



CITY OF WESTFIELD, IN
BoardofZoningAppeals_Meeting_Agenda_10_12_2019

Tuesday, December 10, 2019 at 07:00 PM

BOARD OR COMMISSION: Board of Zoning Appeals (BZA)

MEETING DATE: Tuesday, December 10, 2019 at 07:00 PM

MEETING PLACE: Westfield City Hall, 130 Penn Street, Westfield, IN 46074

THE FOLLOWING AGENDA IS SUBJECT TO CHANGE AT THE DISCRETION OF THE BOARD OF ZONING APPEALS

OPENING OF REGULAR MEETING

Note the presence of a quorum

Approval of Minutes - November 12, 2019

Documents: [BZA Minutes - November 12, 2019](#)

Approval of 2020 BZA Schedule of Meetings

Documents: [2020 Schedule of BZA Meetings and Filing Dates](#)

Review Rules & Procedures

ITEMS OF BUSINESS:

1912-VS-25 [PUBLIC HEARING]

355 E. 191st Street

Caitlin O'Dougherty

The Petitioner requests a Variance of Development Standard to reduce the minimum Side Yard Setback in the AF-SF1: Agriculture/Single-Family Rural District (Article 4.2(E) (2)).

(Planner: Caleb Ernest - CErnest@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Site Plan](#) | [Exhibit 4: Application](#)

1912-VS-24[PUBLIC HEARING]

18501 Joliet Road

Sean and Lauren Laird

The Petitioner(s) request Variances of Development Standard to permit a Home Business out of an Accessory Structure larger than the Primary Building and in the Established Front Yard (Articles 6.9, 6.1(B)(2), 6.1(D)(2)(a), and 6.1(F))

(Planner: Pam Howard - PHoward@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Proposed Site Plan](#) | [Exhibit 4: Inspiration Photos of Accessory Building](#) | [Exhibit 5: Application](#) | [Exhibit 6: UDO Article 6.7 Home Business Standards](#)

ITEMS CONTINUED TO A FUTURE MEETING:

1803-AA-01 [CONTINUED]

16708 Dean Road (Bob's Garage)

Esler Properties, LLC by Morse & Bickel, P.C.

The petitioner is appealing an Administrative Determination (1712-AD-04) regarding the revocation of a variance (1603-VU-03).

(Planner: Pam Howard - PHoward@westfield.in.gov)

REPORTS/COMMENTS:

Plan Commission Liaison

Economic and Community Development Department

ADJOURNMENT



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS
2020 SCHEDULE OF MEETINGS AND FILING DATES

MEETING MONTH	FILING DEADLINE	TECHNICAL ADVISORY COMMITTEE MEETING	REVISED MATERIALS DEADLINE	PUBLIC NOTICE DEADLINE	BOARD OF ZONING APPEALS MEETING
	Friday Noon	Tuesday 9:00 AM	Tuesday Noon	Friday	Tuesday 7:00 PM
FEBRUARY	01/03/20	01/21/20	01/28/20	01/31/20	02/11/20
MARCH	01/31/20	02/18/20	02/25/20	02/28/20	03/10/20
APRIL	02/28/20	03/24/20	03/31/20	04/03/20	04/14/20
MAY	04/03/20	04/21/20	04/28/20	05/01/20	05/12/20
JUNE	05/01/20	05/19/20	05/26/20	05/29/20	06/09/20
JULY	05/29/20	06/23/20	06/30/20	07/03/20	07/14/20
AUGUST	07/02/20	07/21/20	07/28/20	07/31/20	08/11/20
SEPTEMBER	07/31/20	08/25/20	08/25/20	08/28/20	09/15/20
OCTOBER	09/04/20	09/22/20	09/29/20	10/02/20	10/13/20
NOVEMBER	10/02/20	10/20/20	10/27/20	10/30/20	11/10/20
DECEMBER	10/30/20	11/17/20	11/24/20	11/27/20	12/08/20
JANUARY	11/25/20	12/15/20	12/29/20	01/01/21	01/12/21

Dates in red are scheduled for a different day due to a conflict.

A Pre-Filing Conference is required prior to filing. Please contact the Economic and Community Development Department at (317) 804.3170 at least one week in advance of your targeted filing to arrange this pre-filing conference.

Approved _____



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

December 10, 2019
1912-VS-24
Exhibit 1

Petition Number: 1912-VS-24

Subject Site Address: 18501 Joliet Road (the "Property")

Petitioner: Sean and Lauren Laird (the "Petitioner")

Request: The Petitioner(s) request Variances of Development Standard to permit a Home Business out of an Accessory Structure larger than the Primary Building and in the Established Front Yard (Articles 6.7, 6.1(B)(2), 6.1(D)(2)(a), and 6.1(F)).

Current Zoning: AG-SF1: Agriculture/Single-Family Rural District

Current Land Use: Undeveloped/Agriculture

Approximate Acreage: 4.91 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Proposed Site Plan
4. Inspiration Photos of Accessory Building
5. Application
6. UDO Article 6.7 (Home Business Standards)

Staff Reviewer: Pam Howard, Senior Planner

OVERVIEW

Location: The subject property is 4.91 acres +/- in size and located at 18501 Joliet Road (see **Exhibit 2**). The Property is zoned the AG-SF1: Agriculture/Single-Family Rural District. The Property is currently undeveloped. All surrounding properties are also zoned AG-SF1.

Variance Request: The Petitioner is requesting four (4) Variances of Development Standard which fall under two (2) sections of the Unified Development Ordinance (UDO): Accessory Use and Building Standards and Home Business Standards. The specific standards are listed below, in the order they appear in the UDO, and will be further outlined in the following section of this report.

1. To permit an Accessory Building to be larger than the Primary Building (Article 6.1(B)(2)).
 2. To permit an Accessory Building in an Established Front Yard (Article 6.1(D)(2)(a)).
 3. To permit an Accessory Building over eighteen (18) feet in height (Article 6.1(F)).
 4. To exempt the property from the Home Business Standards (Article 6.7), only for an athletic training business as described in the Statement of Intent (see **Exhibit 5**).
-

SUMMARY OF VARIANCES

Variance #1 -3 (Accessory Use and Building Standards): The Petitioner proposes to build an Accessory Building¹ which would exceed the size of the Principal Building², located in the Established Front Yard³, and exceed eighteen (18) feet in height⁴.

Article 6.1(B)(2) Accessory Use and Building Standards; General Standards: Accessory Buildings shall be subordinate in height, width, length and bulk to the Principal Building on the same Lot.

Article 6.1(D)(2) Accessory Use and Building Standards; Building Location; Lots Not in Subdivisions; Front Setback: Accessory Buildings shall be located at least seventy-five (75) feet from all Rights-of-way. No Accessory Building may be erected in the Established Front Yard of a Principal Building.

Article 6.1(F) Accessory Use and Building Standards; Maximum Accessory Building Height: Eighteen (18) feet.

It is worth noting that Agriculture-related Accessory Buildings are exempt from these three (3) standards, which is why other similar buildings exist today in the AG-SF1 District (Article 6.1(I)(1)).

Variance #4 (Home Business⁵ Standards): The petitioner intends to utilize the Accessory Building for a business. The Petitioner is requesting that the Property be exempt from Article 6.7 Home Business Standards. Instead, they would comply with the recommended conditions listed in this report.

This Variance is being processed as a Variance of Development Standard from the Home Business Standards as opposed to a Variance of Use due to the fact that “Teaching (e.g., musical instruments or dancing)” is listed as a permitted Home Business (Article 6.7(B)(10)). While athletic training is not specifically listed as an example, the Department has determined that

¹ Chapter 12 of the UDO defines “Building, Accessory” as “[a] subordinate building or structure, the use of which is incidental to and customary in connection with the Principal Building or use and which is located on the same Lot with such Principal Building or use and is under the same ownership. Buildings which are portable and do not have permanent foundations are also classified as Accessory Buildings, but shall not require an Improvement Location Permit.”

² Chapter 12 of the UDO defines “Building, Principal” as “[a] building in which is conducted the main or primary use of the Lot on which said building is located. Where a substantial portion of an ancillary building is attached to the Principal Building in a substantial manner, as by a roof, then such ancillary building shall be counted as a part of the Principal Building and not as an Accessory Building.”

³ Chapter 12 of the UDO defines “Yard, Established Front” as “[a] Yard extending across the full width of the Lot between the Principal Building, as built, and the Front Lot Line, the depth of which is the least distance between the Front Lot Line and the Principal Building.”

⁴ Chapter 12 of the UDO defines “Building Height” as “[t]he vertical distance measured from the Lot ground level to the highest point of the roof for a flat roof (or the top of the parapet wall, if provided); to the deck line of a mansard roof; and to the mean height between eaves and ridges for gable, hip and gambrel roofs.”

⁵ Chapter 12 of the UDO defines “Home Business” as “[a]n Accessory Use incidental and secondary to the use of a property as a Dwelling Unit and which use complies with the standards of the Zoning District in which the property is located and complies with the standards set forth in Article 6.7 Home Business Standards.”

individual or small group athletic training falls under the “Teaching” uses that is listed as permitted.

Article 6.7 Home Business Standards, in its entirety, has been included at **Exhibit 6**. The list below contains some of the standards that the business would not comply with.

Article 6.7(D)(3) Home Business Standards; Home Business as an Accessory to Dwelling; Activity Limited to Dwelling Unit: All aspects of the Home Business activity that occur on the Lot shall be conducted within the dwelling structure in which the operator makes their actual residence. For purposes of this Article, only areas completely enclosed by walls and under the same roof system as the living quarters shall be considered a part of the "dwelling structure."

Article 6.7(E)(3) Home Business Standards; Residential Character; Parking: No provision for off-street parking or loading facilities, other than the requirements of the applicable Zoning District, shall be permitted. No part of a minimum required Yard shall be used for off-street parking or loading purposes. No additional driveway to serve the Home Business shall be permitted.

Article 6.7(E)(6) Home Business Standards; Residential Character; Equipment: The equipment used for the Home Business shall be limited to computers, fax machines, telephones, copy machines, other small office equipment, and other similar equipment that may typically be found in a Dwelling, as determined by the Director. Manufacturing operations shall be prohibited.

Article 6.7(E)(7) Home Business Standards; Residential Character; Gross Floor Area: No more than fifteen percent (15%) of the Gross Floor Area of structures on the Lot shall be used for a Home Business.

Article 6.7(F)(3) Home Business Standards; Additional Standards; Employees: The Home Business shall not involve the employment of any person that works in the Dwelling or on the Lot other than those residing in the Dwelling of the Home Business.

There are other, more subjective standards, that could also cause compliance issues. For this reason, the Department has suggested that the requested variance include Article 6.7 in its entirety. If approved, then the Department suggests that several conditions be placed on the variance, as outlined in the Department Comments section of this report.

COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan identifies this property within the “Rural Northwest and Northeast” land use classification.

PROCEDURAL

Public Notice: The Board of Zoning Appeals is required to hold a public hearing on its consideration of a Variance of Development Standard. This petition is scheduled to receive its public hearing at the December 10, 2019, Board of Zoning Appeals meeting. Notice of the public hearing was properly advertised in accordance with Indiana law and the Board of Zoning Appeals' Rules of Procedure.

Conditions: The UDO⁶ and Indiana law provide that the Board of Zoning Appeals may impose reasonable conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of the UDO upon any Lot benefited by a variance as may be necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the subject Lot or upon public facilities and services. Such conditions shall be expressly set forth in the order granting the variance.

Acknowledgement of Variance: If the Board of Zoning Appeals approves this petition, then the UDO⁷ requires that the approval of the variance shall be memorialized in an acknowledgement of variance instrument prepared by the Department. The acknowledgement shall: (i) specify the granted variance and any commitments made or conditions imposed in granting of the variance; (ii) be signed by the Director, Property Owner and Applicant (if Applicant is different than Property Owner); and (iii) be recorded against the subject property in the Office of the Recorder of Hamilton County, Indiana. A copy of the recorded acknowledgement shall be provided to the Department prior to the issuance of any subsequent permit or commencement of uses pursuant to the granted variance.

Variances of Development Standard: The Board of Zoning Appeals shall approve or deny variances from the development standards (such as height, bulk, or area) of the underlying zoning ordinance. A variance may be approved under Indiana Code § 36-7-4-918.5 only upon a determination in writing that:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
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; and
3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property.

⁶ Article 10.14(I) Processes and Permits; Variances; Conditions of the UDO.

⁷ Article 10.14(K) Processes and Permits; Variances; Acknowledgement of Variance of the UDO.

DEPARTMENT COMMENTS

Approval: If the Board is inclined to approve the variance, then the Department recommends the following conditions and findings:

Recommended Conditions:

1. The Property will be developed in substantial compliance with the Site Plan,
2. Accessory building be constructed in substantial compliance with the Inspiration Photos of Accessory Building.
3. The business comply with the Statement of Intent included with the Application.
4. The Property comply with Article 6.9 Lighting Standards, as applicable to business uses.
5. Signage for the business shall only be permitted in accordance with Article 6.17(G)(2).

Recommended Findings for Approval:

1. **The approval will not be injurious to the public health, safety, morals, and general welfare of the community:**

Finding: It is unlikely that approving the requested variance(s) would be injurious to the public health, safety, morals, and general welfare of the community. The primary use of the property will be residential and the proposed improvements will be consistent in design with other structures in the area.

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:**

Finding: It is unlikely the use and value of adjacent property will be affected in a substantially adverse manner. The proposed variance should not have a negative impact on surrounding properties because: (i) the proposed improvement will enhance the value of the subject property; (ii) the improvements will otherwise comply with or exceed the applicable standards; and (iii) the proposed improvements will be consistent in design with other structures in the area.

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

Finding: Strict adherence to the zoning ordinance would result in the inability to improve the property, as proposed, in accordance with the Unified Development Ordinance. The primary residential use of the property is otherwise permitted by the applicable ordinances and the proposed improvements would otherwise comply with the applicable ordinances.

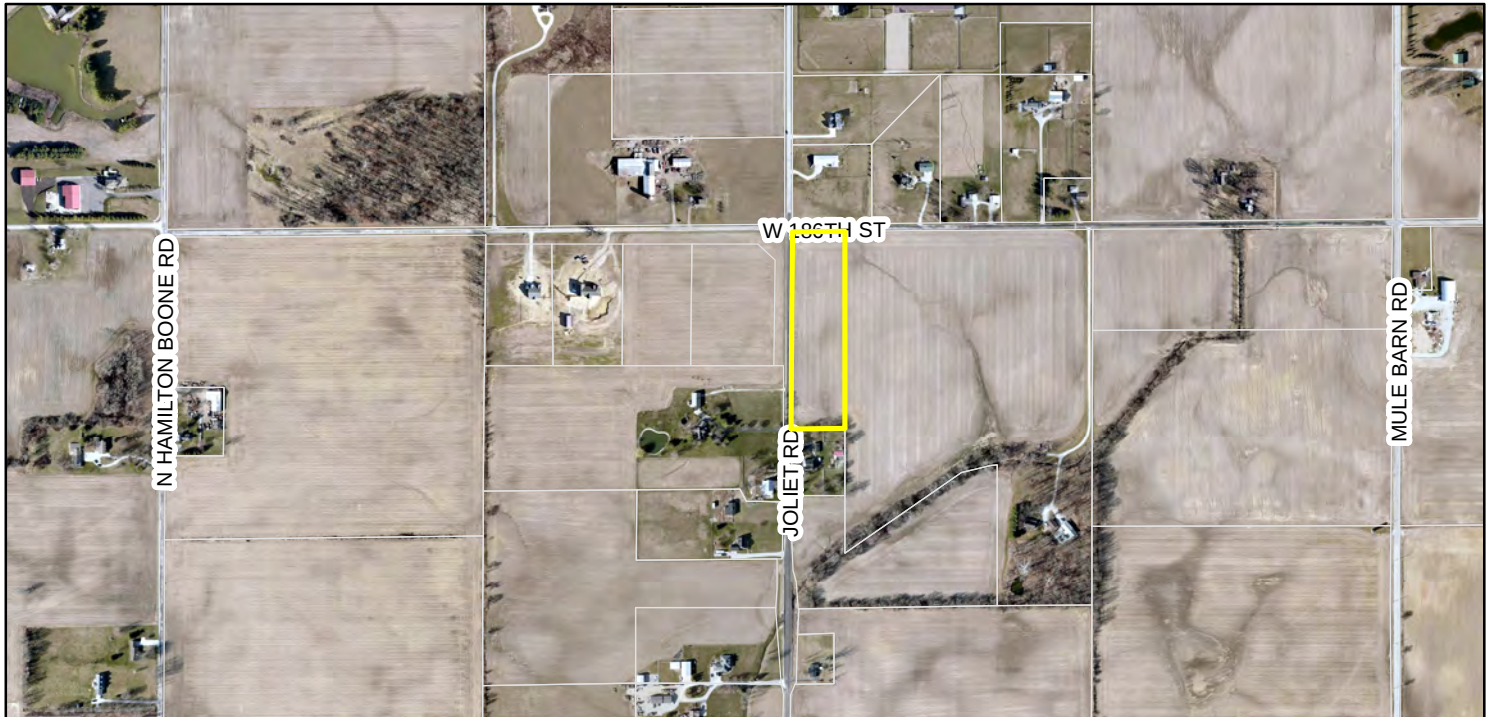
Denial: If the Board is inclined to deny the requested variance, then the Department recommends denying the variance, and then tabling the adoption of findings until the Board's next meeting with direction to the Department to prepare the findings pursuant to the public hearing evidence and Board discussion.



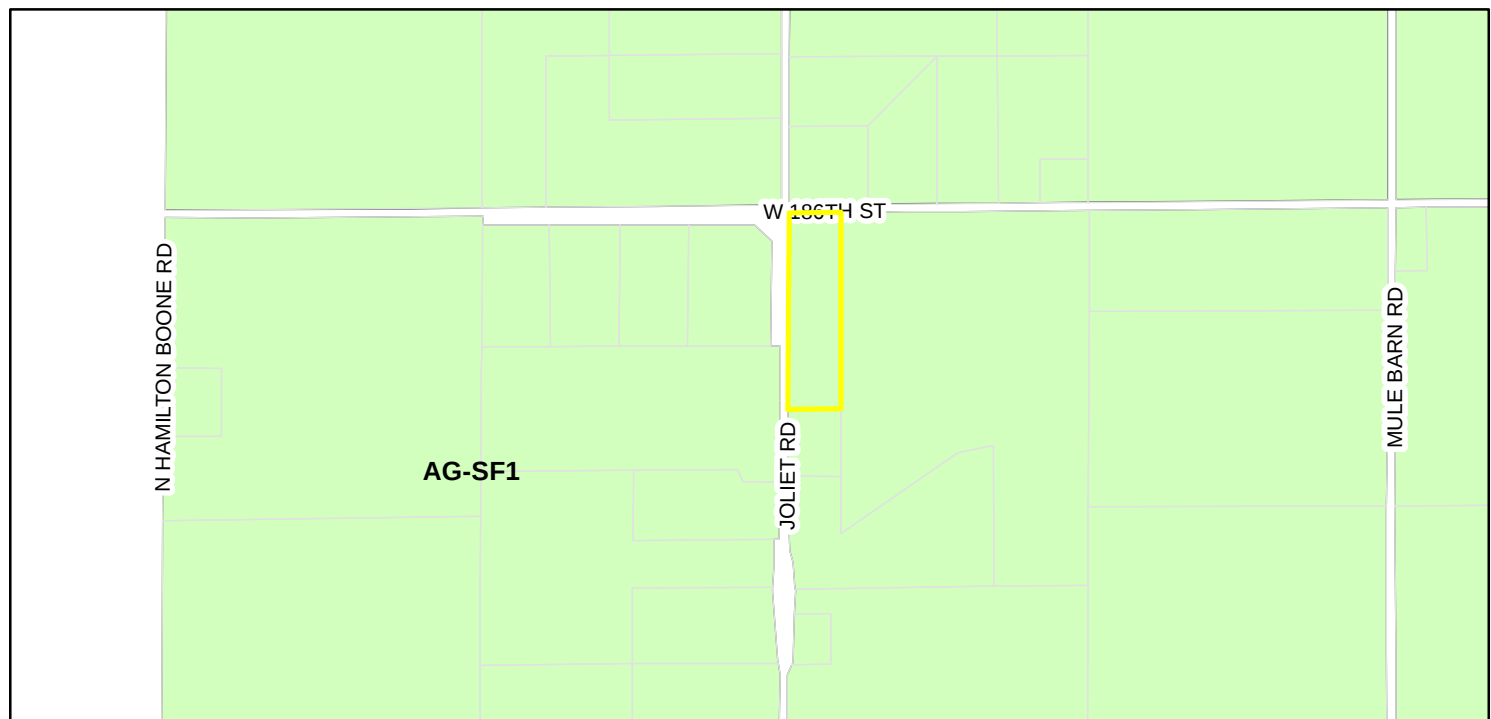
Property Location Map
18501 Joliet Road
Laird Variance
1912-VS-24



Aerial Location Map



Zoning Map



Zoning

AG-SF1 (Agriculture - Single Family - 1)

DESIGNERS RENDERING

LAIRD RESIDENCE

18501 JOLIET RD.
SHERIDAN,IN. , 46069

PROJECT INFO

MARTIN DESIGN & PLANNING

601 N. 14 STR.
ELWOOD, IN. 46036
765.860.3567
JOEYMDP@GMAIL.COM

DESIGNER INFO

MUNICIPALITY

CODE INFO

THE BUILDING DIVISION OF
THE WESTFIELD COMMUNITY
DEVELOPMENT DEPARTMENT
2728 EAST 171ST STREET, WESTFIELD, IN 46074
EMAIL: BUILDING@WESTFIELD.IN.GOV
PHONE: (317) 804-3170

OCCUPANCY: RESIDENTIAL R-1

CONSTRUCTION TYPE: V-B
ALLOWABLE HEIGHT (FLOORS): 1
ALLOWABLE FLOOR AREA: 0000 SFT

LOT SIZE: 0.0 ARCES (00000SFT)
BUILDING FOOTPRINT: 0000 SFT

APPLICABLE CODE:
2003 INTERNATIONAL RESIDENTIAL CODE (W/ IN. AMEND'S)
1999 INDIANA PLUMBING CODE
2008 INDIANA MECH CODE
2005 INDIANA ELECTRICAL CODE
2008 INDIANA FIRE CODE

PROJECT STATS

LOT SIZE: 00,000SQ. FT.
ANTICIPATED DISTURBED AREA: 00,000SQ. FT.
BUILDING FOOTPRINT: 0,000SQ. FT.
LIVING AREA: 0,000SQ. FT.
GARAGE AREA: 0,000SQ. FT.
AUXILIARY STRUCTURE(S): 0,000SQ. FT.
PATIO AREA: 0,000SQ. FT.
DRIVEWAY/SIDEWALK AREA: 0,000SQ. FT.

COPYRIGHT© 2019 MARTIN
DESIGN & PLANNING

DESIGNERS RENDERING

LAIRD RESIDENCE

18501 JOLIET RD.
SHERIDAN,IN. , 46069

PROJECT INFO

MARTIN DESIGN & PLANNING

601 N. 14 STR.
ELWOOD, IN. 46036
765.860.3567
JOEYMDP@GMAIL.COM

DESIGNER INFO

MUNICIPALITY

CODE INFO

THE BUILDING DIVISION OF
THE WESTFIELD COMMUNITY
DEVELOPMENT DEPARTMENT
2728 EAST 171ST STREET, WESTFIELD, IN 46074
EMAIL: BUILDING@WESTFIELD.IN.GOV
PHONE: (317) 804-3170

OCCUPANCY: RESIDENTIAL R-1

CONSTRUCTION TYPE: V-B
ALLOWABLE HEIGHT (FLOORS): 1
ALLOWABLE FLOOR AREA: 0000 SFT

LOT SIZE: 0.0 ARCES (00000SFT)
BUILDING FOOTPRINT: 0000 SFT

APPLICABLE CODE:
2003 INTERNATIONAL RESIDENTIAL CODE (W/ IN. AMEND'S)
1999 INDIANA PLUMBING CODE
2008 INDIANA MECH CODE
2005 INDIANA ELECTRICAL CODE
2008 INDIANA FIRE CODE

PROJECT STATS

LOT SIZE: 00,000SQ. FT.
ANTICIPATED DISTURBED AREA: 00,000SQ. FT.
BUILDING FOOTPRINT: 0,000SQ. FT.
LIVING AREA: 0,000SQ. FT.
GARAGE AREA: 0,000SQ. FT.
AUXILIARY STRUCTURE(S): 0,000SQ. FT.
PATIO AREA: 0,000SQ. FT.
DRIVEWAY/SIDEWALK AREA: 0,000SQ. FT.

COPYRIGHT© 2019 MARTIN
DESIGN & PLANNING

186TH ST.

250.0'

200'-0"

24'-0"

80'-0"

60'-0"

24'-0"

80'-0"

36" SIDEWALK

72'

140'

40'-0"

PROPOSED 10,080 SQFT
AUXILIARY BUILDING
W/ 20' SIDEWALLS

PROPOSED 3,365
SQFT HOME

JOLIET RD.

860.0'

SITE PLAN

STRUCTURAL GENERAL NOTES:

DESIGN LOADS

FOUNDATION NOTES

PREFABRICATED WOOD TRUSSES

GENERAL NOTES

WOOD FRAMING NOTES

1. ALL DESIGN, MATERIALS, WORKMANSHIP AND DETAILS SHALL CONFORM TO THE REQUIREMENTS OF THE 2006 EDITION OF "THE INTERNATIONAL RESIDENTIAL CODE."

GROUND SNOW LOAD = 20 PSF
FLOOR LIVE LOAD = 40 PSF
BASIC WIND SPEED = 90 MPH

1. NO FOOTINGS SHALL BE POURED ON LOOSE OR UNSUITABLE SOILS, IN WATER OR ON FROZEN GROUND.
2. ALL EXTERIOR FOOTINGS TO CONFORM TO APPLICABLE CODE REQUIREMENTS FOR FROST PROTECTION.
3. ALLOWABLE PRESUMPTIVE BEARING CAPACITY USED IN DESIGN OF THE FOUNDATIONS: 2000 PSF
4. ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF AT LEAST 3000 PSI AT 28 DAYS.
5. CONTRACTOR SHALL PROVIDE TEMPORARY SUPPORTS AS REQUIRED TO PREVENT HORIZONTAL MOVEMENT OR VERTICAL SETTLEMENT WHICH WILL ENDANGER ADJACENT STRUCTURES, STREETS OR UTILITIES.
6. BACKFILL SHALL NOT BE PLACED AGAINST FOUNDATION WALL UNTIL FLOOR SYSTEM IS IN PLACE OR THE FOUNDATION WALLS ARE ADEQUATELY BRACED AT THE TOP OF THE WALL.
7. FOUNDATION ANCHORAGE SHALL CONSIST OF A MINIMUM OF 5/8" DIAMETER ANCHOR BOLTS AT 32" O.C., 9" MINIMUM EMBEDMENT IN CONCRETE. PROVIDE SUFFICIENT BOLT LENGTH FOR BOLTING TO SILL WITH WASHER AND NUT.

1. TRUSSES SHALL BE DESIGNED IN ACCORDANCE WITH APPLICABLE PROVISIONS OF THE LATEST EDITION OF NATIONAL DESIGN SPECIFICATIONS FOR WOOD CONSTRUCTION (NDS), AMERICAN FOREST AND PAPER ASSOCIATION (AF&P), AND DESIGN SPECIFICATIONS FOR METAL PLATE CONNECTED WOOD TRUSSES (ANSI/TPI-1), TRUSS PLATE INSTITUTE (TPI), AND CODE OF JURISDICTION.

2. MANUFACTURER SHALL FURNISH DESIGN DRAWINGS BEARING SEAL AND REGISTRATION NUMBER OF A STRUCTURAL ENGINEER LICENSED IN INDIANA. DRAWINGS SHALL BE APPROVED BY ARCHITECT PRIOR TO FABRICATION.

3. HANDLE DURING INSTALLATION IN ACCORDANCE WITH HANDLING, INSTALLATION AND BRACING WOOD TRUSSES (HIB-TI), TPI AND ANSI/TPI-1:1995. INSTALLATION SHALL BE CONSISTENT WITH GOOD WORKMANSHIP AND GOOD BUILDING PRACTICES AND SHALL BE THE RESPONSIBILITY OF TRUSS INSTALLER.

1. OWNER / CLIENT RESPONSIBILITIES: REFERENCE IS MADE THROUGHOUT THESE GENERAL NOTES TO RESPONSIBILITIES AND STANDARDS OF CARE TO BE FULFILLED BY THOSE PROVIDING SERVICES IN THIS PROJECT. OWNER / CLIENT SHALL BE RESPONSIBLE FOR ADHERENCE TO THOSE REQUIREMENTS BY THE OWNER, BUILDER, DEVELOPER, GENERAL CONTRACTOR, SUBCONTRACTORS AND OTHER PROFESSIONAL CONSULTANTS NOT RETAINED BY THE DESIGNER.

2. BUILDER'S SET: THE SCOPE OF THIS SET OF PLANS IS TO PROVIDE A "BUILDER'S SET" OF CONSTRUCTION DOCUMENTS AND GENERAL NOTES HEREINAFTER REFERRED TO "PLANS". AFTER FORMAL REVIEW AND APPROVAL, THIS SET OF PLANS IS SUFFICIENT TO OBTAIN A BUILDING PERMIT; HOWEVER, ALL MATERIALS AND METHODS OF CONSTRUCTION NECESSARY TO COMPLETE THE PROJECT ARE NOT NECESSARILY DESCRIBED. THE PLANS WILL DEFINE THE BASIC PRINCIPLES, LOCATIONS, TYPES OF MATERIALS AND GENERAL METHODS OF ASSEMBLING OR FASTENING. ANY SPECIFICATION BOOK RECEIVED WITH THIS PLAN SET SPECIFIES THE PARTICULAR PRODUCTS OR MATERIALS RECOMMENDED FOR THIS HOME DESIGN. THE IMPLEMENTATION OF THESE PLANS REQUIRES AN OWNER, CLIENT, CONTRACTOR THOROUGHLY KNOWLEDGEABLE WITH THE APPLICABLE BUILDING CODES AND METHODS OF CONSTRUCTION SPECIFIC TO THIS PRODUCT TYPE AND TYPE OF CONSTRUCTION.

3. BUILDING MAINTENANCE: THE EXPOSED MATERIALS USED IN THE CONSTRUCTION OF THIS PROJECT WILL DETERIORATE AS THE COMPLETED PROJECT AGES UNLESS PROPERLY AND RATIONALLY MAINTAINED. OWNER / CLIENT SHALL PROVIDE OR CAUSE THE DEVELOPMENT OF A PLAN TO KEEP THESE EXPOSED MATERIALS PROTECTED AND MAINTAINED.

4. CODES: ALL CONSTRUCTION SHALL COMPLY WITH THE MOST STRINGENT REQUIREMENTS OF ALL CURRENT APPLICABLE CITY, COUNTY, STATE AND FEDERAL LAWS, RULES, CODES, ORDINANCES AND REGULATIONS. IF THE GENERAL CONTRACTOR OR ANY SUBCONTRACTOR PERFORMS ANY WORK IN CONFLICT WITH THE ABOVE-MENTIONED LAWS, RULES, CODES, ORDINANCES AND REGULATIONS, THEN THE CONTRACTOR IN VIOLATION SHALL BEAR ALL COSTS OF REPAIR ARISING OUT OF THE NON - CONFORMING WORK.

5. PERMITS: THE GENERAL BUILDING PERMIT AND PLAN CHECK SHALL BE SECURED AND PAID FOR BY OWNER/CLIENT. ALL OTHERS PERMITS SHALL BE SECURED AND PAID FOR BY THE SUBCONTRACTOR DIRECTLY RESPONSIBLE.

6. INSURANCE: THE GENERAL CONTRACTOR AND EVERY SUBCONTRACTOR PERFORMING WORK OR PROVIDING SERVICES AND/OR MATERIALS FOR THE WORK ARE REQUIRED TO PURCHASE AND MAINTAIN IN FORCE "ALL RISK" BUILDERS INSURANCE PRIOR TO COMMENCEMENT OF THE WORK AND OR FURNISHING LABOR, SERVICES AND MATERIALS. EACH "ALL RISK" POLICY SHALL BE IN AN AMOUNT SUFFICIENT TO COVER THE REPLACEMENT VALUE OF THE WORK BEING PERFORMED AND OR THE LABOR, SERVICES, AND MATERIALS BEING SUPPLIED BY THE GENERAL CONTRACTOR, SUBCONTRACTORS, DESIGNER, AND ALL PROFESSIONAL CONSULTANTS.

7. INSURANCE: OWNER/ CLIENT SHALL CAUSE THE GENERAL CONTRACTOR AND EVERY SUBCONTRACTOR PERFORMING WORK OR PROVIDING SERVICES AND / OR MATERIALS FOR THE WORK TO PURCHASE AND MAINTAIN GENERAL LIABILITY INSURANCE.

8. NAMED PRODUCTS: THE DESIGNER MAKES NO GUARANTEE FOR PRODUCTS IDENTIFIED BY TRADE NAME OR MANUFACTURER.

9. SCOPE: THE GENERAL CONTRACTOR AND SUBCONTRACTORS SHALL FURNISH ALL LABOR, EQUIPMENT, AND MATERIAL INDICATED ON THE PLANS AND REASONABLY IMPLIED OR REQUIRED BY THE APPLICABLE CODES.

10. SUBSTITUTION: SUBSTITUTIONS OF SPECIFIC MATERIALS OR PRODUCTS LISTED ON THIS SPECIFICATION SHEET SHALL NOT BE MADE WITHOUT WRITTEN AUTHORIZATION BY OWNER, CLIENT, THE GENERAL CONTRACTOR AND ANY SUBCONTRACTOR SHALL NOT MAKE THE STRUCTURAL SUBSTITUTIONS OR CHANGES WITHOUT PRIOR WRITTEN AUTHORIZATION FROM THE STRUCTURAL ENGINEER.

11. CHANGES: ANY ADDITION, DELETION, OR CHANGE IN THE SCOPE OF THE WORK DESCRIBED BY THE PLANS SHALL BE BY WRITTEN CHANGE ORDER ONLY. ANY APPROVAL FROM THE BUILDING OFFICIAL FOR A CHANGE IN THE WORK SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.

12. INTENTION: THE GENERAL CONTRACTOR SHALL ENSURE THAT ALL LABOR, MATERIALS, EQUIPMENT AND TRANSPORTATION SHALL BE INCLUDED IN THE WORK FOR COMPLETE EXECUTION OF THE PROJECT. THE DESIGNER SHALL NOT BE RESPONSIBLE FOR THE MEANS AND METHODS OF CONSTRUCTION.

13. REVIEW OF DRAWINGS: THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS SHALL REVIEW THE FULL CONTENT OF THE PLANS FOR DISCREPANCIES AND OMISSIONS PRIOR TO COMMENCEMENT OF WORK. THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS SHALL BE RESPONSIBLE FOR ANY WORK NOT IN CONFORMANCE WITH THE PLANS OR IN CONFLICT WITH ANY CODE.

14. USE OF THE DRAWINGS: DIMENSIONS TAKE PRECEDENCE OVER SCALED MEASUREMENTS. DETAILS AND SECTIONS ON THE DRAWINGS ARE SHOWN AT SPECIFIC LOCATIONS AND ARE INTENDED TO SHOW GENERAL REQUIREMENTS THROUGHOUT. DETAILS NOTED "TYPICAL" IMPLY ALL LIKE CONDITIONS TREATED SIMILARLY, UNLESS NOTED OTHERWISE. THE ARCHITECTURAL DETAILS SHOWN ARE INTENDED TO FURTHER ILLUSTRATE THE VISUAL DESIGN CONCEPT AND THE MINIMUM RECOMMENDED WEATHER PROTECTION FOR THIS PROJECT. BUILDING CODE REQUIREMENTS, STRUCTURAL CONSIDERATIONS, TRADE ASSOCIATION MANUALS AND PUBLICATIONS AND PRODUCT MANUFACTURERS WRITTEN INSTRUCTIONS SHALL ALSO BE CONSIDERED IN ORDER TO COMPLETE THE CONSTRUCTION OF THE DETAILS, AND IN SOME CASES MAY SUPERCEDE THE DETAILS.

15. APPROVED DRAWINGS: THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE WORK BETWEEN THE DIFFERENT SUBCONTRACTORS AND REQUIRING ALL SUBCONTRACTORS TO USE THE MOST CURRENT BUILDING DEPARTMENT APPROVED SET OF PLANS.

16. CUTTING AND PATCHING: ALL SUBCONTRACTORS SHALL DO THEIR OWN CUTTING, FITTING, PATCHING, ETC. TO MAKE THE SEVERAL PARTS COME TOGETHER PROPERLY, AND FIT IT TO RECEIVE THE WORK OF OTHER TRADES.

17. CLEAN UP: ALL TRADES SHALL, AT ALL TIMES, KEEP THE PREMISES FREE FROM ACCUMULATION OF WASTE MATERIALS OR RUBBISH CAUSED BY THEIR WORK. SUBCONTRACTORS SHALL REMOVE ALL RUBBISH, TOOLS, SCAFFOLDING AND SURPLUS MATERIALS AND LEAVE THE JOB IN A BROOM - CLEAN CONDITION. ALL FIXTURES, EQUIPMENT, GLAZING, FLOORS, ETC., SHALL BE LEFT CLEAN AND READY FOR OCCUPANCY UPON COMPLETION OF THE PROJECT.

18. STORAGE OF MATERIALS: THE GENERAL CONTRACTOR AND SUBCONTRACTORS SHALL BE RESPONSIBLE FOR STORING THE MATERIALS ON THE SITE ACCORDING TO MATERIAL SUPPLIERS OR MANUFACTURERS' INSTRUCTIONS. THE MATERIALS SHALL BE KEPT SECURE AND PROTECTED FROM MOISTURE, PESTS, AND VANDALS. ANY LOSS ARISING OUT OF MATERIALS STORED AT THE SITE SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR OR SUBCONTRACTOR WHO STORED THE DAMAGED OR LOST MATERIALS.

1. ALL STRUCTURAL WOOD SHALL BE IDENTIFIED BY A GRADE MARK OR CERTIFICATE OF INSPECTION BY A RECOGNIZED INSPECTION AGENCY.

2. STRUCTURAL WOOD SHALL BE SPRUCE-PINE-FIR (SPF) #2 OR BETTER OR EQUIVALENT HAVING THE FOLLOWING MINIMUM STRENGTH PROPERTIES:

Fb = 875 PSI (1000 PSI REPETITIVE MEMBER)
Fv = 135 PSI
E = 1,400,000 PSI
Fc (PARALLEL) = 1,150 PSI
Fc (PERPENDICULAR) = 425 PSI

3. LVL OR PSL INDICATE LAMINATED VENEER LUMBER AND PARALLEL STRAND LUMBER RESPECTIVELY. LVL AND PSL BEAMS AND POSTS SHALL CONFORM TO LEVEL TRUSS JOINT SPECIFICATIONS OR EQUAL WITH THE FOLLOWING MINIMUM STRENGTH PROPERTIES:

Fb = 2,925 PSI
Fv = 290 PSI
E = 1,900,000 PSI
Fc (PARALLEL) = 2,900 PSI
Fc (PERPENDICULAR) = 750 PSI

4. MULTIPLE PLIES OF 1 3/4" WIDE LVLS SHALL BE FASTENED TOGETHER WITH A MINIMUM OF 3 ROWS OF 16 NAILS @ 12" O.C.; 4 ROWS OF 16 NAILS @ 12" O.C. FOR 14" AND DEEPER LVLS.

5. ENGINEERED I-JOISTS SPECIFIED ARE THE "ALL JOIST" SYSTEM AS MANUFACTURED BY BOISE CASCADE. ADHERE STRICTLY TO MANUFACTURER'S INSTRUCTIONS FOR STORAGE AND HANDLING, INSTALLATION, AND DETAILS.

6. ALL FLOOR JOISTS SHALL HAVE BRIDGING INSTALLED AT MID-SPAN OR AT 5'-0" O.C. MAXIMUM LENGTH FOR ALL BEAMS AND HEADERS.

8. INSTALL SIMPSON H2.5 CONNECTORS AT THE ENDS OF ALL RAFTERS AND/OR TRUSSES.

9. PLYWOOD SHALL BE CAPABLE OF SUPPORTING DESIGN LOADS AT REQUIRED SUPPORT SPACING AND BEAR APPROPRIATE GRADING STAMP FROM AMERICAN PLYWOOD ASSOCIATION.

10. ALL WOOD PERMANENTLY EXPOSED TO THE WEATHER, IN CONTACT WITH CONCRETE OR IN CONTACT WITH THE GROUND OR OTHERWISE SPECIFIED SHALL BE PRESSURE TREATED FOR GROUND CONTACT.

11. DECK FRAMING SHALL BE PRESSURE TREATED. THE LEVER SUPPORT AT THE HOUSE SHALL BE ATTACHED TO THE HOUSE VIA 5/8" THROUGH BOLTS @ 16" O.C., STAGGERED. SUPPORT POSTS TO BE FT #4 FOR DECK HEIGHT UP TO 8 FEET ABOVE GRADE. PROVIDE LATERAL BRACING AND/OR INCREASED POST SIZE AT HEIGHTS ABOVE THAT.

THESE DRAWINGS, AND THE DESIGN THEY REPRESENT, ARE THE PROPERTY OF MARTIN DESIGN & PLANNING, INC. THE DESIGNER RESERVE ALL RIGHTS. WITH THESE DRAWINGS, THE DESIGNER IS GRANTING THE USER A SINGLE CONSTRUCTION AT THE ADDRESS INDICATED ON THESE DRAWINGS AND THIS ADDRESS ONLY. THESE DRAWINGS AND THIS ADDRESS ONLY INCLUDE A LICENSE TO MODIFY, EXCEPT AS NOTED BELOW.

THE FOLLOWING MODIFICATIONS ARE ALLOWED, IN CONTACT WITH CONCRETE OR IN CONTACT WITH THE GROUND OR OTHERWISE SPECIFIED SHALL BE PRESSURE TREATED FOR GROUND CONTACT.

1. OWNER / CLIENT RESPONSIBILITIES: REFERENCE IS MADE THROUGHOUT THESE GENERAL NOTES TO RESPONSIBILITIES AND STANDARDS OF CARE TO BE FULFILLED BY THOSE PROVIDING SERVICES IN THIS PROJECT. OWNER / CLIENT SHALL BE RESPONSIBLE FOR ADHERENCE TO THOSE REQUIREMENTS BY THE OWNER, BUILDER, DEVELOPER, GENERAL CONTRACTOR, SUBCONTRACTORS AND OTHER PROFESSIONAL CONSULTANTS NOT RETAINED BY THE DESIGNER.

2. BUILDER'S SET: THE SCOPE OF THIS SET OF PLANS IS TO PROVIDE A "BUILDER'S SET" OF CONSTRUCTION DOCUMENTS AND GENERAL NOTES HEREINAFTER REFERRED TO "PLANS". AFTER FORMAL REVIEW AND APPROVAL, THIS SET OF PLANS IS SUFFICIENT TO OBTAIN A BUILDING PERMIT; HOWEVER, ALL MATERIALS AND METHODS OF CONSTRUCTION NECESSARY TO COMPLETE THE PROJECT ARE NOT NECESSARILY DESCRIBED. THE PLANS WILL DEFINE THE BASIC PRINCIPLES, LOCATIONS, TYPES OF MATERIALS AND GENERAL METHODS OF ASSEMBLING OR FASTENING. ANY SPECIFICATION BOOK RECEIVED WITH THIS PLAN SET SPECIFIES THE PARTICULAR PRODUCTS OR MATERIALS RECOMMENDED FOR THIS HOME DESIGN. THE IMPLEMENTATION OF THESE PLANS REQUIRES AN OWNER, CLIENT, CONTRACTOR THOROUGHLY KNOWLEDGEABLE WITH THE APPLICABLE BUILDING CODES AND METHODS OF CONSTRUCTION SPECIFIC TO THIS PRODUCT TYPE AND TYPE OF CONSTRUCTION.

3. BUILDING MAINTENANCE: THE EXPOSED MATERIALS USED IN THE CONSTRUCTION OF THIS PROJECT WILL DETERIORATE AS THE COMPLETED PROJECT AGES UNLESS PROPERLY AND RATIONALLY MAINTAINED. OWNER / CLIENT SHALL PROVIDE OR CAUSE THE DEVELOPMENT OF A PLAN TO KEEP THESE EXPOSED MATERIALS PROTECTED AND MAINTAINED.

4. CODES: ALL CONSTRUCTION SHALL COMPLY WITH THE MOST STRINGENT REQUIREMENTS OF ALL CURRENT APPLICABLE CITY, COUNTY, STATE AND FEDERAL LAWS, RULES, CODES, ORDINANCES AND REGULATIONS. IF THE GENERAL CONTRACTOR OR ANY SUBCONTRACTOR PERFORMS ANY WORK IN CONFLICT WITH THE ABOVE-MENTIONED LAWS, RULES, CODES, ORDINANCES AND REGULATIONS, THEN THE CONTRACTOR IN VIOLATION SHALL BEAR ALL COSTS OF REPAIR ARISING OUT OF THE NON - CONFORMING WORK.

5. PERMITS: THE GENERAL BUILDING PERMIT AND PLAN CHECK SHALL BE SECURED AND PAID FOR BY OWNER/CLIENT. ALL OTHERS PERMITS SHALL BE SECURED AND PAID FOR BY THE SUBCONTRACTOR DIRECTLY RESPONSIBLE.

6. INSURANCE: THE GENERAL CONTRACTOR AND EVERY SUBCONTRACTOR PERFORMING WORK OR PROVIDING SERVICES AND/OR MATERIALS FOR THE WORK ARE REQUIRED TO PURCHASE AND MAINTAIN IN FORCE "ALL RISK" BUILDERS INSURANCE PRIOR TO COMMENCEMENT OF THE WORK AND OR FURNISHING LABOR, SERVICES AND MATERIALS. EACH "ALL RISK" POLICY SHALL BE IN AN AMOUNT SUFFICIENT TO COVER THE REPLACEMENT VALUE OF THE WORK BEING PERFORMED AND OR THE LABOR, SERVICES, AND MATERIALS BEING SUPPLIED BY THE GENERAL CONTRACTOR, SUBCONTRACTORS, DESIGNER, AND ALL PROFESSIONAL CONSULTANTS.

7. INSURANCE: OWNER/ CLIENT SHALL CAUSE THE GENERAL CONTRACTOR AND EVERY SUBCONTRACTOR PERFORMING WORK OR PROVIDING SERVICES AND / OR MATERIALS FOR THE WORK TO PURCHASE AND MAINTAIN GENERAL LIABILITY INSURANCE.

8. NAMED PRODUCTS: THE DESIGNER MAKES NO GUARANTEE FOR PRODUCTS IDENTIFIED BY TRADE NAME OR MANUFACTURER.

9. SCOPE: THE GENERAL CONTRACTOR AND SUBCONTRACTORS SHALL FURNISH ALL LABOR, EQUIPMENT, AND MATERIAL INDICATED ON THE PLANS AND REASONABLY IMPLIED OR REQUIRED BY THE APPLICABLE CODES.

10. SUBSTITUTION: SUBSTITUTIONS OF SPECIFIC MATERIALS OR PRODUCTS LISTED ON THIS SPECIFICATION SHEET SHALL NOT BE MADE WITHOUT WRITTEN AUTHORIZATION BY OWNER, CLIENT, THE GENERAL CONTRACTOR AND ANY SUBCONTRACTOR SHALL NOT MAKE THE STRUCTURAL SUBSTITUTIONS OR CHANGES WITHOUT PRIOR WRITTEN AUTHORIZATION FROM THE STRUCTURAL ENGINEER.

11. CHANGES: ANY ADDITION, DELETION, OR CHANGE IN THE SCOPE OF THE WORK DESCRIBED BY THE PLANS SHALL BE BY WRITTEN CHANGE ORDER ONLY. ANY APPROVAL FROM THE BUILDING OFFICIAL FOR A CHANGE IN THE WORK SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.

12. INTENTION: THE GENERAL CONTRACTOR SHALL ENSURE THAT ALL LABOR, MATERIALS, EQUIPMENT AND TRANSPORTATION SHALL BE INCLUDED IN THE WORK FOR COMPLETE EXECUTION OF THE PROJECT. THE DESIGNER SHALL NOT BE RESPONSIBLE FOR THE MEANS AND METHODS OF CONSTRUCTION.

13. REVIEW OF DRAWINGS: THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS SHALL REVIEW THE FULL CONTENT OF THE PLANS FOR DISCREPANCIES AND OMISSIONS PRIOR TO COMMENCEMENT OF WORK. THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS SHALL BE RESPONSIBLE FOR ANY WORK NOT IN CONFORMANCE WITH THE PLANS OR IN CONFLICT WITH ANY CODE.

14. USE OF THE DRAWINGS: DIMENSIONS TAKE PRECEDENCE OVER SCALED MEASUREMENTS. DETAILS AND SECTIONS ON THE DRAWINGS ARE SHOWN AT SPECIFIC LOCATIONS AND ARE INTENDED TO SHOW GENERAL REQUIREMENTS THROUGHOUT. DETAILS NOTED "TYPICAL" IMPLY ALL LIKE CONDITIONS TREATED SIMILARLY, UNLESS NOTED OTHERWISE. THE ARCHITECTURAL DETAILS SHOWN ARE INTENDED TO FURTHER ILLUSTRATE THE VISUAL DESIGN CONCEPT AND THE MINIMUM RECOMMENDED WEATHER PROTECTION FOR THIS PROJECT. BUILDING CODE REQUIREMENTS, STRUCTURAL CONSIDERATIONS, TRADE ASSOCIATION MANUALS AND PUBLICATIONS AND PRODUCT MANUFACTURERS WRITTEN INSTRUCTIONS SHALL ALSO BE CONSIDERED IN ORDER TO COMPLETE THE CONSTRUCTION OF THE DETAILS, AND IN SOME CASES MAY SUPERCEDE THE DETAILS.

15. APPROVED DRAWINGS: THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE WORK BETWEEN THE DIFFERENT SUBCONTRACTORS AND REQUIRING ALL SUBCONTRACTORS TO USE THE MOST CURRENT BUILDING DEPARTMENT APPROVED SET OF PLANS.

16. CUTTING AND PATCHING: ALL SUBCONTRACTORS SHALL DO THEIR OWN CUTTING, FITTING, PATCHING, ETC. TO MAKE THE SEVERAL PARTS COME TOGETHER PROPERLY, AND FIT IT TO RECEIVE THE WORK OF OTHER TRADES.

17. CLEAN UP: ALL TRADES SHALL, AT ALL TIMES, KEEP THE PREMISES FREE FROM ACCUMULATION OF WASTE MATERIALS OR RUBBISH CAUSED BY THEIR WORK. SUBCONTRACTORS SHALL REMOVE ALL RUBBISH, TOOLS, SCAFFOLDING AND SURPLUS MATERIALS AND LEAVE THE JOB IN A BROOM - CLEAN CONDITION. ALL FIXTURES, EQUIPMENT, GLAZING, FLOORS, ETC., SHALL BE LEFT CLEAN AND READY FOR OCCUPANCY UPON COMPLETION OF THE PROJECT.

18. STORAGE OF MATERIALS: THE GENERAL CONTRACTOR AND SUBCONTRACTORS SHALL BE RESPONSIBLE FOR STORING THE MATERIALS ON THE SITE ACCORDING TO MATERIAL SUPPLIERS OR MANUFACTURERS' INSTRUCTIONS. THE MATERIALS SHALL BE KEPT SECURE AND PROTECTED FROM MOISTURE, PESTS, AND VANDALS. ANY LOSS ARISING OUT OF MATERIALS STORED AT THE SITE SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR OR SUBCONTRACTOR WHO STORED THE DAMAGED OR LOST MATERIALS.

WALL KEYS

NOTES

SQUARE FOOTAGES

DIMENSIONS

3 2x3 WOOD STUD WALLS

2x WOOD STUDS ON THE PLAT

2x6 WOOD STUD WALL

SNUG - PLACE DOOR OR WINDOW SO THAT TRIM WILL BE SNUG TO WALL.

CENTER - PLACE DOOR OR WINDOW CENTERED ON WALL.

VERIFY MILLWORK OR FIXTURE AND ADJUST WALL LOCATIONS AS REQUIRED TO ACCOMMODATE

FIELD LOCATE WALLS - MAY REQUIRE ADJUSTMENT FOR FIXTURES, PLUMBING OR MECHANICAL.

DOUBLE STUD POCKET BETWEEN OPENINGS (APPROX 3" TRIM - FACTORY MULLED SUB OK)

30" x 22" MINIMUM ATTIC ACCESS PANEL

TEMPERED GLASS

WINDOW HEAD HEIGHT

SMOKE DETECTOR

- 50 FT NUMBERS ARE INTERIOR TO ROOM FOR USE IN CALCULATING FINISHES.

- CABINETS AND FIXTURES NOT SUBTRACTED.

- ADD FOR DOORWAYS WHEN FLOOR FINISHES RUN THROUGH.

DIMENSIONS ARE TO FACE OF STUD, UNLESS NOTED OTHERWISE.

CLOSETS ARE 24" CLEAR INSIDE, UNLESS DIMENSIONED OTHERWISE.

NOTES

SYMBOLS

REVISION INDEX

DATE

REVISOR

DESCRIPTION

COPYRIGHT STAMP

PROFESSIONAL SEAL (AS REQUIRED)

PROJECT: LAIRD RESIDENCE

TITLE: COVER PAGE

DATE: 11/26/2019

SCALE:

SIGNATURE: J.R.M.

MARTIN DESIGN & PLANNING

BUILDING DESIGN - INTERIOR DESIGN - CONSTRUCTION DOCUMENTS

MEMBER

ABD

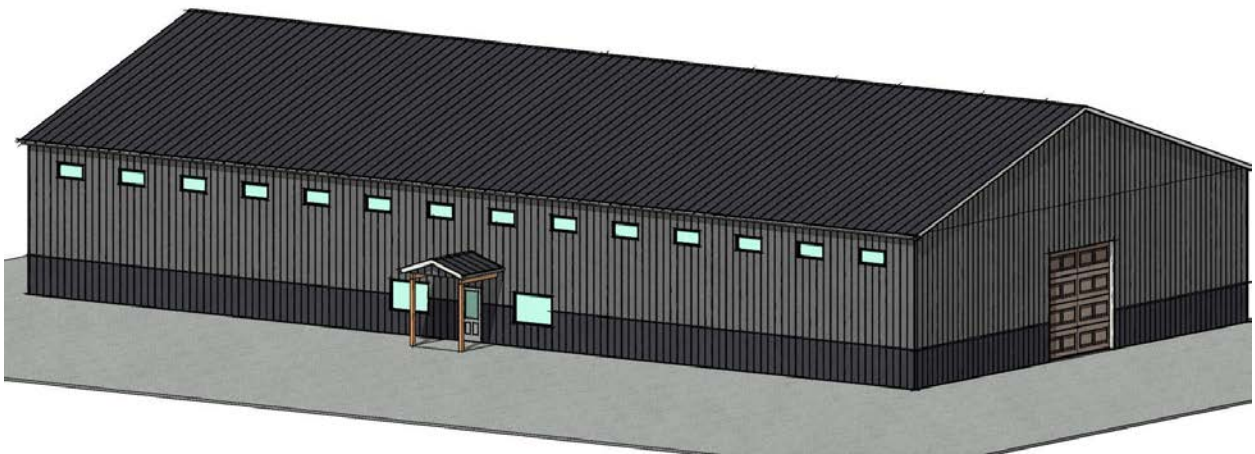
AMERICAN INSTITUTE of BUILDING DESIGN

JOB NUMBER: 1019-06

PROJECT: LAIRD RESIDENCE
ADDRESS: 18501 JOLIET RD., SHERIDAN, IN.
DESCRIPTION: SINGLE FAMILY RESIDENTIAL
SIZE: 3500 SQFT (APPROX)
FROST DEPTH: 36"
SEISMIC ZONE: ZONE "A"

Inspiration Photo of Pole Barn

(Not to scale, but design and colors will be similar)



VARIANCE APPLICATION

OFFICE USE ONLY

DOCKET #: _____ FILING DATE: _____
FILING FEE: \$ _____ FEE PLUS \$ _____ PER ADDITIONAL VARIANCE (@ _____) = \$ _____

PRE-FILING CONFERENCE

PRE-FILING CONFERENCE WITH: Pamela Howard (STAFF NAME) DATE: 9-24-19

PRIOR OR RELATED DOCKET NUMBERS

CHANGE OF ZONING: _____ AMENDMENTS: _____ DEVELOPMENT PLAN: _____
PRIMARY PLAT: _____ SECONDARY PLAT: _____ VARIANCE(S): _____

APPLICANT INFORMATION

APPLICANT'S NAME: Sean and/or Lauren Laird TELEPHONE: 765-438-5833
ADDRESS: 913 Water Front Dr, Kokomo, IN 46902 EMAIL: laurenlaird16@gmail.com
PROPERTY OWNER'S NAME: Steven Hugh Allen TELEPHONE: 317-442-6125
ADDRESS: 1318 Beck St, Lebanon, IN 46052 EMAIL: steve3604us@yahoo.com
REPRESENTATIVE'S NAME: _____ TELEPHONE: _____
COMPANY: _____ EMAIL: _____
ADDRESS: _____

PROPERTY AND PROJECT INFORMATION

ADDRESS OR PROPERTY LOCATION: 18501 Joliet Rd, Sheridan, IN 46069
COUNTY PARCEL ID #(S): 08-05-31-00-00-006.003
EXISTING ZONING DISTRICT(S): AG-SF1 EXISTING LAND USE(S): Ag - Vacant lot

PROPERTY AND PROJECT INFORMATION

☐ VARIANCE OF LAND USE CODE CITATION: _____
☒ VARIANCE OF DEVELOPMENT STANDARD(S) CODE CITATION: _____

FINDINGS OF FACT: (PLEASE SEE ATTACHED)

STATEMENT OF INTENT (EXPLANATION OF REQUEST - ATTACH SEPARATE SHEET IF NECESSARY): (Attached in separate Document)

APPLICANT AFFIDAVIT

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath says that above information is true and correct as he/she is informed and believes and that Applicant owns or controls the property involved in this application.

Lauren Laird
Applicant/Representative (signature)

Sean Laird / Lauren Laird
Applicant/Representative (printed)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the above party, who having been duly sworn acknowledged the execution of the foregoing Application.

Witness my hand and Notarial Seal this 29 day of October, 2019
State of Ind., County of Howard, SS: _____

Margaret L. Duncan
Notary Public (signature)

Margaret L. Duncan
Notary Public (printed)

MARGARET L DUNCAN
NOTARY PUBLIC
SEAL
HOWARD COUNTY, STATE OF INDIANA
MY COMMISSION EXPIRES NOVEMBER 14, 2026
COMMISSION NUMBER NP0717022

PROPERTY OWNER AFFIDAVIT

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath says they are the owners of the property involved in this application and that they hereby acknowledge and consent to the foregoing Application.

Steven Hugh Allen
Property Owner (signature)*

Steven Hugh Allen
Property Owner (printed)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the Property Owner, who having been duly sworn acknowledged and consents to the execution of the foregoing Application.

Witness my hand and Notarial Seal this 25 day of October, 2019
State of Indiana, County of Boone, SS: _____

Helen Marlene Faulkner
Notary Public (signature)

Helen Marlene Faulkner
Notary Public (printed)

HELEN MARLENE FAULKNER
Notary Public, State of Indiana
Boone County
Commission # NP0709475
My Commission Expires
January 18, 2026

*A signature from each party having interest in the property involved in this application is required. If the Property Owner's signature cannot be obtained on the application, then a notarized statement by each Property Owner acknowledging and consenting to the filing of this application is required with the application.

FINDINGS OF FACT (VARIANCE OF USE)

APPLICANT: _____

DOCKET #: _____

In taking action on a variance request, the Board of Zoning Appeals uses the following decision criteria to approve or deny a variance, as established by Indiana Code, and the Board may impose reasonable conditions as part of its approval. The applicant must address the criteria below. A variance of land use may be approved by the Board of Zoning Appeals only upon a determination that the Board finds all of the following to be true:

A. The use will not be injurious to the public health, safety, morals, and general welfare of the community because: _____

B. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because: _____

C. The need for the variance arises from some condition particular to the property involved because: _____

D. The strict application of the terms of the Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought because: _____

E. The variance of use does not interfere substantially with the Comprehensive Plan because: _____

FINDINGS OF FACT (VARIANCE OF DEVELOPMENT STANDARD)

APPLICANT: Sean and/or Lauren Laird

DOCKET #: _____

In taking action on a variance request, the Board of Zoning Appeals uses the following decision criteria to approve or deny a variance, as established by Indiana Code, and the Board may impose reasonable conditions as part of its approval. The applicant must address the criteria below (if multiple variances of development standard are being requested, then this sheet should be completed separately for each requested variance). A variance of land use may be approved by the Board of Zoning Appeals only upon a determination that the Board finds all of the following to be true:

- A. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because:
At Laird's Training our number one purpose and mission is character development, then instilling accountability and discipline, and finally physical and athletic development in Indiana Athletes. The pole barn's interior design has been planned for safety first to the most advance and up to date materials and equipment going to be used, and the exterior design to accommodate the aesthetics to match the home and the surrounding homes in the area. The athletes and their parents coming to train commit and are held to high expectations of character and safety.
- B. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because: The land directly east to the property is being used solely as Agricultural use. If the east adjacent land owner ever decides to sell their property, the pole barn and home being built on our property will only increase the appraisals of all adjacent homes, also including the value of the land owner directly south-adjacent.
- C. The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property because: We will not be able to purchase the land to build our home or the pole barn on and will have to find a different property elsewhere, maybe even in a different community to build and use the property as intended.

GENERAL INSTRUCTIONS

- A. **Pre-Filing Conference:** A pre-filing conference is required for all petitions. An appointment must be made with the Community Development Department (the "Department") to discuss a petition prior to filing. An application will not be considered filed until a pre-filing conference has occurred. Applicants are encouraged to incorporate the Department's comments into the application prior to filing.
- B. **Filing Petition:** A petition shall be filed with the Department by the filing deadline in accordance with the Schedule of Meeting and Filing Dates. In order to be deemed a complete petition, a petition shall include the following:

☐ Completed Application ☐ Draft Public Notice ☐ Property Owner Consent ☐ Site Plan (to scale) ☐ Statement of Intent	☐ Legal Description ☐ List of Adjoining Property Owners (as provided by County) ☐ TAC Delivery Affidavit (if TAC is determined to be necessary) ☐ Copy of Property Deed Elevations, photographs or other supporting information necessary to explain the nature of the requested variance(s)
--	--
- C. **Filing Fee Check:** After the filing of an application, the Department will advise the applicant of the applicable filing fee amount, which is due and payable (checks made out to "City of Westfield") within two (2) weeks of filing.
- D. **Technical Advisory Committee (TAC):** The applicant is responsible for submitting a copy of the application and related information to Technical Advisory Committee members prior to filing, if determined by the Department to be necessary. An affidavit confirming delivery of information is required to be completed and signed by the applicant and submitted with the petition. Technical Advisory Committee meetings are held in the City Services Building (2728 East 171st Street, Westfield, IN 46074) in accordance with the Schedule of Meeting and Filing Dates. A representative must be present at this meeting.
- E. **Public Hearing and Notice:** All variance petitions require a public hearing by the Board of Zoning Appeals. The public hearing is held at City Hall, 130 Penn Street, Westfield, Indiana, in accordance with the Schedule of Meeting and Filing Dates. Notice of the hearing is required in accordance with the Board's Rules of Procedure:
 1. **Newspaper Publication:** Notice of the hearing will be published in the Hamilton County Reporter and The Times. The Department will handle the newspaper publication requirement.
 2. **Mailed Public Notice:** The applicant is responsible to send public notice by certified mail with proof of mailing (certificate of mailing) to all interested parties, postmarked at least ten (10) days prior to the hearing. A list of adjacent property owners may be obtained from the **Hamilton County Auditor, Office of Transfers and Mapping** (33 North 9th Street, Noblesville, IN 46060, (317) 776-9624), and shall include all owners of property to a depth of two (2) ownerships of no direct or indirect financial or other interest to the applicant or property owner or one eighth of a mile (1/8), whichever is less.
 3. **Public Notice Sign:** The applicant is responsible to post a public notice sign(s) on the property at least ten (10) days prior to the public hearing. The Department will determine sign locations and will make signs available for the applicant to obtain in the office of the Department.
 4. **Affidavit of Notice of Public Hearing:** The applicant shall deliver a copy of the mailed notice and a signed affidavit, verifying that the notices were mailed and the public notice sign(s) was posted on the subject property, to the Department at least four (4) calendar days prior to the public hearing.
- F. **Ex-parte Communication:** In no event shall applicants or other interested parties contact or attempt to communicate with members of the Board in regard to a filed variance petition prior to the public hearing.
- G. **Revised Materials:** If the applicant wishes to submit additional or revised information than what is filed, then the applicant shall submit those to the Department no later than ten (10) days prior to the public hearing.
- H. **Board's Consideration:** Following the public hearing, the Board may either approve, approve with conditions, deny or continue the petition.
- I. **Resource:** Please see the Board's Rules of Procedure for more detailed procedural information.

STATEMENT OF INTENT (EXPLANATION OF REQUEST)

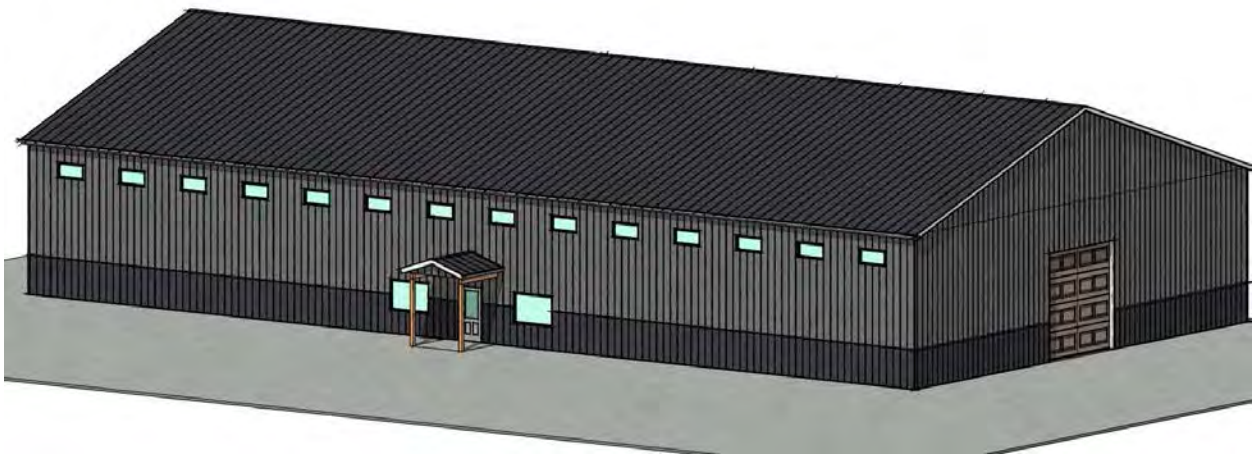
Laird's Training LLC was established in 2012, owned and operated by Sean Laird, MS, CPPS, CUSC, Pn1, BT-C. Laird's Training focuses on Baseball/Softball Development and Strength & Conditioning for all athletes of all sports. Laird's Training is a privately owned and ran business to allow for semi-private training. Sean normally trains 1-3 athletes an hour for all Baseball and Softball development through hitting and pitching mechanics and tools. The Strength & Conditioning aspect of his business is equipped to hold up to 15 athletes in one hour however is consistently 6-9 athletes per hour. Laird's Training also provides camps and clinics in a larger group setting for Arm Care programs to rehab and keep shoulders healthy, as well as Speed Camps to work on strength, speed, and agility. These camps are equipped to allow up to 20 athletes per one-hour camp. These camps are only held 1-2 times a week for only a few months out of the year.

The goal for our family is to have our home and our business on the same property, however separate buildings. The business would be conducted in a pole barn detached yet directly north, adjacent to the home. The pole barn would be approximately 72' x 140' with 20' high ceilings. Hours of operation are typically 4:00 pm - 9:00 pm Monday - Thursday and 3:00 pm - 9:00 pm Sundays. There would be a parking lot for families to park on our property in front of the pole barn. At this time Laird's Training has 1 part time employee that works 1 day a week, but never expects to have more than 3 part time employees total in the future who will go through rigorous training and certifications to be covered under our business insurance policies for any liabilities and for the safety of our athletes. Our intention has never been to run a large commercial business but to maintain the private/semi-private training, teaching, and coaching.

The property we have an accepted offer on is 18501 Joliet Rd, Sheridan, IN 46069. It is a 4.91 acre lot, undeveloped at this time on the southeast corner of 186th St and Joliet Rd.

Inspiration Photo of Pole Barn

(Not to scale, but design and colors will be similar)





6.7 Home Business Standards

- A. **Permitted:** Home Businesses shall be permitted in Zoning Districts as set forth in [CHAPTER 13: USE TABLE](#).
- B. **Home Businesses:** Professional services and domestic occupations, crafts or services which, as typically carried out can be conducted in a Dwelling without impairment of the use thereof as a place of residence and with no detrimental effect upon adjacent residential properties, are permitted Home Businesses. Examples of permitted Home Businesses include:
1. Art Studio.
 2. Beauty Salon (one chair operated by a resident).
 3. Business conducted entirely by mail and/or web-based.
 4. Seamstress or tailor.
 5. Home garage sales not to exceed seven (7) days per year.
 6. Home bound schools for twelve (12) or less full-time or part-time children including residents of the home.
 7. Personal motor vehicle sales not to exceed two (2) vehicles per year.
 8. Professional office of a clergyman, lawyer, architect, accountant, counselor, or consultant.
 9. Repairing, servicing or refurbishing equipment or parts, excluding motor vehicles, as long as the work is entirely within the Dwelling and performed by members of the family living in the Dwelling.
 10. Teaching (e.g., musical instruments or dancing).
 11. Office support services (e.g., data entry, research, telephone-based services).
 12. Childcare home in accordance with [I.C. 36-7-4-1108](#).
- C. **Zoning District Standards:** In addition to the standards set forth in this Article, permitted Home Businesses shall comply with all other standards set forth in the respective Zoning District.
- D. **Home Business as an Accessory to Dwelling:** All Home Businesses shall comply with the following standards:
1. **Home Business Subordinate to Primary Use:** The Home Business shall be clearly incidental and subordinate to the primary residential use of the Lot. The primary use of the Dwelling shall remain residential.
 2. **Primary Residence of Operator:** The operator of the Home Business shall make the Dwelling within which the Home Business is conducted their legal and primary residence.
 3. **Activity Limited to Dwelling Unit:** All aspects of the Home Business activity that occur on the Lot shall be conducted within the dwelling structure in which the operator makes their actual residence. For purposes of this Article, only areas completely enclosed by walls and

Table of Contents	1
Basic Provisions	2
Administration	3
Zoning Districts	4
Overlay Districts	5
Development Standards	6
Subdivision Standards	7
Design Standards	8
Nonconforming Regulations	9
Processes and Permits	10
Enforcement and Penalties	11
Definitions	12
Use Table	13
Adopted PUD Districts	14

Go to Previous View	
Go to Next View	

under the same roof system as the living quarters shall be considered a part of the "dwelling structure."

- E. **Residential Character:** Any Dwelling containing a Home Business shall maintain its residential character in accordance with the following:

1. **Structural Improvements:**

- There shall be no room additions, enlargements, structural, or exterior aesthetic alterations that change the residential character of the Dwelling or Lot.
- There shall be no exterior, structural, or aesthetic alterations to the Dwelling to accommodate the Home Business that would effect the interior of the Dwelling and would render it undesirable for residential use or habitation.
- There shall be no additional or separate exterior entrances to the Dwelling for the purpose of conducting business or to accommodate the Home Business.

2. **Walk-in Retail Sales:** Walk-in / walk-up retail sales shall not be permitted.

3. **Parking:** No provision for off-street parking or loading facilities, other than the requirements of the applicable Zoning District, shall be permitted. No part of a minimum required Yard shall be used for off-street parking or loading purposes. No additional driveway to serve the Home Business shall be permitted.

4. **Exterior Storage or Display:** There shall not be any exterior storage or display of products, trailers, equipment or materials used in connection with the Home Business. No external evidence of the Home Business shall be permitted.

5. **Utilities:** The Home Business shall not require the increasing or enhancing of the size, capacity, or flow of the water, gas, septic, sewer, electrical systems, or trash removal types or volumes beyond what is standard for a residence.

6. **Equipment:** The equipment used for the Home Business shall be limited to computers, fax machines, telephones, copy machines, other small office equipment, and other similar equipment that may typically be found in a Dwelling, as determined by the Director. Manufacturing operations shall be prohibited.

7. **Gross Floor Area:** No more than fifteen percent (15%) of the Gross Floor Area of structures on the Lot shall be used for a Home Business.

8. **Signs:** Signs shall comply with [Article 6.17 Sign Standards](#).

F. **Additional Standards:**

- Vehicles:** Except for purposes of loading and unloading, vehicles of one-ton capacity or more, or more than twenty (20) feet in length, shall not park on the Lot on which the Home Business is conducted or on any Street adjacent thereto.
- Hours of Operation:** Hours of operation shall not interfere with the use



Table of Contents	1
Basic Provisions	2
Administration	3
Zoning Districts	4
Overlay Districts	5
Development Standards	6
Subdivision Standards	7
Design Standards	8
Nonconforming Regulations	9
Processes and Permits	10
Enforcement and Penalties	11
Definitions	12
Use Table	13
Adopted PUD Districts	14

Go to Previous View	
Go to Next View	



and enjoyment of adjacent residential properties.

3. **Employees:** The Home Business shall not involve the employment of any person that works in the Dwelling or on the Lot other than those residing in the Dwelling of the Home Business.
4. **Nuisances:** No Home Business shall create electrical interference (e.g., interfere with local radio and television reception), odors, noise, vibration, light, smoke, fumes, or anything offensive.
- G. **Appeals:** Any use purported as a Home Business may be deemed not permitted if, in a public hearing on the matter, the Board rules the use to be a nuisance or that it does not comply with this Article. The Director or any person reasonably affected by the Home Business may request such a hearing in accordance with [Article 10.3 Appeals of Administrative Decisions](#).

Table of Contents	1
Basic Provisions	2
Administration	3
Zoning Districts	4
Overlay Districts	5
Development Standards	6
Subdivision Standards	7
Design Standards	8
Nonconforming Regulations	9
Processes and Permits	10
Enforcement and Penalties	11
Definitions	12
Use Table	13
Adopted PUD Districts	14



Westfield–Washington Township Board of Zoning Appeals
Minutes of the November 12, 2019 BZA Meeting
Presented for approval: December 10, 2019

The Westfield-Washington Township Board of Zoning Appeals (BZA) met at 7:00 p.m.
on Tuesday, November 12, 2019 at Westfield City Hall.

Members Present: Jeannine Fortier, Ken Kingshill, and Martin Raines.

Members Absent: Robert Smith and Dave Schmitz.

City staff present: Pam Howard, Senior Planner; Daine Crabtree, Associate Planner; Caleb Ernest, Associate Planner;
and Brian Zaiger, City Attorney.

APPROVAL OF MINUTES

Kingshill motioned to approve the October 8, 2019 meeting subject to two corrections.
Raines seconded. Motion passed. Vote 3-0

REVIEW RULES AND PROCEDURES

Crabtree reviewed BZA rules and procedures.

ITEMS OF BUSINESS

1911-VS-20

[PUBLIC HEARING]

19101 Centennial Road

Michael E King

The Petitioner requests Variances of Development Standard to reduce the Minimum Lot Area, Lot Frontage and Side Yard Setback in the AG-SF1: Agriculture / Single-Family Rural District. (Articles 4.2(C), (D) and (E)(2))

(Planner: Caleb Ernest - CErnest@westfield.in.gov)

Ernest overviewed this request for three Variances of Development Standard to allow for the building addition to a garage. He said that staff had not received any comments on this petition.

Public Hearing for 1911-VS-20 opened at 7:05 p.m.

No public comments.

Public Hearing for 1911-VS-20 closed at 7:06 p.m.

Kingshill motioned to approve 1911-VS-20.
Raines seconded. Motion passed. Vote 3-0.

Kingshill motioned to adopt Staff's Findings of Fact for 1911-VS-20.
Raines seconded. Motion passed. Vote 3-0.

1911-VS-21

[PUBLIC HEARING]

59 Spring Lake Drive

John Hile

The Petitioner requests a Variance of Development Standard to modify the Minimum Rear Yard Setback from thirty (30) feet to twenty-two (22) feet in order to

Agendas for all City meetings are updated and available at our website.

Website: <http://www.westfield.in.gov> | Economic and Community Development Department E-mail: community@westfield.in.gov

accommodate a sun room and deck on 0.17 acres +/- in the SF-3: Single Family 3 Cluster District.

(Planner: Daine Crabtree - DCrabtree@westfield.in.gov)

Crabtree overviewed this Variance of Development Standard to allow for a residential addition be built. He said that staff had not received any comments on this petition.

Public Hearing for 1911-VS-21 opened at 7:08 p.m.

No public comments.

Public Hearing for 1911-VS-21 closed at 7:08 p.m.

Kingshill motioned to approve 1911-VS-21 with the following staff condition.

- The Petitioner shall record an acknowledgement of this approval with the Hamilton County Recorder's Office and return a copy of the recorded instrument to the Economic and Community Development Department.

Raines seconded. Motion passed. Vote 3-0.

Kingshill motioned to adopt Staff's Findings of Fact for 1911-VS-21.

Raines seconded. Motion passed. Vote 3-0.

1911-VS-22
[PUBLIC HEARING]

20889 Anthony Road

Wayne Wheeler

The Petitioner requests a Variance of Development Standard to reduce the Side Yard Setback in the AG-SF1: Agriculture / Single-Family Rural District from thirty (30) feet to fifteen (15) feet to accommodate a barn. (Article 4.2(E)(2)).

(Planner: Pam Howard - PHoward@westfield.in.gov)

Crabtree overviewed this Variance of Development Standard to allow a barn to be built. She said that staff had received two comments on this petition.

Wayne Wheeler, the petitioner explained the details of the proposed barn and its needed setback to avoid the set-aside for an existing septic field. He said some of the neighbors had no objections; however, he is aware that there were some comments against. He summarized the possible areas to locate the barn and the area he is suggesting is the best location due to drainage/accumulation of water and the septic field.

Public Hearing for 1911-VS-22 opened at 7:15 p.m.

No public comments.

Public Hearing for 1911-VS-22 closed at 7:16 p.m.

Kingshill motioned to approve 1911-VS-22 with the following staff conditions.

- The barn be constructed at the location shown on the Site Plan. seconded. Motion passed. Vote 3-0

Kingshill motioned to adopt Staff's Findings of Fact for 1911-VS-22.

Raines seconded. Motion passed. Vote 3-0.

1911-VS-23
[PUBLIC HEARING]

15642 Little Eagle Creek Avenue

The Petitioner requests a Variance of Development Standard to reduce the Side and Rear Yard Setback and allow an Accessory Building within an Established Front Yard in the AG-SF1: Agriculture / Single-Family Rural District. (Articles 4.2(E)(2) and 6.1(D)(2)(a)).

(Planner: Caleb Ernest - CErnest@westfield.in.gov)

Agendas for all City meetings are updated and available at our website.

Website: <http://www.westfield.in.gov> | Economic and Community Development Department E-mail: community@westfield.in.gov

Ernest overviewed this request for two Variances of Development Standard to allow for a barn to be built. He said that staff had received no comments on this petition.

Public Hearing for 1911-VS-23 opened at 7:20 p.m.

No public comments.

Public Hearing for 1911-VS-23 closed at 7:20 p.m.

Kingshill asked for more detail of the placement of the proposed barn.

The petitioner said he worked to try to make sure it was not built too close to the road.

Kingshill motioned to approve 1911-VS-23.

Raines seconded. Motion passed. Vote 3-0.

Smith motioned to adopt Staff's Findings of Fact for 1911-VS-23.

Raines seconded. Motion passed. Vote 3-0.

ITEMS CONTINUED TO A FUTURE MEETING:

1803-AA-01

[CONTINUED]

16708 Dean Road (Bob's Garage)

Esler Properties, LLC by Morse & Bickel, P.C.

The petitioner is appealing an Administrative Determination (1712-AD-04) regarding the revocation of a variance (1603-VU-03).

(Planner: Pam Howard - PHoward@westfield.in.gov)

REPORTS/COMMENTS:

- Plan Commission Liaison
- Community Development Department

ADJOURNMENT

Kingshill motioned to adjourn the meeting.

Raines seconded. Motion passed. Vote 3-0.

The meeting adjourned at 7:26 p.m.

Chairperson
Dave Schmitz

Secretary
Kevin M. Todd, AICP
Director



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

December 10, 2019
1912-VS-25
Exhibit 1

Petition Number: 1912-VS-25

Subject Site Address: 355 E 191st Street (the "Property")

Petitioner: Caitlin O'Dougherty (the "Petitioner")

Request: The Petitioner is requesting a Variance of Development Standard to reduce the Minimum Side Yard Setback in the AG-SF1: Agriculture / Single-Family Rural District (Article 4.2(E)(2)).

Current Zoning: AG-SF1: Agriculture / Single-Family Rural District

Current Land Use: Agriculture / Residential

Approximate Acreage: 1.00 acre +/-

Exhibits:

1. Staff Report
2. Location Map
3. Site Plan
4. Application

Staff Reviewer: Caleb Ernest, Associate Planner

OVERVIEW

Location: The subject property is 1.00 acre +/- in size and located at 355 E 191st Street (see **Exhibit 2**). The Property is zoned the AG-SF1: Agriculture / Single-Family Rural District. The adjacent properties to the north, west and south are all zoned the AG-SF1 District. The adjacent property to the east is zoned the GPEC PUD District.

Variance Request: The Petitioner is requesting a Variance of Development Standard to reduce the Minimum Side Yard Setback in order to build a new residential home.

SUMMARY OF VARIANCE

The Petitioner is requesting a Variance of Development Standard as further described below:

- to reduce the Minimum Side Yard¹ Setback from thirty (30) feet to zero (0) feet.

¹ Chapter 12 of the UDO Defines "Side Yard" as "A Yard extending across the full depth of the Lot, the depth of which is the least distance between the Side Lot Line and the Side Yard Building Setback Line."

COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan identifies this property within the “New Suburban” land use classification.

PROCEDURAL

Public Notice: The Board of Zoning Appeals is required to hold a public hearing on its consideration of the Variance of Development Standard. This petition is scheduled to receive its public hearing at the December 10, 2019, Board of Zoning Appeals meeting. Notice of the public hearing was properly advertised in accordance with Indiana law and the Board of Zoning Appeals’ Rules of Procedure.

Conditions: The UDO² and Indiana law provide that the Board of Zoning Appeals may impose reasonable conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of the UDO upon any Lot benefited by the variances as may be necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the subject Lot or upon public facilities and services. Such conditions shall be expressly set forth in the order granting the variances.

Acknowledgement of Variance: If the Board of Zoning Appeals approves this petition, then the UDO³ requires that the approval of the variance shall be memorialized in an acknowledgement of variance instrument prepared by the Department. The acknowledgement shall: (i) specify the granted variance and any commitments made or conditions imposed in granting of the variance; (ii) be signed by the Director, Property Owner and Applicant (if Applicant is different than Property Owner); and (iii) be recorded against the subject property in the Office of the Recorder of Hamilton County, Indiana. A copy of the recorded acknowledgement shall be provided to the Department prior to the issuance of any subsequent permit or commencement of uses pursuant to the granted variance.

Variance of Development Standard: The Board of Zoning Appeals shall approve or deny variances from the development standards (such as height, bulk, or area) of the underlying zoning ordinance. A variance may be approved under Indiana Code § 36-7-4-918.5 only upon a determination in writing that:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
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; and

² Article 10.14(I) Processes and Permits; Variances; Conditions of the UDO.

³ Article 10.14(K) Processes and Permits; Variances; Acknowledgement of Variance of the UDO.

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

DEPARTMENT COMMENTS

Approval: If the Board is inclined to approve the variance, then the Department recommends the following condition and findings:

Recommended Condition:

The Petitioner shall record an acknowledgement of this approval with the Hamilton County Recorder's Office and return a copy of the recorded instrument to the Economic and Community Development Department.

Recommended Findings for Approval of the Variance of Development Standard:

1. *The approval will not be injurious to the public health, safety, morals, and general welfare of the community:*

Finding: It is unlikely that approving the requested variance would be injurious to the public health, safety, morals, and general welfare of the community as the property complies with all other standards of the Unified Development Ordinance (UDO).

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:*

Finding: It is unlikely the use and value of adjacent property will be affected in a substantially adverse manner. The proposed variance should not have a negative impact on surrounding properties because the Property will have a new residential home built on it and will increase the surrounding property values.

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

Finding: Strict adherence to the zoning ordinance would result in the new residential home not being built on the property due to existing site conditions.

Denial: If the Board is inclined to deny either of the requested variances, then the Department recommends denying the variance, and then tabling the adoption of findings until the Board's next meeting with direction to the Department to prepare the findings consistent with the public hearing evidence and Board discussion.



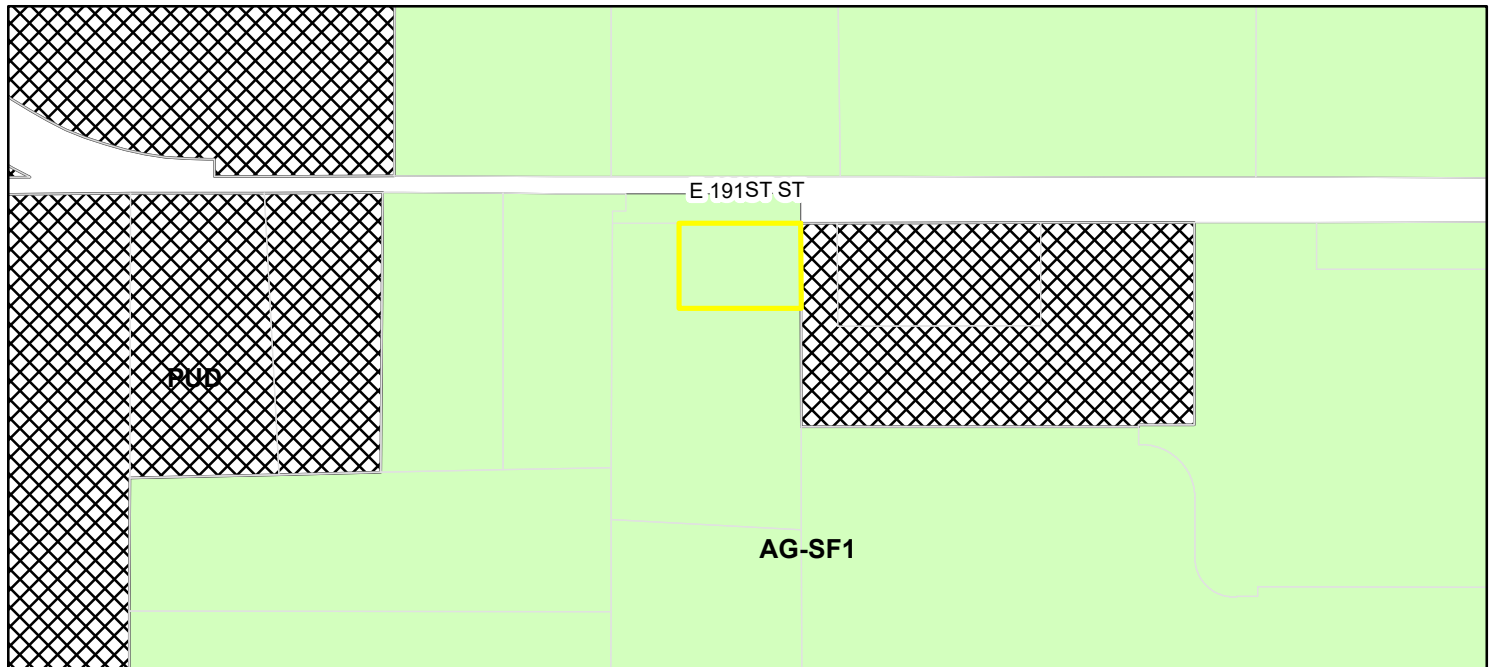
Property Location Map
355 E 191st Street
Variance of Development Standard
1912-VS-25



Aerial Location Map



Zoning Map



Parcel Zoning

Zoning - All AG-SF1 (Agriculture - Single Family - 1)

 PUD (Planned Unit Development)



STOEPPELWERTH

ALWAYS ON

7965 East 106th Street, Fishers, IN 46038-2505
phone: 317.849.5935 fax: 317.849.5942

JOB ID 88819 OFFSL928

CONTROL# 88819 SIL

PARCEL
#08-05-26-00-00-009.002 &
#08-05-26-00-00-009.001

207 E. 191ST STREET
WESTFIELD, IN 46074

1" = 80'

LOT AREA: 43,560 Sq. Ft.

LEGEND:

XX.X PROPOSED GRADE PER PLAN
XXX.XX AS BUILT GRADE SHOTS

- S.S.D. SUB-SURFACE DRAIN
SANITARY SEWER
STORM SEWER
W WATER MAIN
W 3/4" WATER CONNECTION
SWALE
CONTOUR (SCALED FROM HAMILTON CO GIS)
CONTOUR (SCALED FROM HAMILTON CO GIS)
SANITARY MANHOLE
STORM MANHOLE
CURB INLET
FIRE HYDRANT
WATER VALVE
D.&U.E. DRAINAGE & UTILITY EASEMENT
D.E. DRAINAGE EASEMENT
B.L. BUILDING LINE

LOT 1
CRAIG WOOD ESTATES

INST. #2019036989

P.C. #5, Slide #1007

ZONING: AG-SF1

100' MINIMUM FRONT YARD
(EXPRESSWAYS/ARTERIALS)

80' MINIMUM FRONT YARD
(ALL OTHER STREETS)

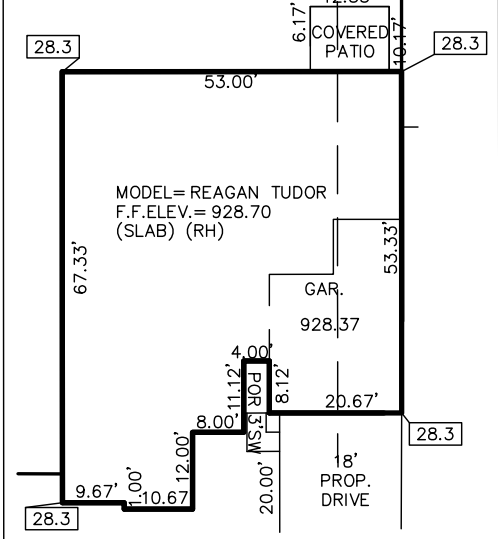
30' MINIMUM SIDE YARD

30' MINIMUM REAR YARD

SOD: N/A ± Sq. Ft.
SEEDING: 39,872 ± Sq. Ft.
CONC. DRIVEWAY: 848 ± Sq. Ft.
PRIVATE WALK: 24 ± Sq. Ft.
PUBLIC WALK: N/A ± Sq. Ft.
SLAB & GAR.: 3,113 ± Sq. Ft.

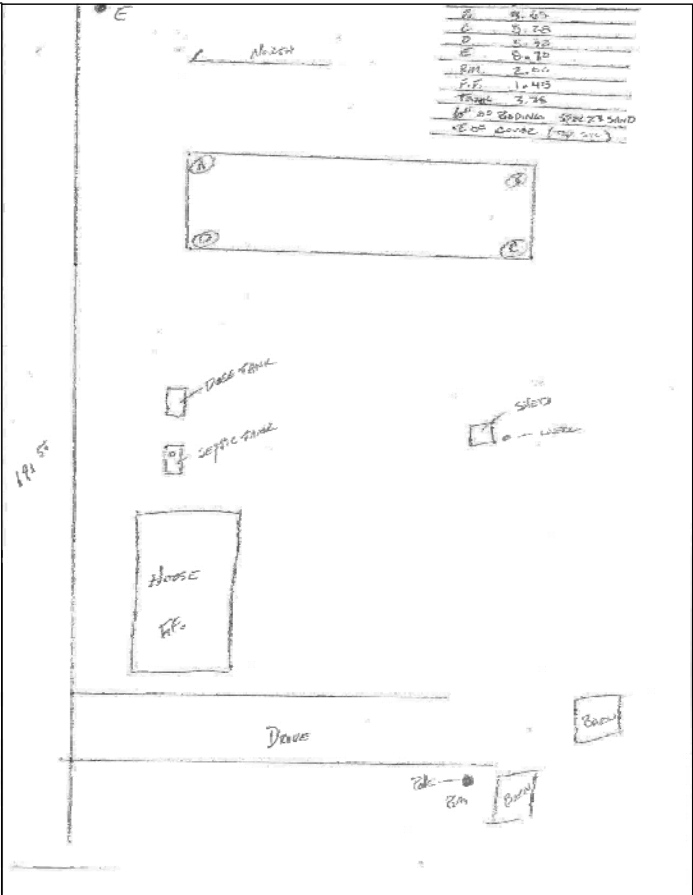
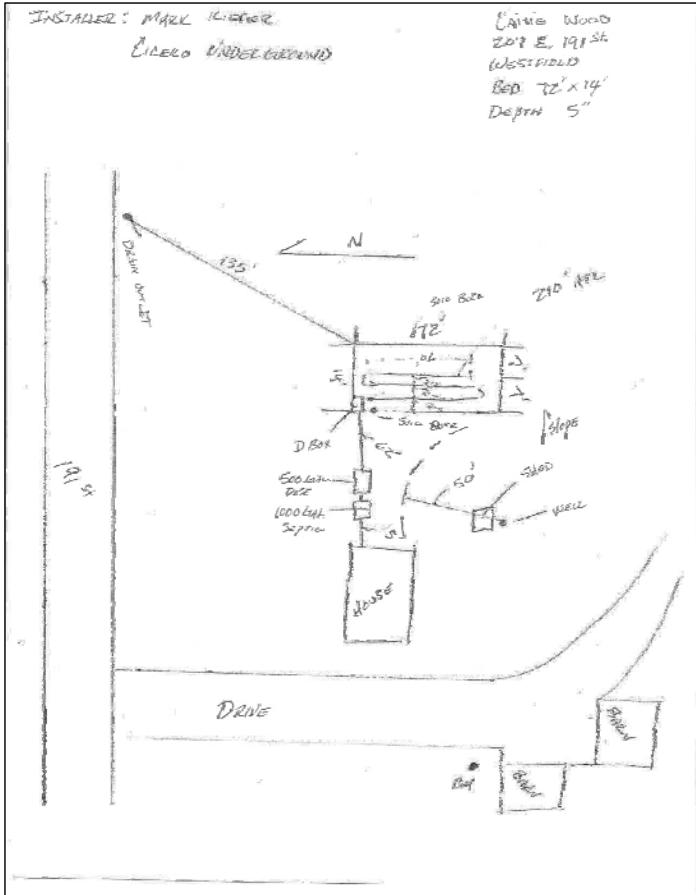
HOUSE DETAIL

SCALE= 1"=30'



SEPTIC DETAILS, PAGE 1

SEPTIC DETAILS, PAGE 2



David J. Stoepfelwerth

NOTE: THIS DRAWING IS NOT
INTENDED TO BE REPRESENTED
AS A RETRACEMENT OR
ORIGINAL BOUNDARY SURVEY, A
ROUTE SURVEY OR A SURVEYOR
LOCATION REPORT.

5TH REV MOVE HSE TO PL
11/19/19 HRC
4TH REV CORR ADDRESS
10/31/19 HRC
3RD REV RMV GRT ROOM EXT
10/6/19 HRC
2ND REV ADD SEPTIC DETAILS
09/29/19 HRC
1ST REV MOVE HSE TO LOT 1
09/24/19 HRC
09/10/19 JCS



WESTFIELD-WASHINGTON TOWNSHIP APPLICATION FORM
VARIANCE APPLICATION

OFFICE
USE ONLY

DOCKET #: 1912-VS-25

FILING DATE: _____

FILING FEE: \$ _____ FEE PLUS \$ _____ PER ADDITIONAL VARIANCE (@ _____) = \$ _____

PRE-FILING CONFERENCE

PRE-FILING CONFERENCE WITH: Caleb Ernest (STAFF NAME) DATE: _____

PRIOR OR RELATED DOCKET NUMBERS

CHANGE OF ZONING: _____ AMENDMENTS: _____ DEVELOPMENT PLAN: _____
PRIMARY PLAT: _____ SECONDARY PLAT: _____ VARIANCE(S): 1905-VS-09

APPLICANT INFORMATION

APPLICANT'S NAME: Caitlin O'Dougherty TELEPHONE: 317.532.7427

ADDRESS: 167 E. 191st St. Westfield, IN 46074 EMAIL: caitieray@gmail.com

PROPERTY OWNER'S NAME: same TELEPHONE: _____

ADDRESS: _____ EMAIL: _____

REPRESENTATIVE'S NAME: _____ TELEPHONE: _____

COMPANY: _____ EMAIL: _____

ADDRESS: _____

PROPERTY AND PROJECT INFORMATION

ADDRESS OR PROPERTY LOCATION: 207 E. 191st St. Westfield, IN 46074

COUNTY PARCEL ID #(S): 08-05-26-00-00-009.001

EXISTING ZONING DISTRICT(S): AG-SF1 EXISTING LAND USE(S): ag

VARIANCE REQUEST

☐ VARIANCE OF LAND USE CODE CITATION: _____

☒ VARIANCE OF DEVELOPMENT STANDARD(S) CODE CITATION: _____

FINDINGS OF FACT: (PLEASE SEE ATTACHED)

STATEMENT OF INTENT (EXPLANATION OF REQUEST - ATTACH SEPARATE SHEET IF NECESSARY): I am requesting the setback from the western property line be reduced from 30' to 0' in order to allow the house to be placed at the most advantageous location with regard to the grade & fall of the land, the existing structure on the property, the tree line, and the requirements for the septic field.

WESTFIELD-WASHINGTON TOWNSHIP APPLICATION FORM
FINDINGS OF FACT (VARIANCE OF DEVELOPMENT STANDARD)

APPLICANT: Caitlin O'Dougherty

DOCKET #: _____

In taking action on a variance request, the Board of Zoning Appeals uses the following decision criteria to approve or deny a variance, as established by Indiana Code, and the Board may impose reasonable conditions as part of its approval. The applicant must address the criteria below (if multiple variances of development standard are being requested, then this sheet should be completed separately for each requested variance). A variance of land use may be approved by the Board of Zoning Appeals only upon a determination that the Board finds all of the following to be true:

- A. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because: _____
The entirety of this project, including the requested change, sits within the confines of our family's farmstead. It shouldn't make any difference whatsoever to the community.

- B. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because: It won't be affected at all, and the surrounding property remains within the family regardless.

- C. The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property because: _____
It would require the house to be reset in a disadvantageous location, would require the removal of an entire tree line, and would require the relocation of the proposed septic field.

WESTFIELD-WASHINGTON TOWNSHIP APPLICATION FORM

APPLICANT AFFIDAVIT

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath says that above information is true and correct as he/she is informed and believes and that Applicant owns or controls the property involved in this application.

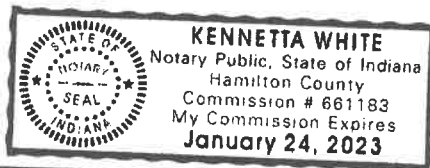
Caitlin Dougherty
Applicant/Representative (signature)

Caitlin P Dougherty
Applicant/Representative (printed)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the above party, who having been duly sworn acknowledged the execution of the foregoing Application.

Witness my hand and Notarial Seal this 20 day of November, 2019.

State of IN, County of Hamilton ss:



Kennetta White
Notary Public Signature
Kennetta White
Notary Public (printed)

PROPERTY OWNER AFFIDAVIT

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath says they are the owners of the property involved in this application and that they hereby acknowledge and consent to the foregoing Application.

Caitlin Dougherty
Property Owner (signature)*

Caitlin P Dougherty
Property Owner (printed)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the Property Owner, who having been duly sworn acknowledged and consents to the execution of the foregoing Application.

Witness my hand and Notarial Seal this 20 day of November, 2019.

State of IN, County of Hamilton ss:



Kennetta White
Notary Public Signature
Kennetta White
Notary Public (printed)

*A signature from each party having interest in the property involved in this application is required. If the Property Owner's signature cannot be obtained on the application, then a notarized statement by each Property Owner acknowledging and consenting to the filing of this application is required with the application.