Chairman


Renea Rafala, Secretary

These minutes are not intended to be verbatim. They are a summary of discussions held, except for the motions. An audiotape is made which provides a detailed record.