



CITY OF WESTFIELD, IN
Board of Zoning Appeals Meeting Agenda

BOARD OR COMMISSION: Board of Zoning Appeals Meeting
MEETING DATE: Tuesday, October 14, 2025 at 7:00 PM
MEETING PLACE: Westfield City Hall - Assembly Room

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

Mark Keen, Chairman | Advisory Plan Commission Appointed | 2-year term | 1/6/25-1/4/27
William Bunkowfst, Vice Chairman | Mayoral Appointed | 4-year term | 1/1/24-1/3/28
Jeff Boller, Pro-Tempore | Mayoral Appointed | 4-year term | 1/4/22-1/5/26
Larry Clarino | Mayoral Appointed | 4-year term | 1/5/21-1/6/25
Jacob Plummer | Council Appointed | 4-year term | 1/3/23-1/4/27

Public input can be submitted in 1 of 2 ways:

- Submit comments via email to planners@westfield.in.gov (Include petition number in the subject line.)
- Attend the meeting at Westfield City Hall for an opportunity to participate and publicly comment on a public hearing.

OPENING OF REGULAR MEETING

Note the presence of a quorum

Approval of Minutes - September 9, 2025

Approval of 2026 BZA Meeting Dates

Review Rules of Procedure

ITEMS OF BUSINESS

2510-VS-14

Birch Street Variance

Zachary Rosenberg

The Petitioner requests a Variance of Development Standard to modify the Minimum Front Yard Building Setback from eighty (80) feet to thirty (30) feet and the Minimum Side Yard Building Setback(s) from thirty (30) feet to twelve (12) feet on 1.30 acres +/- in the SF-2: Single-Family Low-Density District (Articles 4.5(E)(1)(b) and 4.5(E)(2)(b)).

(Planner: Daine Crabtree – dcrabtree@westfield.in.gov)

2510-VS-15

3802 E. 196th Street

Kelly Foster by Old Town Design Group

The Petitioner requests a Variance of Development Standard to permit an Accessory Building in the Established Front Yard on 18.45 acres +/- in the AG-SF1: Agriculture/Single-Family Rural District (Article 6.1(D)(2)(a)).

(Planner: Daine Crabtree – dcrabtree@westfield.in.gov)

2510-VS-16

4411 W. 176th Street

Joseph and Rose Garrett

The Petitioner requests Variances of Development Standard to permit an Accessory Building in the Established Front Yard that would bring the cumulative square footage of Accessory Buildings on the Property to be greater than the Principal Building, on 3.58 acres +/- in the AG-SF1: Agriculture/Single-Family Rural District (Article 6.1(B)(2) and 6.1(D)(2)(a)).

(Planner: Ryan Collingwood – rcollingwood@westfield.in.gov)

REPORTS/COMMENTS

Plan Commission Liaison

Community Development Department

ADJOURNMENT

Adjourn



OPENING OF REGULAR MEETING

7:00PM

YouTube Time: 0:00

Note the presence of a quorum

BZA Members Present In-Person: Jake Plummer, Larry Clarino, Mark Keen, Billy Bunkowfst.

BZA Members Present Virtually: None.

BZA Members Absent: Jeff Boller.

City Staff Present In-Person: Daine Crabtree, Current Planning Manager.

City Staff Present Virtually: None.

Legal Counsel Present In-Person: Nicole Buskill, City of Westfield.

Approval of Minutes - August 12, 2025

Motion: Approve 7/8/2025 Meeting Minutes

By: Jake Plummer

Seconded: Larry Clarino

Yes: William Bunkowfst, Jake Plummer, Larry Clarino, Mark Keen

No: None

Abstain: None

Motion Determination: Passed

Review Rules of Procedure

Crabtree reviewed the rules and procedures.

ITEMS OF BUSINESS

2509-VS-12

19714 Chatham Shore Lane

David Weekly Homes

The Petitioner requests a Variance of Development Standard to encroach eight (8) feet into the 30-foot Minimum Rear Yard setback to accommodate a new single-family detached residence on 0.26 acres +/- in the Chatham Hills Planned Unit Development (PUD) District.

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

YouTube Time: 2:41

Staff presentation / BZA comments / Staff responses.

Public Hearing for 2509-VS-12 opened at 7:04 p.m.

-No public comments.

Public Hearing for 2509-VS-12 closed at 7:05 p.m.

BZA comments / Petitioner responses.

Motion: Approve

By: William Bunkowfst

Seconded: Jake Plummer

Yes: William Bunkowfst, Jake Plummer, Larry Clarino, Mark Keen

No: None

Abstain: None

Motion Determination: Passed

Motion: Adopt Staff's Findings of Fact

By: Jake Plummer

Seconded: Larry Clarino

Yes: William Bunkowfst, Jake Plummer, Larry Clarino, Mark Keen

No: None

Abstain: None

Motion Determination: Passed

2509-VS-13

15793 Oak Park Lane

Jared Houser by Homes by CM Watson

The Petitioner requests a Variance of Development Standard to encroach eleven (11) feet into the twenty (20) foot Minimum Side Yard setback to construct a detached Accessory Structure on 0.98 acres +/- in the SF1: Single-Family Large Lot District(Article 4.4(E)(2)).

(Planner: Ryan Collingwood – rcollingwood@westfield.in.gov

Presented by: Daine Crabtree – dcrabtree@westfield.in.gov

[YouTube Time: 13:46](#)

Staff presentation / BZA comments / Staff responses.

Public Hearing for 2509-VS-13 opened at 7:22 p.m.

-No public comments.

Public Hearing for 2509-VS-13 closed at 7:23 p.m.

BZA comments / Petitioner responses.

Motion: Approve

By: William Bunkowfst

Seconded: Larry Clarino

Yes: William Bunkowfst, Jake Plummer, Larry Clarino, Mark Keen

No: None

Abstain: None

Motion Determination: Passed

Motion: Adopt Staff's Findings of Fact

By: Jake Plummer

Seconded: William Bunkowfst

Yes: William Bunkowfst, Jake Plummer, Larry Clarino, Mark Keen

No: None

Abstain: None

Motion Determination: Passed

REPORTS/COMMENTS

[YouTube Time: 24:53](#)

Plan Commission Liaison

Community Development Department

ADJOURNMENT

Adjourn

Motion: Adjourn

By: Jake Plummer

Seconded: William Bunkowfst

Yes: William Bunkowfst, Jake Plummer, Larry Clarino, Mark Keen
No: None
Abstain: None

Motion Determination: Passed



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS
 2026 SCHEDULE OF MEETINGS AND FILING DATES

MEETING MONTH	FILING DEADLINE	TECHNICAL ADVISORY COMMITTEE MEETING	PUBLIC NOTICE DEADLINE	BOARD OF ZONING APPEALS MEETING
	Friday Noon	Tuesday 9:00 AM	Friday	Tuesday 7:00 PM
JANUARY	12/12/25	12/16/25	01/02/26	01/13/26
FEBRUARY	01/09/26	01/20/26	01/30/26	02/10/26
MARCH	02/13/26	02/17/26	02/27/26	03/10/26
APRIL	03/13/26	03/17/26	04/03/26	04/14/26
MAY	04/10/26	04/21/26	05/01/26	05/12/26
JUNE	05/08/26	05/19/26	05/29/26	06/09/26
JULY	06/12/26	06/16/26	07/02/26	07/14/26
AUGUST	07/10/26	07/21/26	07/31/26	08/11/26
SEPTEMBER	08/14/26	08/18/26	08/28/26	09/08/26
OCTOBER	09/11/26	09/15/26	10/02/26	10/13/26
NOVEMBER	10/09/26	10/20/26	10/30/26	11/10/26
DECEMBER	11/13/26	11/17/26	11/25/26	12/08/26
JANUARY	12/11/26	12/15/26	12/30/26	01/12/27

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 Community Development Department at 317.804.3170 at least one week in advance of your targeted filing to arrange this pre-filing conference.

If you have additional materials to submit prior to the public hearing, please be in communication with the project planner for information about when those materials are due.



Petition Number: 2510-VS-14

Subject Site Address: Generally located immediately north of 801 Birch Street (the "Property")

Petitioner: Zachary Rosenberg (the "Petitioner")

Request: The Petitioner requests Variances of Development Standard to modify the Minimum Front Yard Building Setback from eighty (80) feet to thirty (30) feet and the Minimum Side Yard Building Setback(s) from thirty (30) feet to twelve (12) feet on 1.30 acres +/- in the SF-2: Single-Family Low-Density District (Article 4.5(E)(1)(b) and 4.5(E)(2)(b))

Current Zoning: SF-2: Single-Family Low Density

Current Land Use: Vacant

Approximate Acreage: 1.30 acres +/-

Exhibits:

1. Staff Report
2. Location Map

Staff Reviewer: Daine Crabtree, Current Planning Manager

PROPERTY INFORMATION & BACKGROUND

The subject Property is approximately 1.30 acres in size and generally located immediately north of 801 Birch Street, as seen in the Location Map (**Exhibit 2**); The Property does not currently have an address tied to it as it was never a part of a residential subdivision. The Property's zoning classification is the SF-2: Single-Family Low-Density District.

REQUEST FOR VARIANCE

Because the Property was never a part of a residential subdivision, the development standards that would apply to the Property are not the "Subdivision Lot" standards of the SF-2 district, but rather the "All Other Lots" standards. Because of this, as it exists today, the applicable Minimum Front Yard Building Setback is not 30 feet, it is 80 feet. The applicable Minimum Side Yard Building Setback is not 12 feet, but 30 feet.

The Petitioner is requesting Variances of Development Standard to modify the Minimum Front Yard Building Setback and Side Yard Building Setback(s) to the "Subdivision Lot" standards for SF-2 zoning.



For context, the adjacent Hillcrest neighborhood to the west and the Willow Creek neighborhood to the east are both zoned SF-4: Single-Family High Density which require 25-foot Minimum Front Yard Building setbacks and 8-foot Minimum Side Yard setbacks.

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 October 14, 2025, 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 UDO 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 benefitted by 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.

Acknowledgment of the Variance: If the Board of Zoning Appeals approves this petition, then the UDO requires the approval of the variance shall be memorialized in an acknowledgment of variance instrument prepared by Department. The acknowledgment 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 the 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 acknowledgment 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

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

If the Board is inclined to approve 2510-VS-14, The Department recommends the following findings and conditions:

Recommended Conditions:

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

Recommended Findings for Variance of Development Standards (2510-VS-14):

- 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 because the proposed use and improvements will otherwise comply with the applicable standards of the SF-2 District.

- 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 adjacent surrounding properties because the use of the Property as the property will remain residential in nature.

- 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 Petitioner, or any other future landowner, being required to comply with setback standards that are out of character

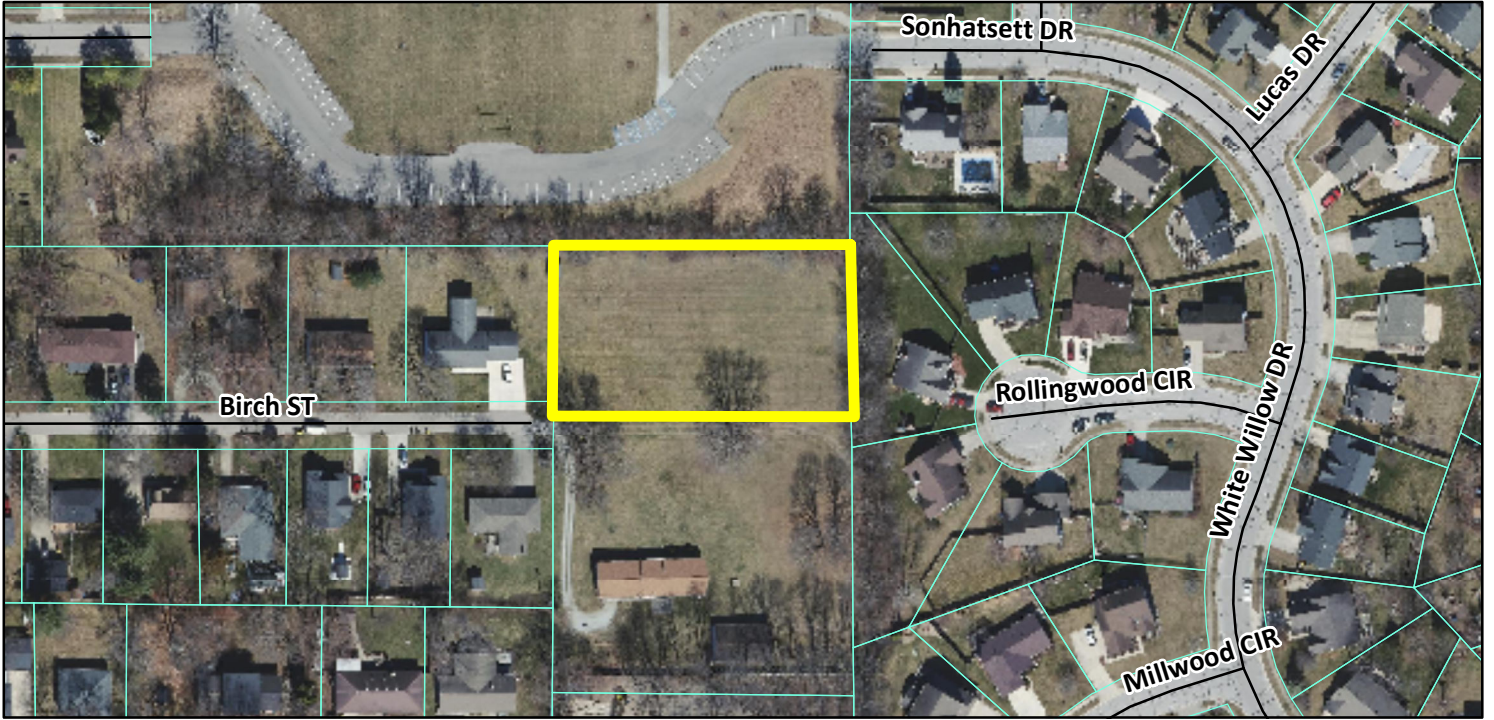


with surrounding, previously developed neighborhoods - which in multiple cases are more restrictive than the standards for which the Petitioner is seeking.

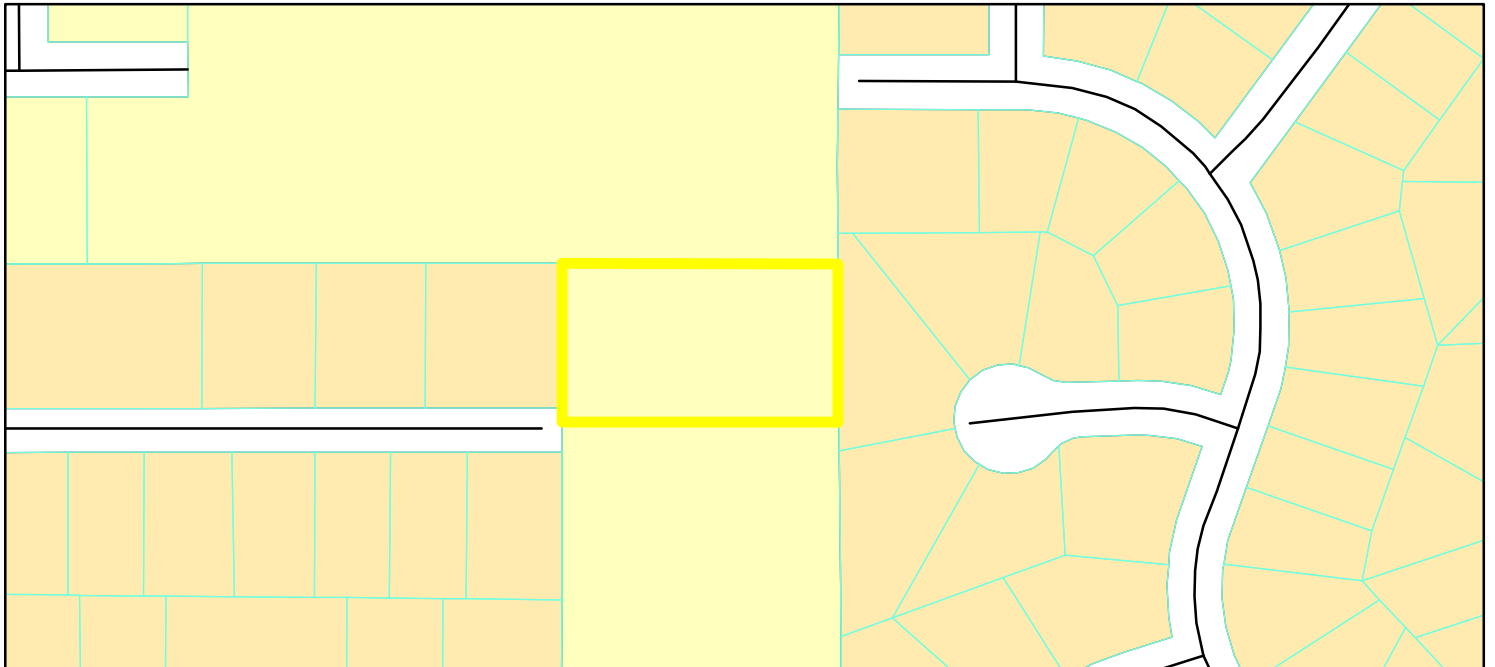
Denial: If the Board is inclined to reject or deny the Variance of Development Standard, then the Department recommends denying the Variances of Development Standard, and then tabling the adoption of findings until the Board's next meeting with direction to the Department to prepare the findings pursuant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

Aerial Location Map

 Site



Zoning Map



GIS.DBO.PW_Streets
Parcel
Zoning - All

Zoning
SF-2 (Single Family - 2)
SF-4 (Single Family - 4)

0 0.025 0.05
Miles





Petition Number: 2510-VS-15

Subject Site Address: 3802 E. 196th Street (the “Property”)

Petitioner: Kelly Foster (the “Petitioner”)

Request: The Petitioner requests a Variance of Development Standard to permit an Accessory Building in the Established Front Yard on 18.45 acres +/- in the AG-SF1: Agriculture/Single-Family Rural District (Article 6.1(D)(2)(a)).

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

Current Land Use: Residential

Approximate Acreage: 18.45 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Site Plan
4. Exterior Elevations

Staff Reviewer: Daine Crabtree, Current Planning Manager

PROPERTY INFORMATION & BACKGROUND

The subject Property is approximately 18.45 acres in size and generally located at 3802 E. 196th Street as seen in the Location Map (**Exhibit 2**). The Property’s zoning classification is the AG-SF1: Agricultural / Single-family Rural District.

REQUEST FOR VARIANCE

The Petitioner is proposing an Accessory Building to be located in the Front Yard of the Property (see **Exhibit 3**). The property is very deep with a long driveway; a significant forested area exists behind the home. As seen on the Location Map, while there is a grassy open area immediately behind the home, this is where the septic field is located. A structure cannot be placed in this area.

To require the Accessory Building to locate behind the home would result in the loss of a substantial amount of healthy, mature trees – an area designated as a classified forest. Even if placed in front of the home as proposed, the proposed building would be located in excess of 1,000 feet from the 196th Street right of way.



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 October 14, 2025, 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 UDO 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 benefitted by 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.

Acknowledgment of the Variance: If the Board of Zoning Appeals approves this petition, then the UDO requires the approval of the variance shall be memorialized in an acknowledgment of variance instrument prepared by Department. The acknowledgment 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 the 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 acknowledgment 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
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

If the Board is inclined to approve 2510-VS-15, The Department recommends the following findings and conditions:

Recommended Conditions:

- That the Property develop in substantial compliance with the Site Plan & Exterior Elevations (**Exhibits 3 & 4**), and
- That the Petitioner record an acknowledgement of this approval with the Hamilton County Recorder's Office and return a copy of the recorded instrument to the Community Development Department.

Recommended Findings for Variance of Development Standards (2510-VS-15):

- 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 because the proposed use and improvements will otherwise comply with the applicable standards of the AG-SF1 District.

- 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 adjacent surrounding properties because the use of the Property as a residence is not changing

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

Finding: The Property is heavily wooded and oddly shaped. The area behind the home that is void of trees is where the septic field exists. To place the accessory building of this size behind the home would result in the loss of a significant number of healthy, mature trees which are classified as a designated forest – potentially adversely affecting such designation.



WESTFIELD-WASHINGTON
BOARD OF ZONING APPEALS

October 14, 2025

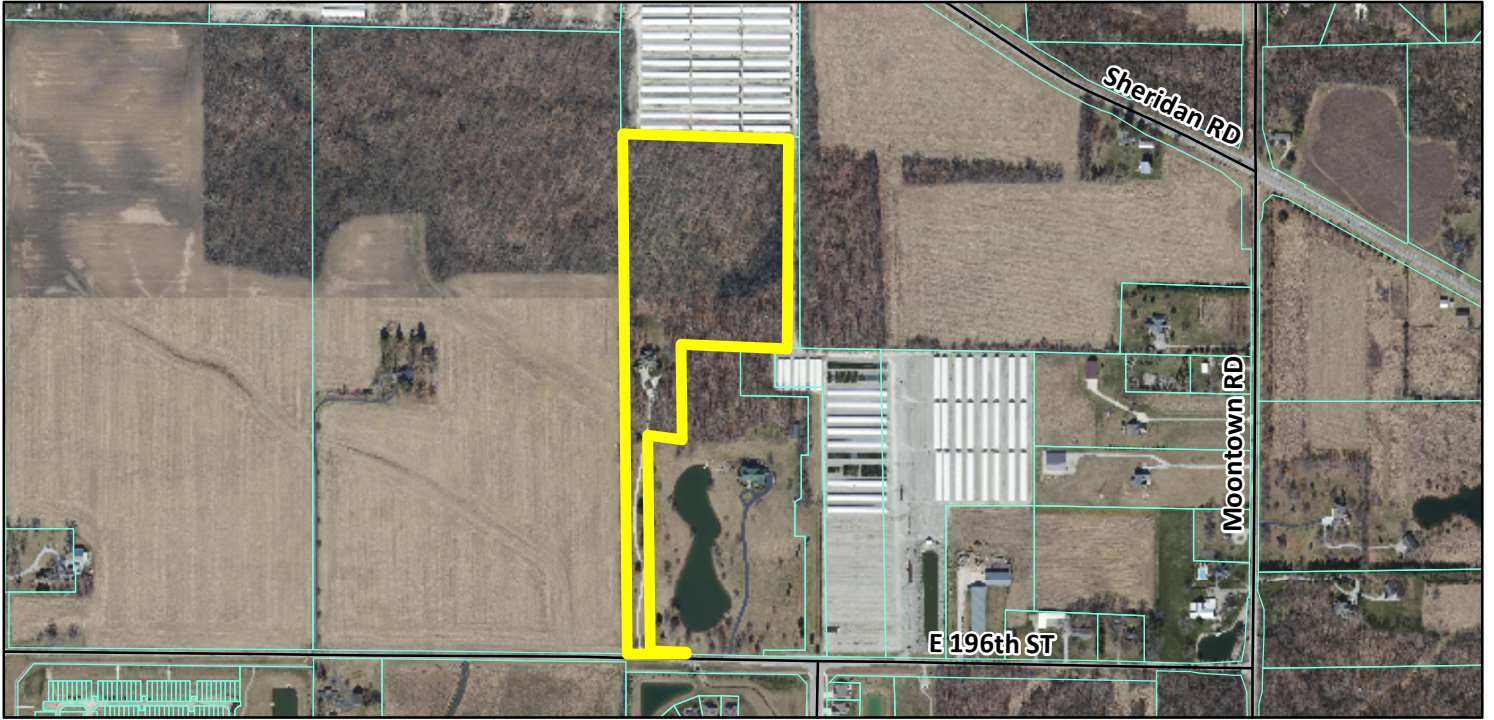
2510-VS-15

Exhibit 1

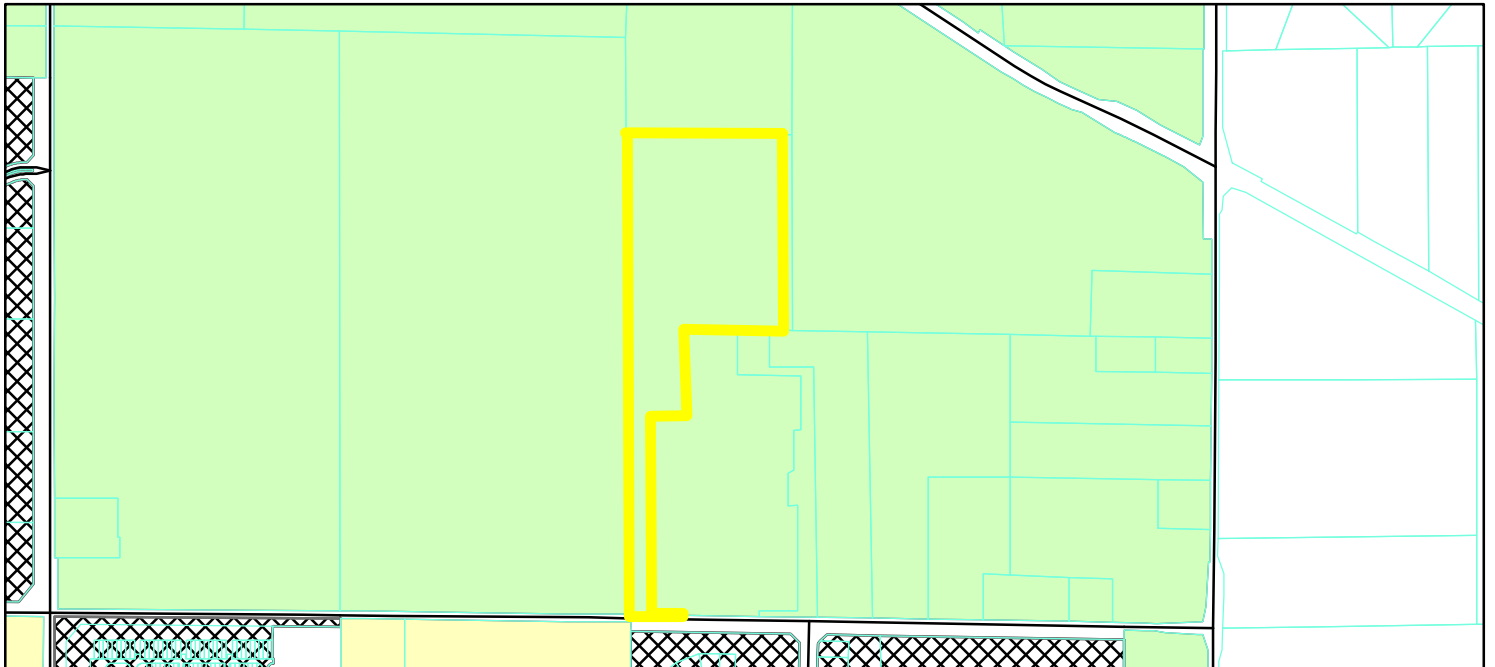
Denial: If the Board is inclined to reject or deny the Variance of Development Standard, then the Department recommends denying the Variances of Development Standard, and then tabling the adoption of findings until the Board's next meeting with direction to the Department to prepare the findings pursuant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






Aerial Location Map

 Site




Zoning Map

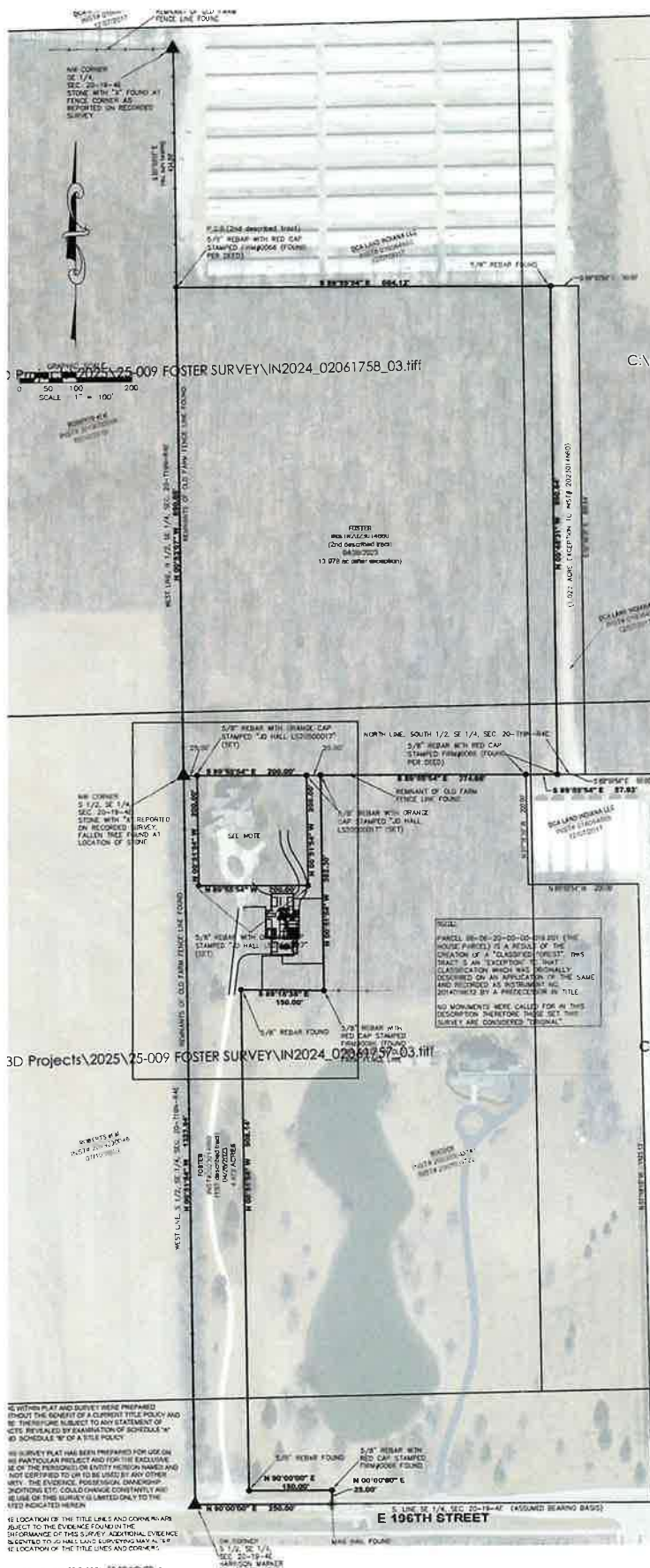


 GIS.DBO.PW_Streets
 Parcel
Zoning - All
 AG-SF1 (Agriculture - Single Family - 1)
 PUD (Planned Unit Development)
 SF-2 (Single Family - 2)

0 0.125 0.25 Miles




PART OF THE SE 1/4, SECTION 20, TOWNSHIP 19 NORTH,
RANGE 4 EAST, WASHINGTON TOWNSHIP,
HAMILTON COUNTY, INDIANA
PARCEL NO: 08-06-20-00-00-019.201
08-06-20-00-00-019.001



LAND DESCRIPTION (INSTR 2025-01400)

A part of the South half of the Southeast Quarter of Section 20, Township 19 North, Range 4 East of the Second Precinct Meridian in Washington Township, Hamilton County, Indiana described as follows:

Beginning at the Southeast corner of said half quarter marked by a

SURVEYOR'S REPORT THEORY OF LOCATION

In accordance with Title 865, Article 1, Chapter 12 of the Indiana Administrative Code (Title 12), the following observations and opinions are submitted regarding the various uncertainties in the location of the lines and corners established by this survey as a result of uncertainties in reference monumentation in regard to monumentation and plans, in lines of observation, and as a result of random errors in measurement (Indiana Professional Accuracy). There may be uncertainties associated with these 4 uncertainties. The client should ensure there is an amount of uncertainty which any the result in magnitude to the discrepancy in the location of the lines of possession from the surveyed lines.

There may be differences of field dimensions versus measured dimensions along the boundary lines known 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 Professional Accuracy stated below and less than the uncertainty identified for the reference monumentation (described below), the differences may be considered insignificant and are noted only for purposes of mathematical closure. Such differences that are greater than the Relative Professional Accuracy may be noted only for purposes of mathematical closure. Such differences that are greater than the Relative Professional Accuracy may be noted only for purposes of mathematical closure.

The survey and record are based in part upon opinions formed in accordance with an Indiana Land Surveyor's responsibility to conduct a survey in accordance with Title 865, Article 1, Chapter 12, Rules of the Indiana State Board of Registration for Land Surveyors. Since Indiana has no statutes addressing how to resolve boundary lines, a location 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. As a survey monument set or found the survey are found with existing grade unless otherwise noted.

The boundary of the subject tract was retraced from existing survey monumentation found per the Hamilton County Section Corner Reestablishment Project. These monuments were found and fixed. Additional record monuments were found along the various lines of the subject tract and located, described and fixed in red iron pins (see survey record book for locations). The survey reference monuments listed above were used in resolving these record monuments.

A recorded survey of a portion of the SE 1/4 of SECTION 20, TOWNSHIP 19 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA (INSTR 20080007437) is shown.

The lines and corners of the subject tract were retraced per the description which called for adjacent parts and bearings. The various lines of the subject tract are located, described and fixed in red iron pins (see survey record book for locations). The survey reference monuments listed above were used in resolving these record monuments.

In accordance with the Indiana Survey Standards as defined in Title 865, Article 1, Rule 12 of the Indiana Administrative Code, the following observations and opinions are submitted with reference to the uncertainties in the locations of the lines and corners established by this survey as a result of:

- 1) Variance caused by the availability and condition of record monuments.
- 2) The existing deeds and state of record.
- 3) The occupation or possession lines (fences, etc.) as related to the surveyed lines.

4) The Relative Professional Accuracy of measurement.

- 1) Subsurface and environmental conditions were not examined or considered as a part of this survey. No statement is made concerning the existence of overhead or underground structures or facilities that may affect the use or development of the tract.
- 2) No attempt was made as part of this survey to obtain or show data concerning elevation, soil, depth, condition, quality, location of any utility, public sewer facility, or other service lines to the property.
- 3) No excavations were made during the course of this survey to locate underground utilities or structures. Before drilling or construction is begun, locations should be obtained from the appropriate agencies.
- 4) This survey does not represent a search by a Surveyor and was prepared without the benefit of a title commitment abstract of title, or a search prepared by a title insurance company. There may be easements, mortgages or rights-in-way of record on this property that are not shown on the subject survey. Therefore, this survey and any attached legal descriptions are subject to all easements, mortgages, and rights-in-way of record.
- 5) Every document of record reviewed and considered as a part of this survey is noted hereon. The plat and survey were prepared based upon a review of the public records to determine the best deed or record for the subject and to determine the best deed or record for the subject and to determine the best deed or record for the subject.

6) Since the date of this survey conditions may have occurred that are beyond the knowledge or skills of the undersigned surveyor and may have affected the validity and accuracies shown or noted hereon.

FLOOD STATEMENT

By graphic showing only, this property is located in Zone X (Area of Minimal Flooding) of the Flood Insurance Rate Map Community Panel No. 1802701290, which bears a Flood Hazard Risk Rating of 1.00.

LAND SURVEYOR'S CERTIFICATE

The undersigned, a Registered Land Surveyor of the State of Indiana, does hereby certify that the attached plat and above legal description were prepared under his direct supervision, and to the best of his knowledge and belief was executed in accordance with the requirements of the Indiana Survey Standards as defined in Title 865, Article 1, Rule 12 of the Indiana Administrative Code.

CERTIFIED BY: *James D. Hall* DATE: 08/23/2025
JAMES D. HALL, LS220001

I certify, under the penalties for perjury, that I have neither been nor am I subject to any suspension or revocation of my license as a Registered Land Surveyor in the State of Indiana.

Prepared by: JAMES D. HALL

TITLE HOLDER: RICHARD GERALD FOSTER AND KELLI MARCHEBOLD FOSTER

AUDIT NUMBER: 08-06-20-00-00-019.201 & 08-06-20-00-00-019.001



3D Projects\2025\25-009 FOSTER SURVEY IN2024_02061758_03.tif

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3D Projects\2025\25-009 FOSTER SURVEY IN2024_02061758_03.tif

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SURVEY CONTROL INFORMATION

- Horizontal coordinates are based on NAD83 Indiana State Plane East Zone and were established by RIR GPS observations utilizing the INOINCORS network.
- The survey and coordinates are in U.S. Survey feet.
- JD HALL LAND SURVEYING established the control.

JD HALL LAND SURVEYING
A VETERAN OWNED SMALL BUSINESS

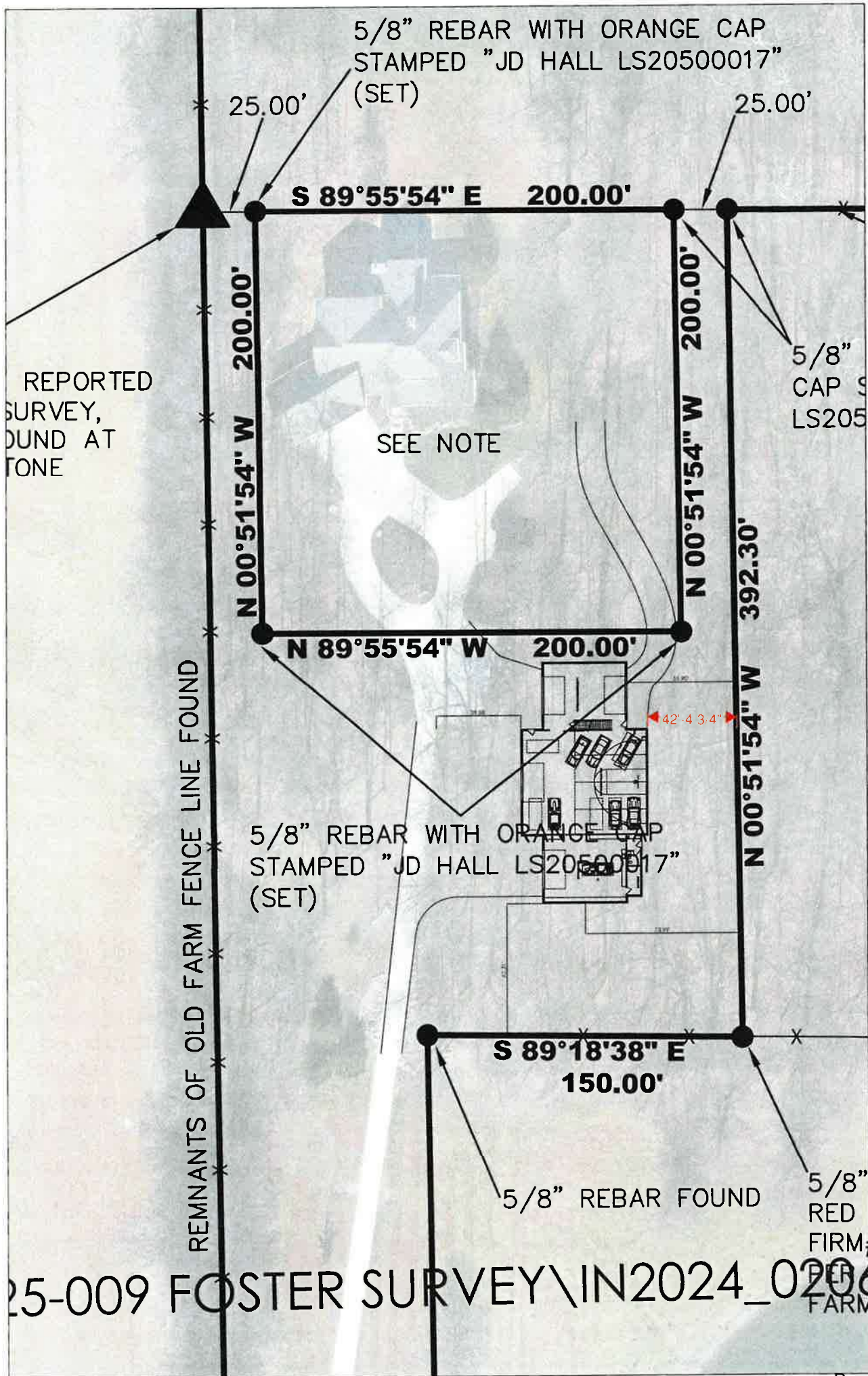
OFFICE: 863 D. ONE CORNER, SHENANDOAH, IN 46068
PHONE: 317.462.1111

OWNER: DAVID JOHN
CARRIER: JOHN
DATE: 08/23/2025

PART OF THE SE QUARTER OF SECTION 20, TOWNSHIP 19 NORTH, RANGE 4 EAST

EMAIL: ALANDSURVEYOR@YAHOO.COM







FRONT ELEVATION



LEFT ELEVATION

THE FOSTER RESIDENCE

5143 SF



SCALE: 1/8" = 1'-0" PRINTED ON 18" x 24" PAPER

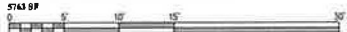


REAR ELEVATION



RIGHT ELEVATION

THE FOSTER RESIDENCE



SCALE: 1/8" = 1'-0" PRINTED ON 18" x 24" PAPER



Petition Number: 2510-VS-16

Subject Site Address: 4411 W. 176th Street (the “Property”)

Petitioner: Joesph & Rose Garrett

Request: The Petitioner requests approval of multiple Variance of Development Standards including the removal of the SR 32 Overlay regulations, location of the structure in the Established Front Yard, and subordination regulations of the proposed structure compared to the cumulative square footage of existing structures on the Property to accommodate a new detached Accessory Structure for personal storage on 3.58 acres +/- in the AG-SF1: Agricultural / Single-family Rural District.
UDO Articles 5.3, 6.1(B)(2), & 6.1(D)(2)(a)

Current Zoning: AG-SF1: Agricultural / Single-family Rural District

Current Land Use: Residential

Approximate Acreage: 3.58 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Site Plan
4. Architectural Elevations

Staff Reviewer: Ryan Collingwood, Senior Associate Planner

PROPERTY INFORMATION & BACKGROUND

The subject Property is approximately 3.58 acres in size and generally located at 4411 W. 171st Street, as seen in the Location Map (**Exhibit 2**). The Property’s zoning classification is the AG-SF1: Agricultural / Single-family Rural District.

REQUEST FOR VARIANCE

The Petitioner intends to construct a detached accessory structure on the Property for personal storage purposes. In order to legally construct the structure & develop the property to the Petitioner’s request, a few Variances of Development Standard are required to be sought:

- **UDO Article 5.3: State Highway 32 Overlay District**
 - *This Property is located within the boundaries of the SR 32 Overlay District. There are a multitude of regulations within the Overlay District that would conflict with the proposed improvement of the Property, such as architectural standards, access control standards, and trail corridor requirements.*

- **UDO Article 6.1(B)(2): General Standards of Accessory Buildings, Subordination**
 - **Accessory Buildings shall be subordinate in height, width, length and bulk to the Principal Building on the same Lot.**
 - *The proposed structure would cause an increase in the square footage of accessory structures on the Property today that would ultimately be more than the square footage of the home on site.*

- **UDO Article 6.1(D)(2)(a): Building Location of Accessory Structures, Front Yard**
 - **No Accessory Building may be erected in the Established Front Yard of a Principal Building.**
 - *Due to the proposed location of the structure in relation to the home on-site, the building must be placed in the Front Yard due to spacing restraints in the rear of the Property.*

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 October 14, 2025, 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 UDO 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 benefitted by 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.

Acknowledgment of the Variance: If the Board of Zoning Appeals approves this petition, then the UDO requires the approval of the variance shall be memorialized in an acknowledgment of variance instrument prepared by Department. The acknowledgment 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 the 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 acknowledgment 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
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

If the Board is inclined to approve 2510-VS-16, The Department recommends the following findings and conditions:

Recommended Conditions:

- That the Accessory Structure be utilized for personal storage only,
- That the detached structure develops in substantial compliance with the Site Plan and Architectural Elevations (**Exhibit 3 & 4**), and
- That the Petitioner record an acknowledgement of this approval with the Hamilton County Recorder's Office and return a copy of the recorded instrument to the Community Development Department.



Recommended Findings for Variance of Development Standards (2510-VS-16):

- 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 because the proposed use and improvements will otherwise comply with the applicable standards of the AG-SF1: Agricultural / Single-family Rural District.

- 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 adjacent surrounding properties because the use of the Property as a residence is not changing.

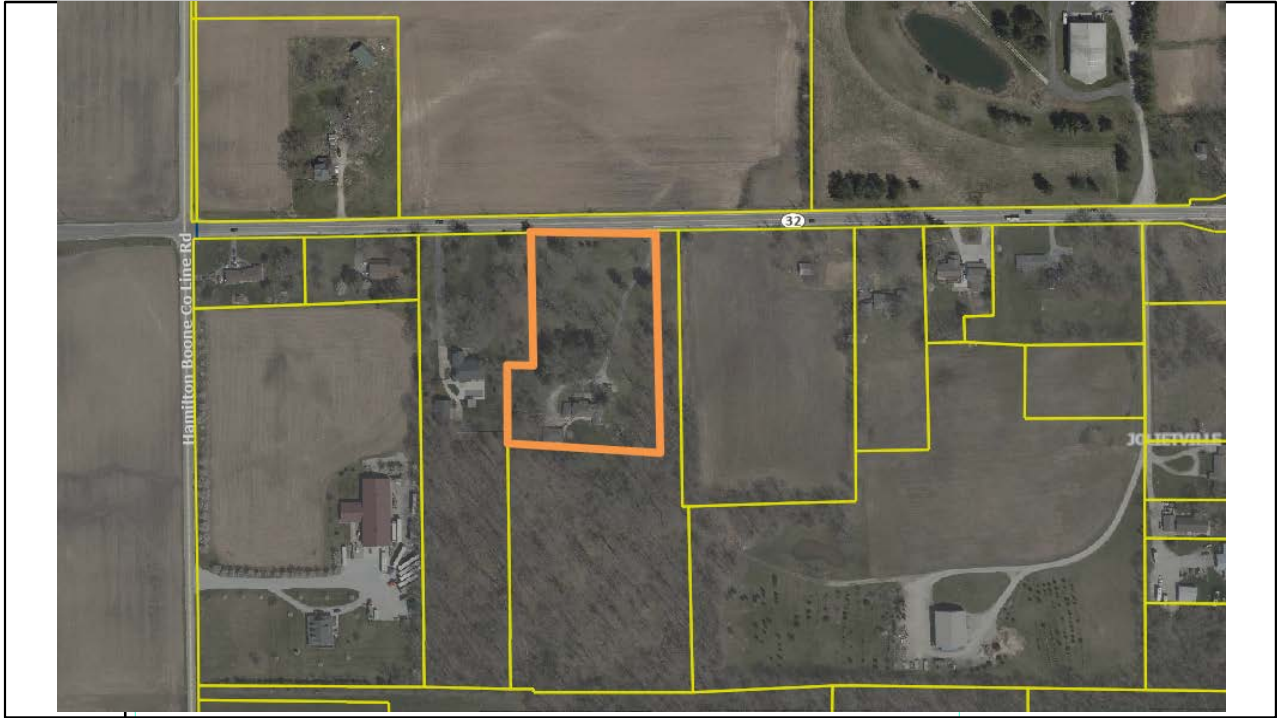
- 3) ***The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property.***

Finding: Strict adherence to the zoning ordinance would result in the Petitioner not being permitted to improve the site as intended and construct the building in the proposed location. Outdoor storage may be prevalent if no storage structure is permissible.

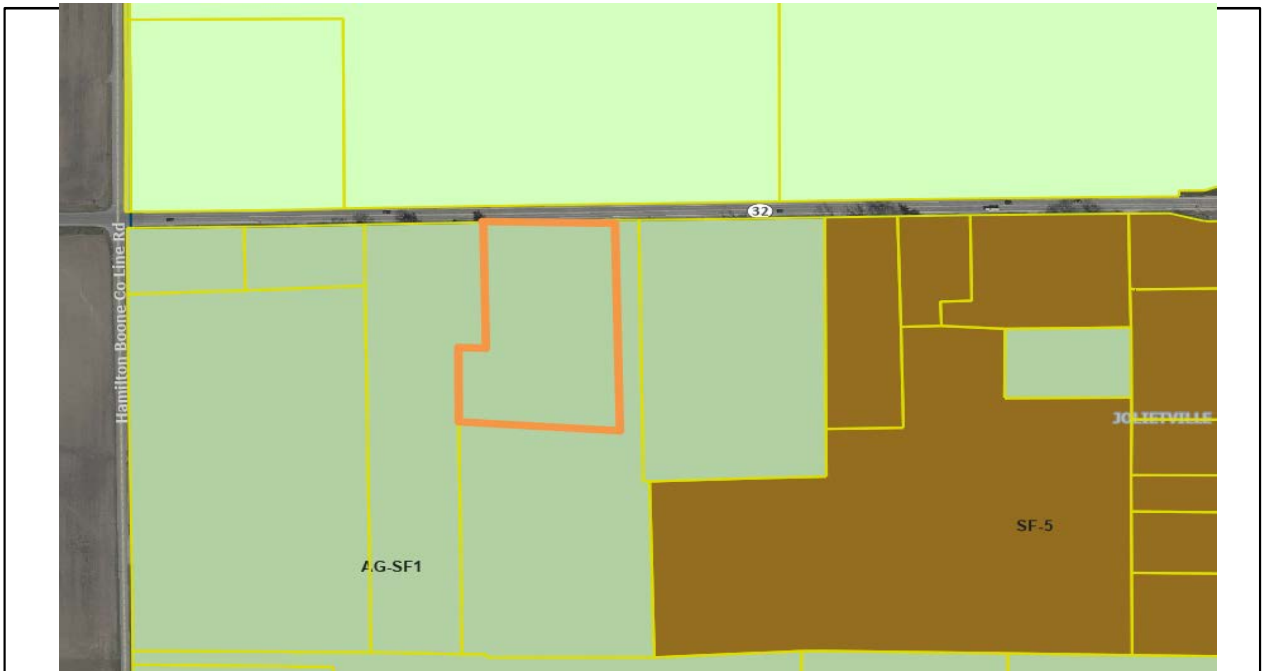
Denial: If the Board is inclined to reject or deny the Variance of Development Standard, then the Department recommends denying the Variances of Development Standard, and then tabling the adoption of findings until the Board's next meeting with direction to the Department to prepare the findings pursuant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



Aerial Location Map


 Site



Zoning Map

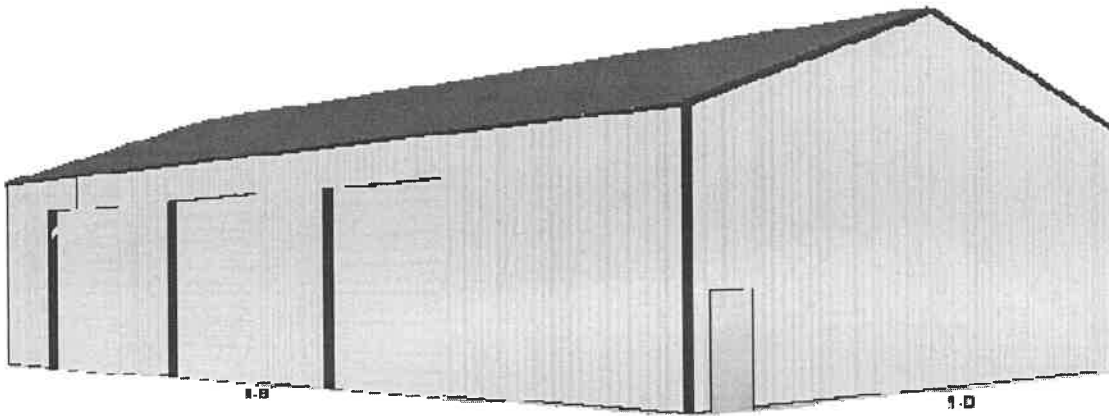
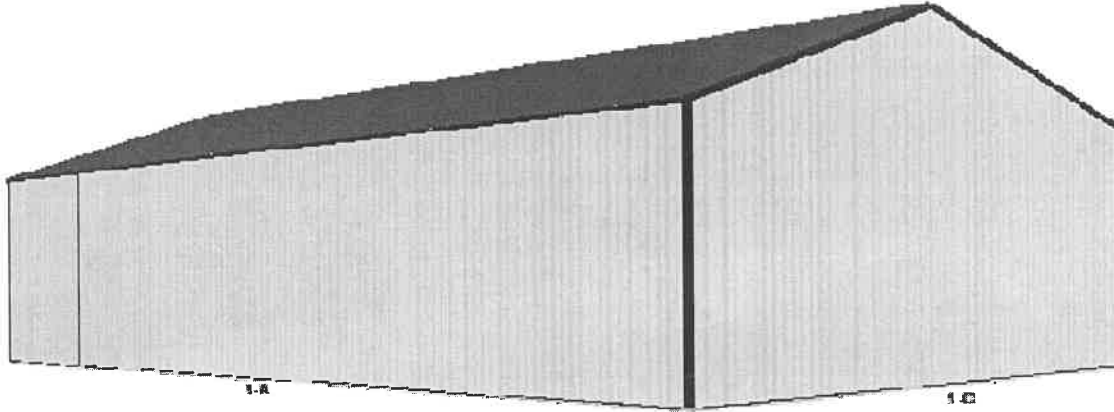


-  AG-SF1: Agricultural / Single Family Rural District
-  SF-5: Single Family High Density District (Villages)

0 0.0275 0.055
 Miles



Elevation Views



Date: 09/05/2025 - 4:28 PM
 Design Name: Post Frame Design
 Design ID: 308351081588

Estimated price: \$32,348.66*

*Today's estimated price, future pricing may go up or down. Tax, labor, and delivery not included.

How to recall and purchase a saved design at home



OR

1. On Menards.com, enter "Design & Buy" in the search bar
2. Select the Buildings Designer
3. Recall your design by entering Design ID: 308351081588
4. Follow the on-screen purchasing instructions

How to purchase at the store

1. Enter Design ID: 308351081588 at the Design-It Center Kiosk in the Building Materials Department
2. Follow the on-screen purchasing instructions.

FLOOR PLAN

