



CITY OF WESTFIELD, IN
BoardofZoningAppeals_Meeting_Agenda_08_13_2019

Tuesday, August 13, 2019 at 07:00 PM

BOARD OR COMMISSION: Board of Zoning Appeals (BZA)

MEETING DATE: Tuesday, August 13, 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 - June 11, 2019

Documents: [BZA Minutes - June 11, 2019](#)

Review Rules & Procedures

ITEMS OF BUSINESS:

1908-VU-05 [PUBLIC HEARING]

547 N. East Street

Valerie Watson

The petitioner is requesting a Variance of Use to permit a craft retreat house on 0.57 acres +/- in the SF3: Single Family Medium Density District (Article 13.2).

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

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Current Site Conditions](#) | [Exhibit 4: Proposed Signage](#) | [Exhibit 5: Application](#)

1908-VS-13 [PUBLIC HEARING]

14610 N. Meridian Street/14610 Greyhound Plaza

Best Buy by Joe Nolasco

The petitioner is requesting a Variance of Standard to increase the permitted In-Line Tenant Sign Area (Article 6.17 (J)(5)(c)) in the GB: General Business District.

(Planner: Jonathan Dorsey - JDorsey@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Sign Concept Elevations](#) | [Exhibit 4: Application](#)

1908-VS-14 & 1908-VS-15 [PUBLIC HEARING]

16802 Southpark Drive

JJK Investments, LLC by Keeler-Webb Associates

The petitioner is requesting Variances of Development Standard to reduce the Minimum Lot Width from one-half (0.5) the depth of the Lot to 0.365 the of depth of the Lot, reduce the Minimum Aggregate Gross Floor Area from 15,000 square feet to 9,600 square feet, and increase the Maximum Lot Coverage from thirty-five percent (35%) to seventy percent (70%) in the EI: Enclosed Industrial District and the US Highway 31 Overlay District (Articles 5.2(E)(7), (8), & (9)(a)); and to modify a commitment of a previously approved Variance of Development Standard (99-V-36) to reduce the Minimum Lot Size from 1.32 acres to 1.030 acres.

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

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Letter of Grant \(99-V-36\)](#) | [Exhibit 4: Proposed Site Plan](#) | [Exhibit 5: Proposed Elevations](#) | [Exhibit 6: Variance Summary \(99-V-36\)](#) | [Exhibit 7: Letter from Neighbor \(99-V-36\)](#) | [Exhibit 8: Variances 0104-VS-41 - 0104-VS-46](#)

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
Minutes of the June 11, 2019 BZA Meeting
Presented for approval: July 9, 2019

The Westfield-Washington Township Board of Zoning Appeals met at 7:00 p.m.
on Tuesday, June 11, 2019 at Westfield City Hall.

Members Present: Jeannine Fortier, Martin Raines, and Dave Schmitz.

Members Absent: Ken Kingshill and Robert Smith.

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

APPROVAL OF MINUTES

Fortier motioned to approve the May 14, 2019 meeting minutes as written.

Raines seconded. Motion passed. Vote 3-0

REVIEW RULES AND PROCEDURES

Howard reviewed BZA rules and procedures.

1906-VS-10

[PUBLIC HEARING]

3911 East 191st Street

Jeff Roudebush by FBI Buildings, Inc.

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

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

Ernest overviewed this request to reduce the Side Yard Setback from 30 feet to 10 feet to accommodate construction of a detached garage.

Public Hearing for 1906-VS-10 opened at 7:03 p.m.

No public comments.

Public Hearing for 1906-VS-10 closed at 7:04 p.m.

Schmitz asked the Petitioner, Jeff Roudebush, if the existing mini barns will remain?

Roudebush replied that one may be removed.

Ernest noted that removal of the mini barns was not a condition of the approval of this request.

Raines motioned to approve 1906-VS-10.

Fortier seconded. Motion passed. Vote 3-0.

Raines motioned to adopt Staff's Findings of Fact for 1906-VS-10.

Schmitz seconded. Motion passed. Vote 3-0.

1906-VS-11
[PUBLIC HEARING]

17455 Tiller Court

SPG Properties 1, LLC by William Tres Development

The petitioner is requesting Variances of Development Standard to permit a non-masonry dumpster enclosure without a gate or man door within the Established Front Yard in the EI: Enclosed Industrial District and State Highway 32 Overlay District (Articles 5.3(H), 5.3(J)(2)(l), 5.3(L)(3)(c), and 6.1(H)(2-6)).
(Planner: Pam Howard - PHoward@westfield.in.gov)

Howard overviewed this request for variances to permit a dumpster in the established front yard; permit the enclosure to be a non-masonry material; and permit an enclosure without gates or a man door.

Jesse Pohlman, on behalf of the petitioner summarized the three areas that present the need of the variances. He spoke about the location, the materials and the gate and openings.

Public Hearing for 1906-VS-11 opened at 7:13 p.m.

No public comments.

Public Hearing for 1906-VS-11 opened at 7:14 p.m.

Schmitz asked about Austrian Pine PUD, and the proposed Midland Trail in that area

Howard replied that the trail would be located on the south side of 175th Street within that project.

Schmitz asked about previous dumpster enclosure standards, was there a change to these standards in recent years, and if that was after construction of this building?

Pohlman responded that when the UDO was adopted, the masonry requirement was expanded to all zoning districts. He stated that the change was made after this building was constructed. The building was constructed in 1999.

Howard confirmed that the UDO was adopted in 2014.

Schmitz asked if the fence enclosure is consistent with other enclosures in the area.

Howard replied that she was not sure about that business park, but that there are similar dumpsters elsewhere in the community,

Fortier asked if other existing enclosure would be removed.

Pohlman responded that no, it could be used for smaller debris.

Fortier asked about the established front yard label.

Pohlman explained the UDO's definition of established front yard and said that the label is there to reflect that.

Schmitz asked if the existing enclosure is too small to accommodate the proposed debris.

Pohlman responded it is too small.

Raines asked if the existing enclosure is flip-up lid and asked about the type, size, and number of proposed new dumpsters.

Pohlman responded yes to the question about the existing enclosure. He and Lindley said that the proposed new enclosure would house three 30-yard roll off dumpsters, which would be rotated out.

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

Raines asked if they are going to put a concrete pad down.

Pohlman responded yes.

Fortier motioned to approve 1906-VS-11 with the following staff condition.

- The Dumpster Enclosure shall be built as described in the Statement of Intent and as shown on the Proposed Dumpster Enclosure Exhibit attached to the Staff Report.

Raines seconded. Motion passed. Vote 3-0.

Raines motioned to adopt Staff's Findings of Fact for 1906-VS-11.

Schmitz seconded. Motion passed. Vote 3-0.

1906-VS-12
[PUBLIC HEARING]

2602 Caden Court

Greg and Amanda Lyons by C-Ray Pools

The petitioner is requesting a Variance of Development Standard reduce the Minimum Rear Yard Setback from 30 feet to 19 feet in the Oak Manor PUD District (Article 2.5 and Exhibit 11 of Ord. 03-37).

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

Howard overviewed this request for a variance to reduce the minimum rear yard setback to accommodate an in-ground pool.

Public Hearing for 1906-VS-12 opened at 7:21 p.m.

No public comments.

Public Hearing for 1906-VS-12 opened at 7:22 p.m.

Schmitz asked the petitioner if the placement of pool on the lot was to avoid woods.

Chris Ray, the petitioner, responded the he met with Wes Rood with Westfield Public Works Storm Water Department regarding the location of the pool. The placement of the pool was originally designed to be parallel to the residence; however, Rood asked for the angle to match the easement to allow for access to the sanitary manhole.

Fortier motioned to approve 1906-VS-12 with the following staff conditions.

- The in-ground pool be constructed at the location shown on the Site Plan Exhibit.
- Encroachment approval from the Westfield Public Works Department be submitted prior to the issuance of an Improvement Location Permit.

Raines seconded. Motion passed. Vote 3-0.

Raines motioned to adopt Staff's Findings of Fact for 1906-VS-12.

Schmitz 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
- Economic and Community Development Department

ADJOURNMENT

Fortier motioned to adjourn the meeting.

Schmitz seconded. Motion passed. Vote 3-0.

The meeting adjourned at 7:29 p.m.

Chairperson
Dave Schmitz

Secretary
Matthew S. Skelton, Esq., AICP
Director



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

August 13, 2019
1908-VS-13
Exhibit 1

Petition Number: 1908-VS-13

Subject Site Address: 14610 Greyhound Plaza, Carmel 46032 (the "Property")

Petitioner: The Broadbent Company (the "Petitioner")

Request: The Petitioner requests a Variance of Development Standard to increase the permitted In-Line Tenant Sign Area (Article 6.17 (J)(5)(c)) in the GB: General Business District.

Current Zoning: GB: General Business
US Highway 31 Overlay District

Current Land Use: Commercial

Approximate Acreage: 6.67 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Signage Concept Plan
4. Application

Staff Reviewer: Jonathan Dorsey, Associate Planner

OVERVIEW

Location: The subject property is 6.67 acres +/- in size and located at 14610 Greyhound Plaza (see **Exhibit 2**). The Property is zoned GB: General Business District and within the US Highway 31 Overlay District. The Property currently contains the commercial tenant of Greyhound Plaza retail center. All surrounding properties are zoned GB: General Business to the North, SF2: Single-Family Low Density Residential to the West, and SB-PD: Special Business – Planned Development to the East, and the City of Carmel to the South.

Property History: On August 18, 1997 the Board of Zoning Appeals (the "BZA") approved a Variance of Development Standards (Variance of Sign Ordinance Requirement) which permitted "Signs for anchors [to] have a maximum display area of one hundred and seventy-five (175) square feet" (97-VS-35). On October 15, 2001 the BZA approved a Variance of Development Standard to amend 97-VS-35 to permit (i) a maximum aggregate of two thousand and one hundred (2,100) square feet on the east façade of the main commercial structure in Greyhound Plaza and (ii) no wall signs shall be permitted to exceed the height of the highest wall sign currently existing on the east façade of the principal commercial structure within Greyhound Plaza (0110-VS-78). In 2001, the BZA approved a Variance of Development Standard to allow up to twenty-five (25) square feet of non-lit wall signage on the south side of the structure (0108-VS-61).

Variance Request: The Petitioner is requesting this variance to allow a three hundred and thirty-six (336) square foot Wall Sign on the East Façade (Front Façade), as generally illustrated on the Signage Concept Plan Exhibit (see **Exhibit 3**).

SUMMARY OF VARIANCE

The Petitioner is requesting this variance to allow a three hundred and thirty-six (336) square foot Wall Sign¹ to be constructed on the Front Façade, as illustrated on the Signage Concept Plan Exhibit (see **Exhibit 3**).

The Property is located within the GB: General Business District. Article 6.17(J)(5)(c) Center In-Line Tenant Signage states that Sign Area shall not exceed fifty percent (50%) of the Sign Plane; however, the total permitted Sign Area Allocation per façade may be divided between all, Under Canopy, and Awning Signs. By the UDO this site is limited to install a two hundred and fifty (250) square foot sign.

The requested variance is to allow the permitted Maximum Sign Area to not exceed sixty-eight percent (68%), which would allow the construction of a three hundred and thirty-six (336) square foot Wall Sign.

COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan identifies this property within the “Regional Commercial” 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 August 13, 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 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.

¹ Article 12.1 Definitions; Sign, Wall.

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

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.

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.

DEPARTMENT COMMENTS

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

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 existing use and proposed improvements would otherwise comply with the applicable standards of the 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: (i) the proposed improvement will enhance the value of the subject property; (ii) the improvements will otherwise comply with or have neutral impact on the applicable standards; and (iii) the approval of the variance will allow for the

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

continued use and improvement of the property in a manner substantially consistent with the quality and character of the surrounding area and Comprehensive Plan.

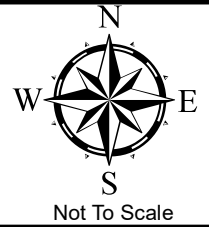
3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property.

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 commercial 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.



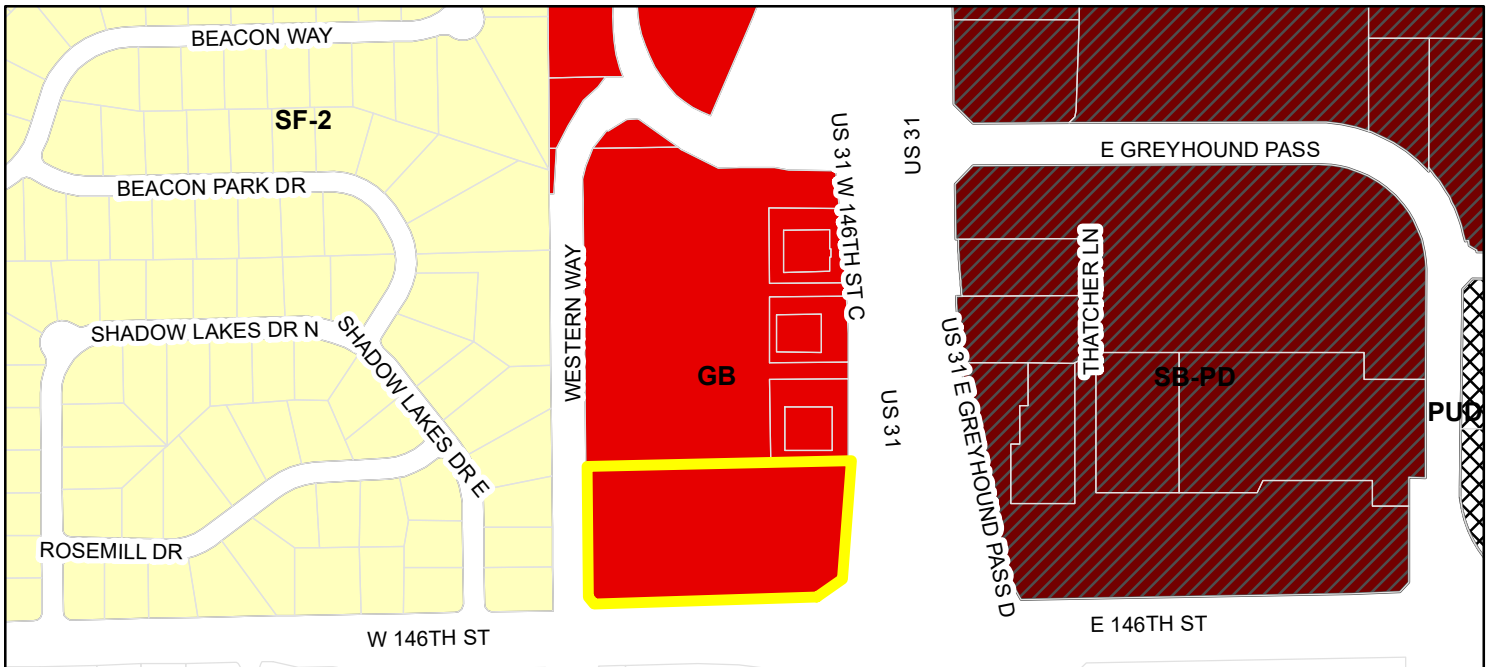
Property Location Map
Best Buy
Variance of Standard
1908-VS-13



Aerial Location Map



Zoning Map



- | | |
|-----------------------|--|
| Parcel | PUD (Planned Unit Development) |
| Zoning - All | SB-PD (Special Business - Planned Development) |
| Zoning | SF-2 (Single Family - 2) |
| GB (General Business) | |

2019



Site Recommendation Book

Best Buy 0490
14610 N. Meridian St.
Carmel IN 46032

QID# 19-45992

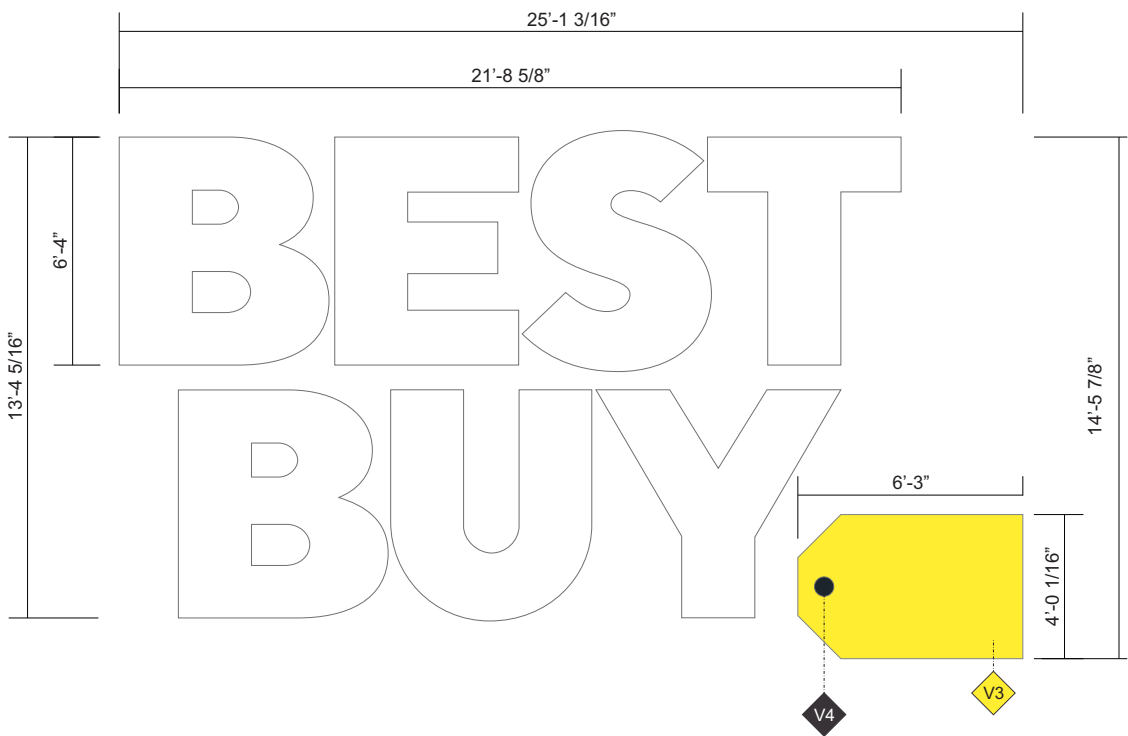
Designer:
Brian Sowder

Date:
2-26-19

ILLUMINATED CHANNEL LETTERS * SURVEY REQUIRED

BB-19-45992-1

Qty. 1



Front View

Scale: 3/16" = 1' (11x17 Paper)

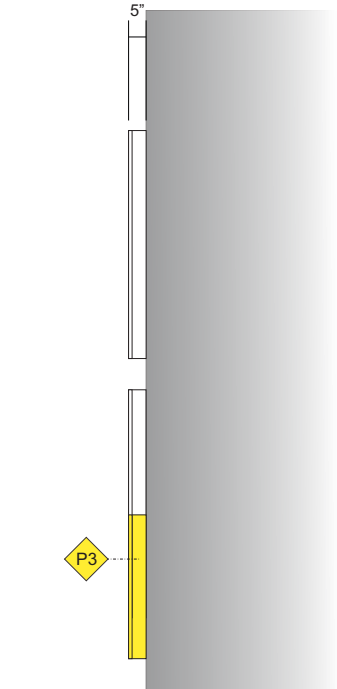
SPECIFICATIONS

BEST BUY:
Returns: Pre-Finished White Aluminum
Trim Cap: 1" Std. White
Faces: 3/16" 7328 White Acrylic
Illumination: Principle White LEDs
Backs: 3mm ACM
Power: Remote

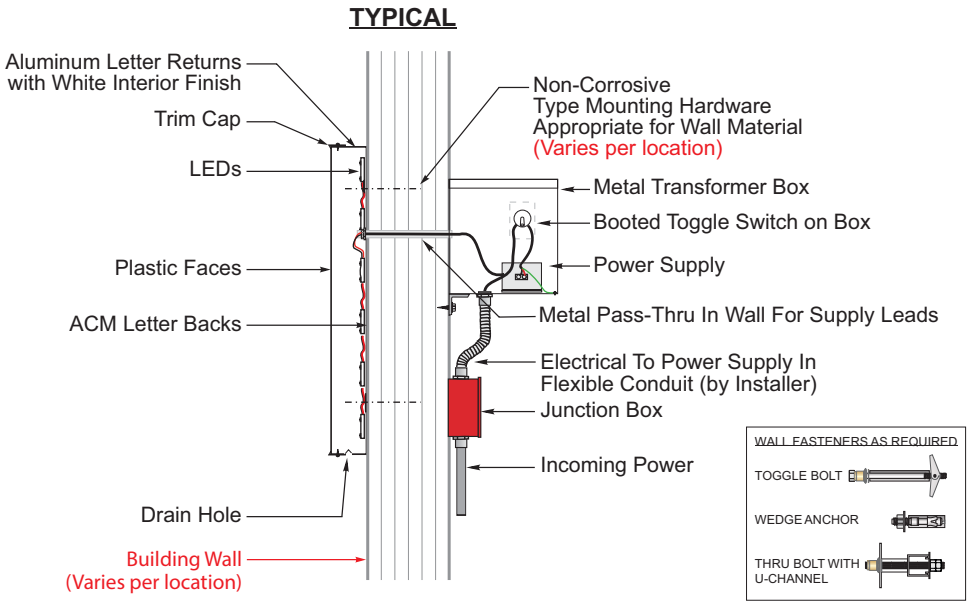
TAG:
Returns: PTM Face
Trim Cap: 1" Yellow
Faces: 3/16" 7328 White Acrylic
Vinyl: 1st Surface Applied Yellow VT Vinyl
Illumination: Principle White LEDs
Backs: 3mm ACM
Power: Remote

Notes:
- All Wiring UL Approved And Labeled

COLOR LEGEND				
	PMS/Paint	Vinyl		
	NA	NA	P1	V1
	NA	VT Vinyl	P2	V2
	NA	VT Vinyl	P3	V3
	BLACK	3M 3630-22	P4	V4



Side View



FACE LIT CHANNEL LETTER - REMOTE (EXTERIOR)



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QID 19-45992

JOB NAME

Best Buy 0490

LOCATION

14610 N. Meridian St.
Carmel IN 46032

CUSTOMER CONTACT

SALESMAN / PM

Joe Nolasco

DESIGNER

Brian Sowder

DWG. DATE

4-26-19

REV. DATE / REVISION

SCALE

FILE

2019/Best Buy/Locations/
Carmel IN/19-45992/
BB Carmel IN 19-45992

DESIGN SPECIFICATIONS ACCEPTED BY:

EST:	CLIENT:
SLS/PM:	LANDLORD:

THE INTENT OF THIS DRAWING IS TO SHOW A CONCEPTUAL REPRESENTATION OF THE PROPOSED SIGNAGE. DUE TO VARIATIONS IN PRINTING DEVICES AND SUBSTRATES, THE FINISHED PRODUCT MAY DIFFER SLIGHTLY FROM DRAWING.



ILLUMINATED CHANNEL LETTERS * SURVEY REQUIRED

BB-19-45992-2

Qty. 1



Front View

Side View

Scale: 3/8" = 1' (11x17 Paper)

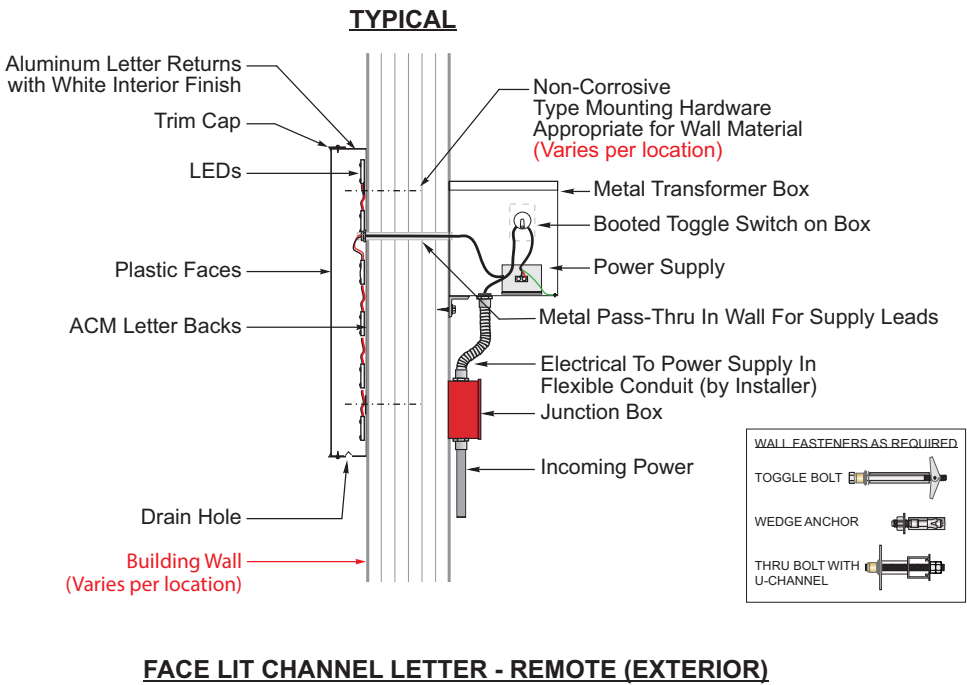
SPECIFICATIONS

BEST BUY:
Returns: Pre-Finished White Aluminum
Trim Cap: 1" Std. White
Faces: 3/16" 7328 White Acrylic
Illumination: Principle White LEDs
Backs: 3mm ACM
Power: Remote

TAG:
Returns: PTM Face
Trim Cap: 1" Yellow
Faces: 3/16" 7328 White Acrylic
Vinyl: 1st Surface Applied Yellow VT Vinyl
Illumination: Principle White LEDs
Backs: 3mm ACM
Power: Remote

Notes:
- All Wiring UL Approved And Labeled

COLOR LEGEND				
	PMS/PAINT	VINYL	P1	V1
	NA	NA	P2	V2
	NA	VT VINYL	P3	V3
	NA	VT VINYL	P4	V4
	BLACK	3M 3630-22		



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QID 19-45992
JOB NAME
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LOCATION
14610 N. Meridian St. Carmel IN 46032
CUSTOMER CONTACT
SALESMAN / PM
Joe Nolasco
DESIGNER
Brian Sowder
DWG. DATE
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REV. DATE / REVISION
SCALE
FILE
2019/Best Buy/Locations/ Carmel IN/19-45992/ BB Carmel IN 19-45992
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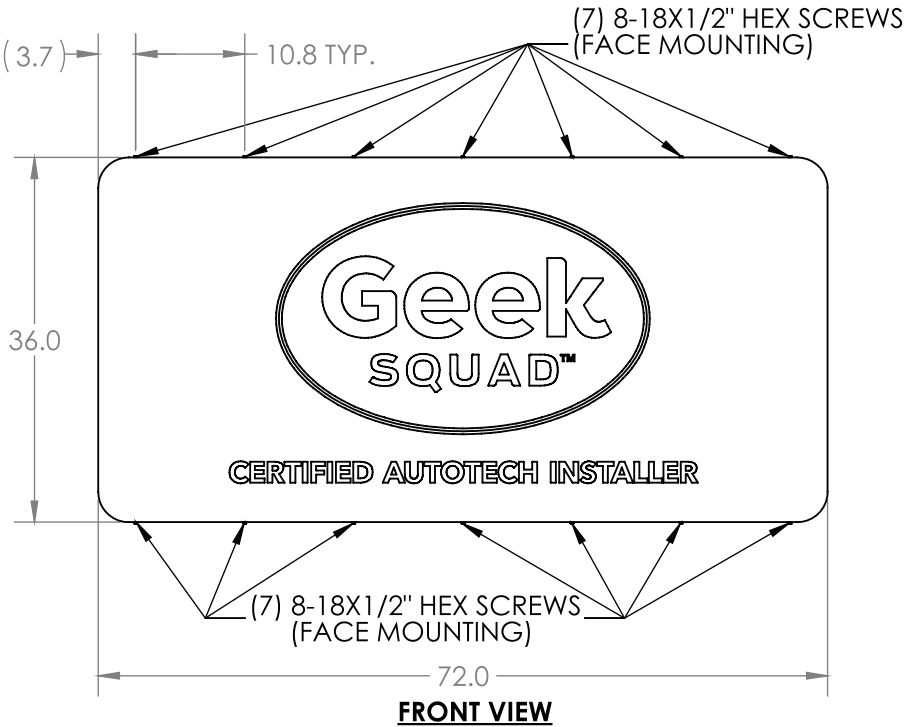
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S/F WALL SIGN * Buy out from Everbrite

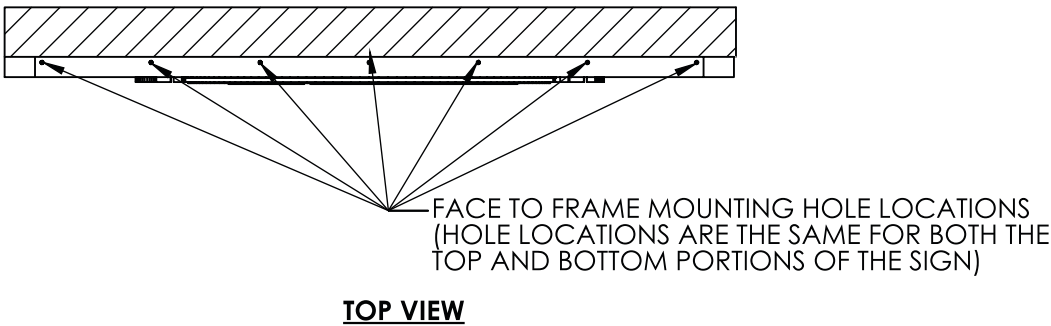
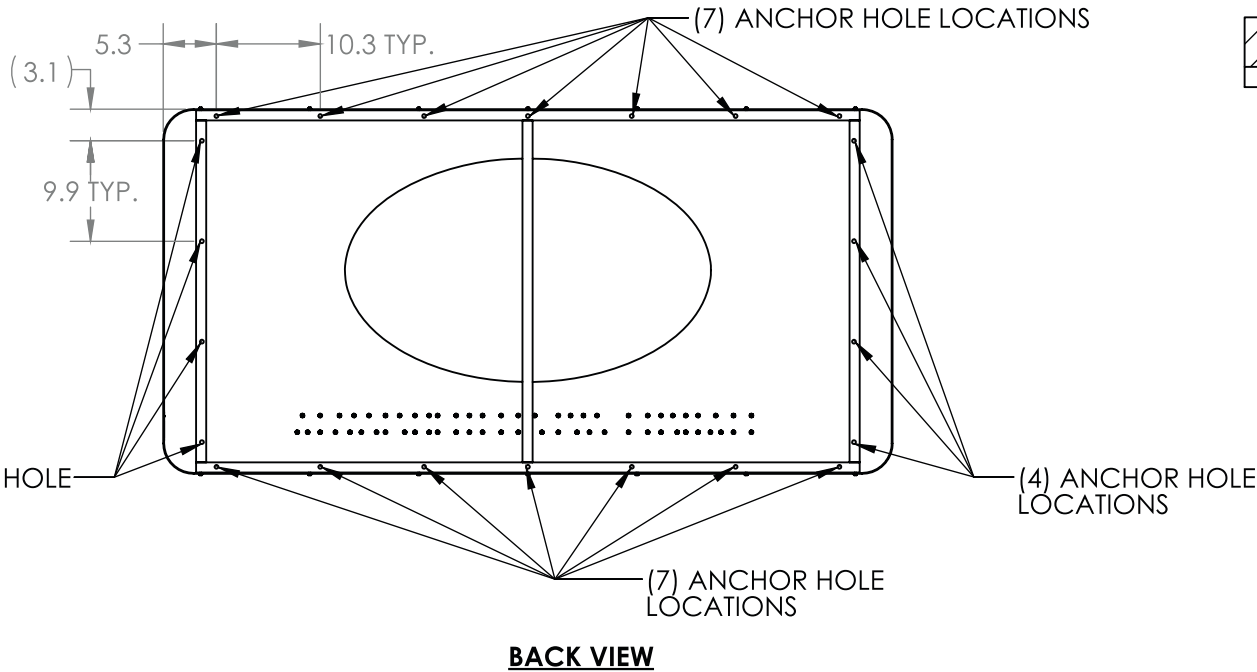
BB-19-45992-11

Qty. 1



- PARTS INCLUDED FOR INSTALLATION:**
- (22) 3/8"-16X2-1/2" LAG BOLTS
 - (22) 3/8"X2-1/2" ANCHOR SHIELDS

- MOUNTING INSTRUCTIONS:**
1. REMOVE THE (16) 8-18X1/2" HEX SCREWS FROM THE TOP AND BOTTOM OF THE SIGN FACE AND REMOVE THE METAL FRAME.
 2. LOCATE AND MARK THE WALL MOUNTING LOCATIONS ACCORDING TO THE ILLUSTRATION BELOW.
 3. USING A PROPER BIT, DRILL A 1/2" DIA. HOLE 2-1/2" DEEP INTO THE MOUNTING SURFACE WHERE EACH MOUNTING LOCATION IS MARKED.
 4. PRESS FIT (22) 3/8"X2-1/2" ANCHOR SHIELDS INTO THE DRILLED HOLES.
 5. SILICONE CAULK (NOT PROVIDED) ALL THE HOLES PREVIOUSLY DRILLED IN STEP 3.
 6. LIFT FRAME INTO PLACE AND USE THE (22) 3/8"X2-1/2" LAG BOLTS TO MOUNT FRAME INTO PLACE.
 7. SECURE FACE TO THE FRAME USING THE (16) 8-18X1/2" HEX SCREWS REMOVED PREVIOUSLY SECURING THE FRAME FIRST TO THE TOP OF THE FACE THEN TO THE BOTTOM OF FACE.
 8. ENSURE SIGN IS FLUSH WITH MOUNTING SURFACE AND IS STABLE.
 9. ENSURE SIGN IS CLEAR FROM SMUDGES AND ANY DEBRIS.



Thermo-formed .090 thick polycarbonate mounted to a 2" backing. The letters "CERTIFIED AUTOTECH INSTALLER" are Sintra and screwed from back onto face. The Geek Squad is vinyl oval. Overall thickness is 2.6"



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QID 19-45992
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CUSTOMER CONTACT
SALESMAN / PM
Joe Nolasco
DESIGNER
Brian Sowder
DWG. DATE
4-26-19
REV. DATE / REVISION
SCALE
Not To Scale
FILE
2019/Best Buy/Locations/ Carmel IN/19-45992/ BB Carmel IN 19-45992

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VARIANCE APPLICATION

OFFICE
USE ONLY

DOCKET #: _____ FILING DATE: _____

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

PRE-FILING CONFERENCE

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

PRIOR OR RELATED DOCKET NUMBERS

CHANGE OF ZONING: _____ AMENDMENTS: _____ DEVELOPMENT PLAN: _____

PRIMARY PLAT: _____ SECONDARY PLAT: _____ VARIANCE(S): _____

APPLICANT INFORMATION

APPLICANT'S NAME: _____ TELEPHONE: _____

ADDRESS: _____ EMAIL: _____

PROPERTY OWNER'S NAME: _____ TELEPHONE: _____

ADDRESS: _____ EMAIL: _____

REPRESENTATIVE'S NAME: _____ TELEPHONE: _____

COMPANY: _____ EMAIL: _____

ADDRESS: _____

PROPERTY AND PROJECT INFORMATION

ADDRESS OR PROPERTY LOCATION: _____

COUNTY PARCEL ID #(S): _____

EXISTING ZONING DISTRICT(S): _____ EXISTING LAND USE(S): _____

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): _____

APPLICANT AFFIDAVIT

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath certifies that they have the authority to make the foregoing application, that the application is correct, and that construction will comply with and conform to all applicable laws of the State of Indiana.

I (We) further certify that construction will conform to the regulations in the Building Code, the Zoning Ordinance, or private, of the governing jurisdiction, which may be imposed on the above property by deed.

Applicant/Representative (signature)

Applicant/Representative (printed)

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

Witness my hand and Notarial Seal this ____ day of _____, 20 ____.

State of _____, County of _____, SS:

Notary Public Signature

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.

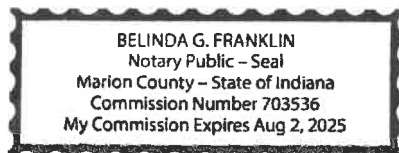
Property Owner (signature)*

Josh Broadbent
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 13th day of June, 2019.

State of IN, County of Marion, SS:



Notary Public Signature

Belinda G. Franklin
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.

DEPARTMENT NOTES:

WESTFIELD-WASHINGTON TOWNSHIP APPLICATION FORM
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: _____

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



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 (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: _____

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 strict application of the terms of the Ordinance will result in practical difficulties in the use of the property because: _____

WESTFIELD-WASHINGTON TOWNSHIP APPLICATION FORM

VARIANCE APPLICATIONS



GENERAL INSTRUCTIONS

- A. **Pre-Filing Conference:** A pre-filing conference is required for all petitions. An appointment must be made with the Economic and 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 | ☐ Legal Description |
| ☐ Draft Public Notice | ☐ List of Adjoining Property Owners (as provided by County) |
| ☐ Property Owner Consent | ☐ TAC Delivery Affidavit (if TAC is determined to be necessary) |
| ☐ Site Plan (to scale) | ☐ Copy of Property Deed |
| ☐ Statement of Intent | ☐ 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.



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

August 13, 2019
1908-VS-14 & 1908-VS-15
Exhibit 1

Petition Number: 1908-VS-14 & 1908-VS-15

Subject Site Address: 16802 Southpark Dr. (the "Property")

Petitioner: Jim Kent (the "Petitioner")

Request: The petitioner is requesting Variances of Development Standard to reduce the Minimum Lot Width from one-half (0.5) the depth of the Lot to 0.365 the depth of the Lot, increase the Maximum Lot Coverage from thirty-five percent (35%) to seventy percent (70%) in the EI: Enclosed Industrial District and the US Highway 31 Overlay District (Articles 5.2(E)(7) and (9)(a)); and to modify a commitment of a previously approved Variance of Development Standard (99-V-36) to reduce the Minimum Lot Size from 1.32 acres to 1.030 acres.

Current Zoning: EI: Enclosed Industrial District

Current Land Use: Auto Service Use / Vacant

Approximate Acreage: 3.26 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Letter of Grant (99-V-36)
4. Proposed Site Plan
5. Proposed Elevations
6. Variance Summary (99-V-36)
7. Letter from Neighbor (99-V-36)
8. Variances 0104-VS-41 – 0104-VS-46

Staff Reviewer: Caleb Ernest, Associate Planner

OVERVIEW

Location: The subject property is 3.26 acres +/- in size and located at 16802 Southpark Drive (see **Exhibit 2**). The Property is zoned the EI: Enclosed Industrial District. The Property currently contains an auto service use, consisting of auto body repair, and vacant land use. All surrounding properties are also zoned the EI District.

Variance Requests: The Petitioner is requesting these variances to reduce the minimum Lot Width¹ from one-half (0.5) the depth of the Lot² to 0.365 the depth of the Lot, increase the maximum Lot Coverage³ from thirty-five percent (35%) to seventy percent (70%) and to modify a commitment of a previously approved Variance of Development Standard (see Exhibit 3) to reduce the minimum Lot size from 1.32 acres to 1.030 acres. The purpose of these variances are for the subdividing of a new parcel and a new building on that parcel (see Exhibits 4 and 5).

SUMMARY OF VARIANCES

The Petitioner is requesting these variances to reduce the Minimum Lot Width from one-half (0.5) the depth of the Lot to 0.365 the depth of the Lot, increase the Maximum Lot Coverage from thirty-five percent (35%) to seventy percent (70%) and to modify a commitment of a previously approved Variance of Development Standard to reduce the Minimum Lot Size from 1.32 acres to 1.030 acres. The requested variances are being submitted with the intent of subdividing a new Lot of 1.030 acres in the southern area of the existing site and proposing a new Office/Warehouse Industrial Building on the 1.030 acre Lot (see Exhibits 4 and 5). The commitment of the previously approved Variance of Development Standard is further described below and as seen in Exhibit 3:

On September 20, 1999, the Board of Zoning Appeals (the “Board”) reviewed case number 99-V-36 which requested Variances of Development Standard to permit Lot sizes ranging from 1.35 to 2.90 acres with no more than nine (9) Lots on the 22 acre parcel and a 900 foot long cul-de-sac length located and known at that time as 1101 E 169th Street (see Exhibit 6) in the EI District.

The property owner located on 35 acres south of this site agreed that the proposed road running through the property, located and known at that time as 1101 E 169th Street, will run south and provide access to the 35 acres. Therefore, the only request for this variance is for the Lot sizes (see Exhibit 7).

The requested variances were approved by the Board with the following conditions:

1. The petitioner comply with the EI-PD District application procedures and with the EI District Development Standards, except those for which this variance is granted.
2. There is to be a maximum of 10 Lots, with none of the Lots smaller than 1.32 acres.

¹ Chapter 12 of the UDO defines “Lot, Width” as “The dimension of a Lot, measured between Side Lot Lines on the Building Setback Line.”

² Chapter 12 of the UDO defines “Lot” as “A Lot of Record or a tax parcel described by metes and bounds or separately in a survey which is recorded in the Office of the Recorder of Hamilton County, Indiana.”

³ Chapter 12 of the UDO defines “Lot Coverage” as “A measure of intensity of land use that represents the portion of a site that is impervious (i.e. does not absorb water) and includes, but is not limited to all areas of a Lot improved by buildings, sidewalks, parking structures, Driveways, Street, Private Street, sidewalks, and any other area of concrete or asphalt.”

In April of 2001, the Board reviewed case numbers 0104-VS-41 through 0104-VS-46 which requested Variances of Development Standard modifying Zoning and US Highway 31 Overlay Zone standards (see **Exhibit 8**).

COMPREHENSIVE PLAN

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

PROCEDURAL

Public Notice: The Board of Zoning Appeals is required to hold a public hearing on its consideration of Variances of Development Standard. This petition is scheduled to receive its public hearing at the August 13, 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 UDO⁴ 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 UDO⁵ 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;

⁴ Article 10.14(I) Processes and Permits; Variances; Conditions of the UDO.

⁵ Article 10.14(K) Processes and Permits; Variances; Acknowledgement of Variance of the 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; 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

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

Recommended Condition:

1. Subdivide the Property in substantial compliance with **Exhibit 4**.

Recommended Findings for Approval of the Variances 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(s) would be injurious to the public health, safety, morals, and general welfare of the community as the site is consistent with surrounding properties and the use of the property will not change.

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 site will retain its use as Industrial which is consistent with the surrounding properties.

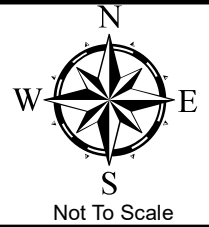
3. *The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property.*

Finding: Strict adherence to the zoning ordinance would result in the inability to improve the property, for a new Office/Warehouse Industrial Building on a new Lot, in accordance with the Unified Development Ordinance.

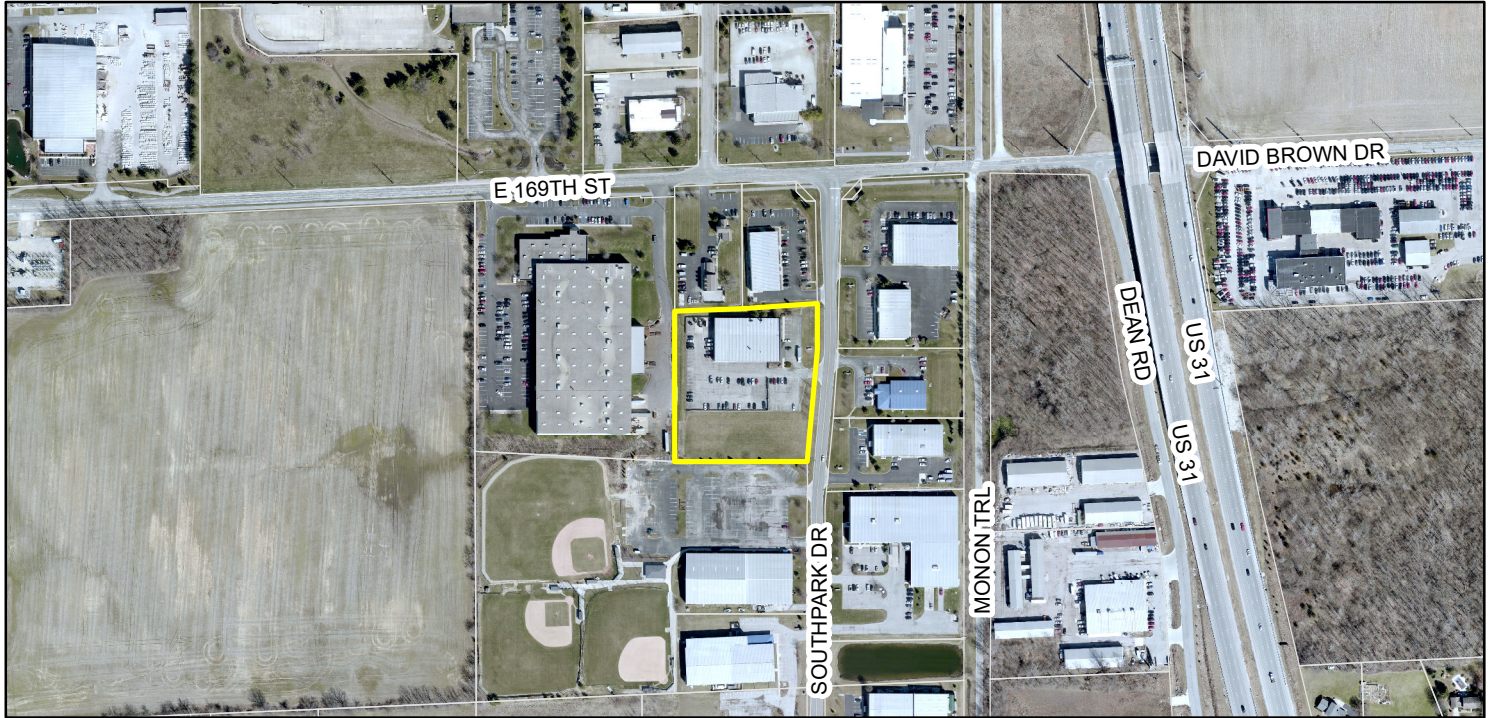
Denial: If the Board is inclined to deny either of the requested variances, then the Department recommends denying the variance, and then tabling the adoption of findings until the Board's next meeting with direction to the Department to prepare the findings consistent with the public hearing evidence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



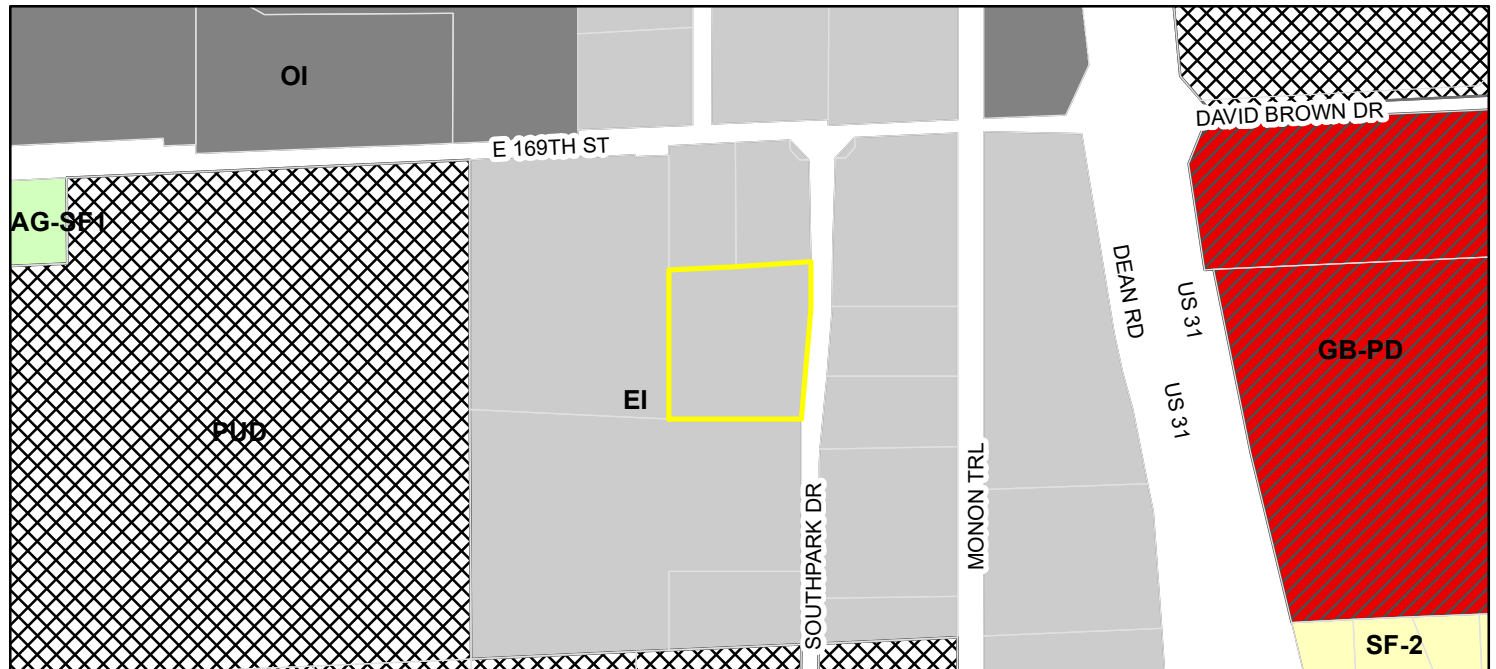
Property Location Map
16802 Southpark Drive
Variances of Development Standard
1908-VS-14 & 1908-VS-15



Aerial Location Map



Zoning Map



- | | |
|--|--|
| Parcel | GB-PD (General Business - Planned Development) |
| Zoning - All | OI (Open Industrial) |
| Zoning | PUD (Planned Unit Development) |
| AG-SF1 (Agriculture - Single Family - 1) | SF-2 (Single Family - 2) |
| EI (Enclosed Industrial) | |

TOWN OF WESTFIELD



COMMUNITY SERVICES

WESTFIELD WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS
ZONING ENFORCEMENT
PLAN COMMISSION

BUILDING COMMISSIONER
JOHN C. (JACK) WHITE

September 24, 1999

Mr. Donald Crane
CK Properties, LLC
P. O. Box 930
Westfield, IN 46074

Re: Akin Callahan, Inc.

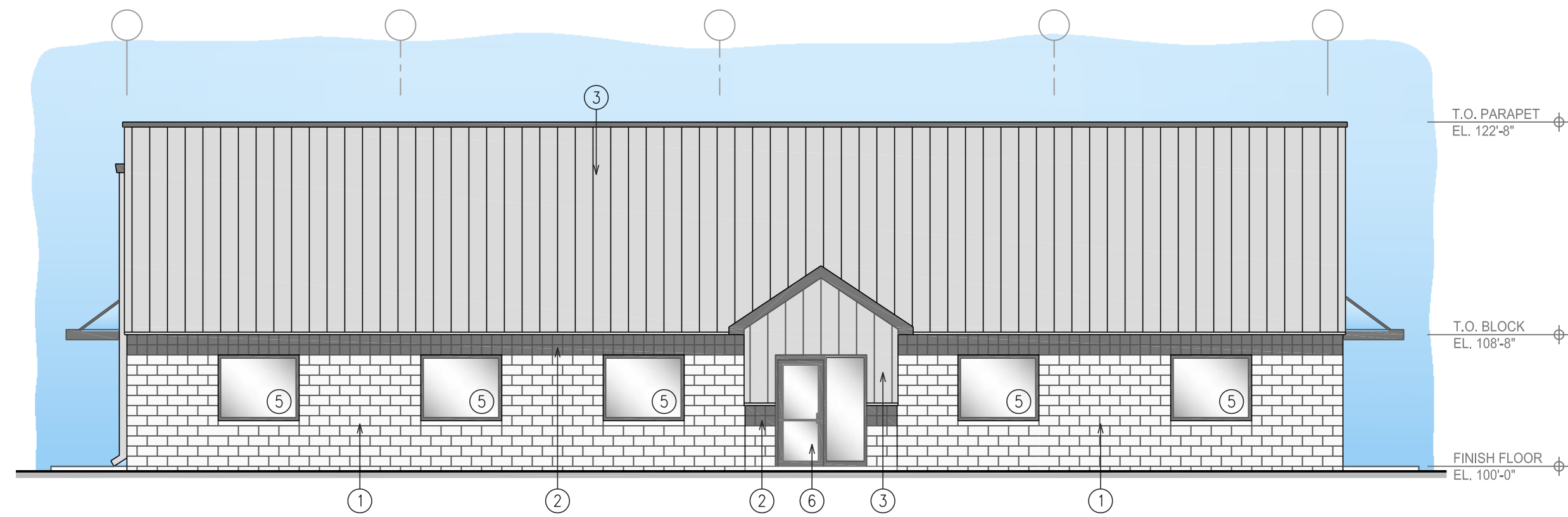
Dear Mr. Crane:

The Westfield-Washington Township Board of Zoning Appeals met on September 20, 1999, at the Westfield Town Hall to review case number 99-V-36: variances of development standard (minimum tract size requirement) in the EI district, at 1101 East 169th Street. A motion was made and seconded to grant approval with the conditions that the petitioner comply with the EI-PD application procedures and with the EI district developmental standards, except those for which this variance is granted, and there is to be a maximum of 10 lots, with none of the lots smaller than 1.32 acres. The motion carried with a vote of Yes-3, No-1 (Sweat), and Abstain-0.

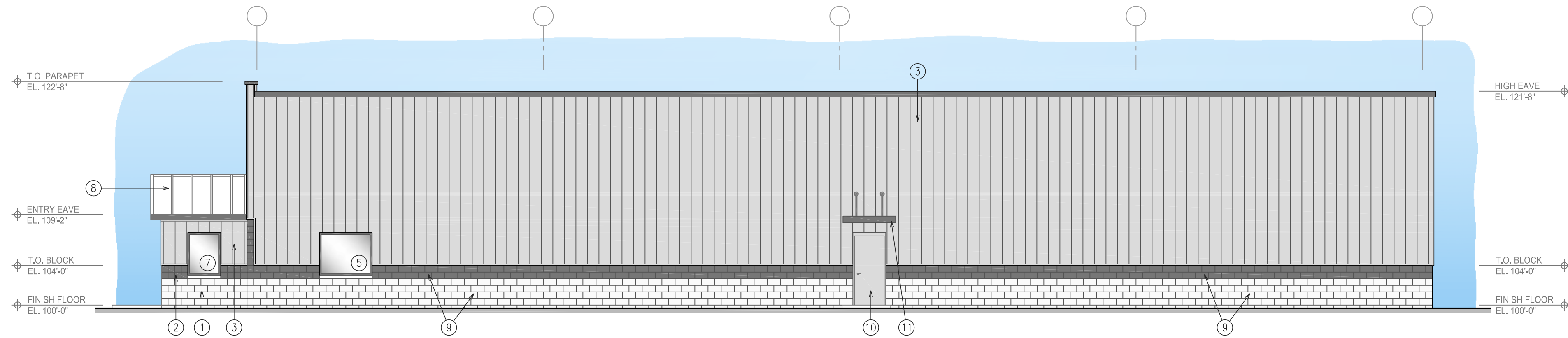
Please contact the Community Services Department if you have any questions regarding the matter.

Sincerely,

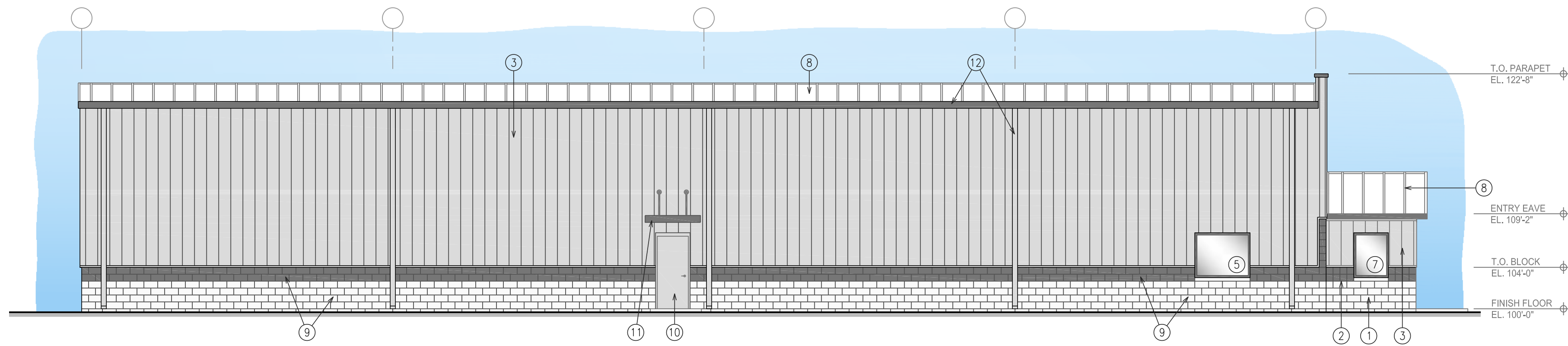
John C. White, Acting Secretary
Westfield-Washington Township
Board of Zoning Appeals



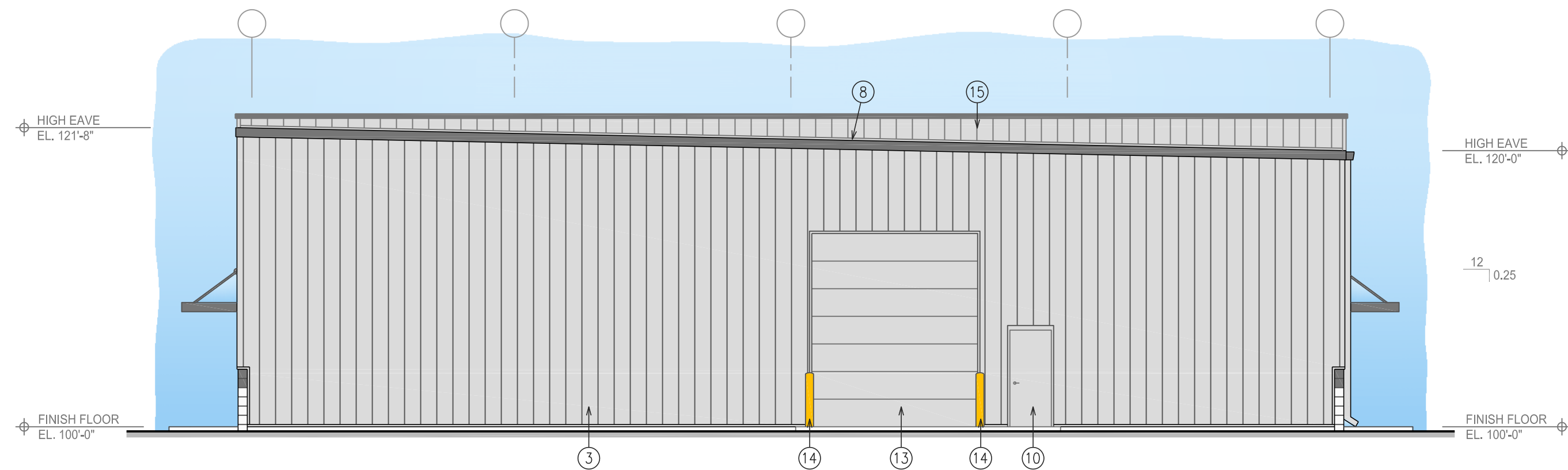
EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION

KEYED NOTES

- 1 SPLIT-FACE MASONRY BLOCK
- 2 SCORED-FACE MASONRY BLOCK
- 3 VEE-RIB METAL SIDING BY "VP"
- 4 _____
- 5 64x52 WINDOW
- 6 STOREFRONT ENTRY SYSTEM W/ SIDELIGHT
- 7 40x52 WINDOW
- 8 STANDING-SEAM METAL ROOF SYSTEM BY "VP"
- 9 STANDARD MASONRY BLOCK
- 10 3' x 7' MANDOOK
- 11 64x48 CANOPY
- 12 GUTTER & DOWNSPOUT BY "VP"
- 13 12' x 14' DRIVE-IN OVERHEAD DOOR
- 14 PIPE BOLLARD
- 15 BACK OF PARAPET BEYOND
- 16 _____
- 17 _____



DESIGN AND CONSTRUCTION, LLC.

P.O. BOX 930
WESTFIELD, INDIANA 46074
PH: (317) 867-1139
FAX: (317) 867-3399

KEELER-WEBB
ASSOCIATES

Consulting Engineers
Planners - Surveyors
486 GRADLE DRIVE : CARMEL, INDIANA 46032

PH 317.574.0140
FX 317.574.1269
www.keelerwebb.com
PROJ. No. 1404-025

FOR REVIEW
& COMMENT

NEW OFFICE / WAREHOUSE FACILITY
FOR
JJK INVESTMENTS LLC.
16800 SOUTHPARK DRIVE
WESTFIELD, INDIANA 46074

DATE ISSUE

7-24-19 CLIENT REVIEW
7-25-19 REV. PER CLIENT

SHEET:

A401

THESE DRAWINGS ARE GIVEN IN CONFIDENCE AND SHALL BE USED ONLY IN PURSUANT TO THE AGREEMENT WITH DESIGN AND CONSTRUCTION, LLC NO OTHER USE OR DUPLICATION MAY BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF DESIGN AND CONSTRUCTION, LLC ALL OTHER COPYRIGHT AND COMMON LAW RIGHTS ARE HEREBY SPECIFICALLY RESERVED.

Westfield-Washington Township
Board of Zoning Appeals
99-V-36

The Board of Zoning Appeals will hold a Public Hearing on the 20th day of September 1999, at 7:00 p.m. at the Westfield Town Hall, 130 Penn Street, Westfield, Indiana 46074. The application, 99-V-36, submitted by CK Properties, LLC, requests a variance of development standards (tract size and cul de sac length requirement) to permit lot sizes of 1.25 acres or larger with no more than 9 lots on the 22 acre parcel and a 900 foot long cul de sac, in the EI district, 1101 East 169th Street, more particularly described as follows:

Legal description on file with
Westfield Community Development Department.

Written suggestions or objections relative to the application may be filed with the Westfield-Washington Township Community Development Department at or before such meeting. Interested persons desiring to present their views upon the variance either in writing or verbally, will be given the opportunity to be heard at the above-mentioned time and place.

Board of Zoning Appeals
Westfield, Indiana
By: CK Properties, LLC.

TOWN OF WESTFIELD

**WESTFIELD UTILITIES****UTILITIES SUPERINTENDENT**

MICHAEL F. MADDOX

TOWN COUNCIL

JOHN B. HART

ROBERT D. HARTMAN

RUSSELL A. LAMB

MICHAEL A. McDONALD

DAVID D. MIKESSELL

CLERK-TREASURER

TERESA A. OTIS

To: BZA Members

From: Michael Maddox
Street Commissioner

Re: Case Number 99-V-36
CK Properties, LLC

Date: September 17, 1999

Since this petitioner has filed for this variance on the proposed cul-de-sac street length, there has been a meeting with CK Properties and the owner of the property to the south. This property has 35 acres plus or minus, that is also zoned EI and it has been agreed that this road will run south and provide access to the 35 acres and all traffic will access off of 169th Street. Therefore, the only issue before you is the lot size for this petitioner.

Michel F. Maddox
Street Commissioner

sg

TOWN OF WESTFIELD

COMMUNITY DEVELOPMENT DEPARTMENT

WESTFIELD WASHINGTON TOWNSHIP

PLAN COMMISSION

BOARD OF ZONING APPEALS

ZONING ENFORCEMENT

BUILDING PERMITS

April 17, 2001

Mr. Adam Dehart
Keeler-Webb Associates
486 Gradle Drive
Carmel, Indiana 46032

Re: South Park – 0104-VS-41 through 0104-VS-46, 1101 East 169th Street, a variances of development standard

Dear Mr. Dehart,

The Westfield-Washington Township Board of Zoning Appeals (BZA) held public hearings on April 16, 2001 which pertain to the following development standard variance cases:

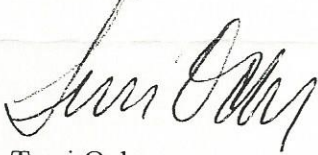
1. 0104-VS-41 – a variance of development standard – WC 16.04.070, 5, c, Minimum Front Yard – to permit a reduction in required front yard setback from 60' to 40' within the U.S. Highway 31 Overlay Zone. The BZA voted unanimously (4-0) to approve this request as per the findings of the staff report.
2. 0104-VS-42 – a variance of development standard – WC 16.04.070, 5, d, Minimum Side Yard – to permit a reduction in required side yard setback from 45' to 20' within the U.S. Highway 31 Overlay Zone. The BZA voted 3-1 to approve your request as per the findings of the staff report.
3. 0104-VS-43 – a variance of development standard – WC 16.04.070, 5, e, Minimum Rear Yard – to permit a reduction in rear yard setback from 45' to 20' within the U.S. Highway 31 Overlay Zone. The BZA voted 3-1 to approve your request as per the findings of the staff report.
4. 0104-VS-44 – a variance of development standard – WC 16.04.070, 5, f, Minimum Aggregate Side Yard – to permit a reduction in aggregate side yard size from 90' to 40' within the U.S. Highway 31 Overlay Zone. The BZA voted 3-1 to approve your request as per the findings of the staff.
5. 0104-VS-45 – a variance of development standard – WC 16.04.070, 5, h, Minimum Aggregate gross Floor Area – to permit a reduction in the amount of required aggregate gross floor area from 15,000 square feet to zero square feet (as required in the Enclosed Industrial

zoning district) within the U.S. Highway 31 Overlay Zone. The BZA voted unanimously (4-0) to approve your request as per the findings in the staff report.

6. 0104-VS-46 – a variance of development standard – WC 16.04.070, 8, bullet no.3, Other requirements – to eliminate the applicability of the following two requirements: (1) that buildings must be designed with a minimum of eight external corners, and (2) that sloped roofs of 100' or more must include a gable, dormer, or other change in roof plane, within the U.S. Highway 31 Overlay Zone. As per your request at the April BZA meeting, this appeal was withdrawn. This variance file has since been closed.

Please feel free to contact the Community Development Department at (317) 896-5577 should you have any questions regarding these cases.

Sincerely,



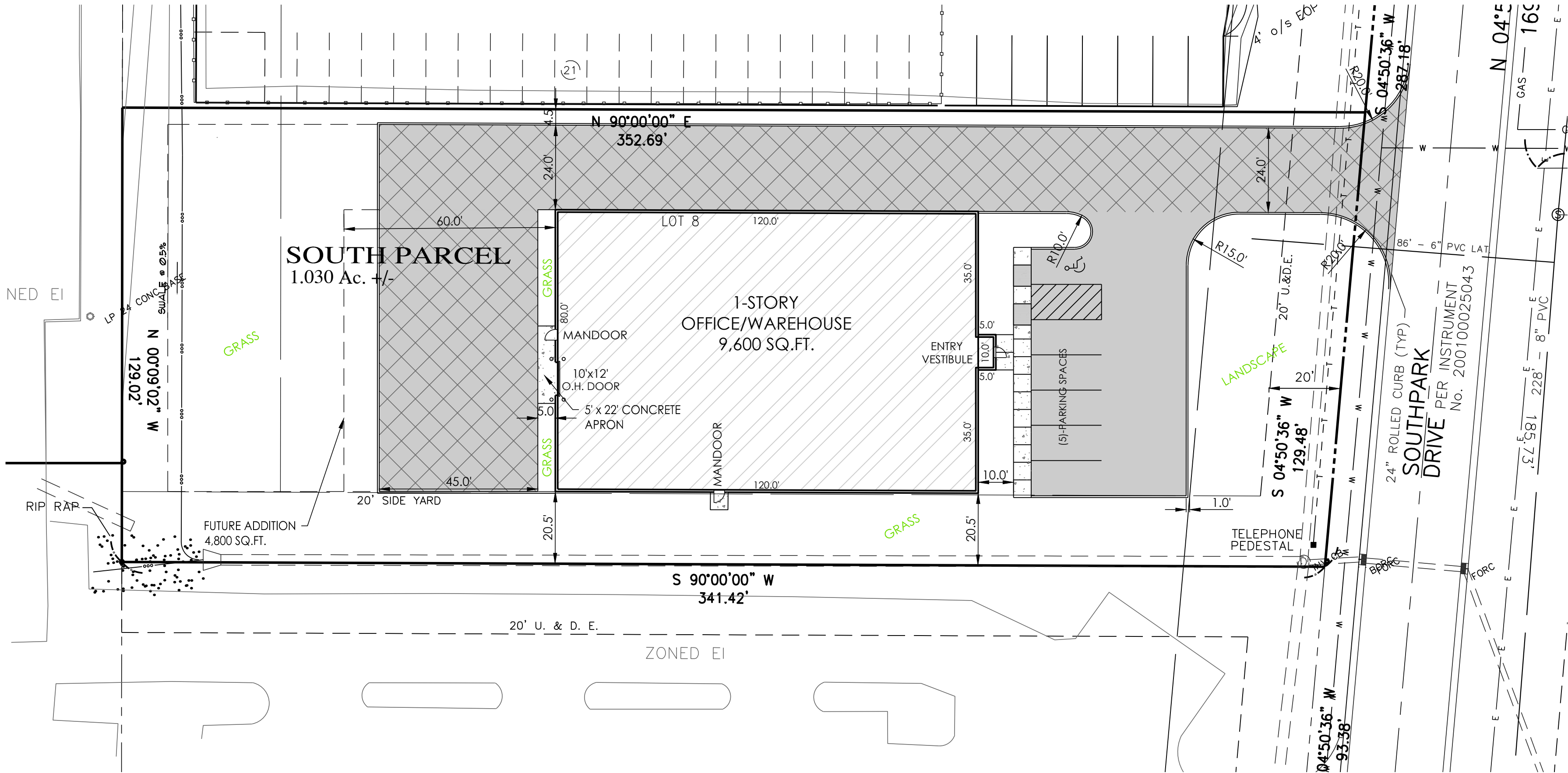
Terri Ochs

Secretary, Westfield-Washington Township Board of Zoning Appeals

xc: Mr. Don Crane, CK Properties, L.L.C., P.O. Box 930, Westfield, IN 46074
File #s: 0104-VS-41 through 0104-VS-46; 0104-VU-07



VICINITY MAP
WESTFIELD G.I.S., 2019



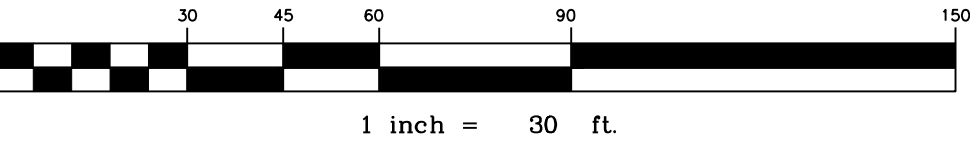
- ✚ SIGNS
- ✚ MAILBOX
- ⊠ STORM INLETS
- ⊠ STORM MANHOLE
- ✚ UTILITY POLE
- ✚ WATER VALVE
- ⊠ PHONE MANHOLE
- ⊠ UTILITY PEDESTAL
- ✚ FIRE HYDRANT
- ⊠ MANHOLE
- ✚ CLEAN OUT
- ✚ WATER METER
- ✚ LIGHT POLE
- ✚ BOLLARD
- ✚ ELECTRIC METER
- ✚ GAS METER
- ✚ AIR CONDITIONER
- ✚ GAS VALVE

EXISTING LEGEND

- 1' CONTOUR LINE
- 5' CONTOUR LINE
- GAS — GAS —
- EXISTING GAS LINE
- PROPERTY LINE
- ADJOINER/SECTION LINE
- RIGHT-OF-WAY LINE
- EASEMENT
- E — E
- EXISTING UNDERGROUND ELECTRIC LINES
- OHP — OHP —
- EXISTING OVERHEAD UTILITY LINES
- T — T —
- EXISTING UNDERGROUND PHONE
- rd — rd —
- EXISTING TELECOMMUNICATIONS
- w — w —
- EXISTING WATER LINE
- SANITARY SEWER LINE
- STORM SEWER
- CHAIN-LINK FENCE
- PRIVACY/WOOD FENCE
- WOVEN WIRE FENCE
- FLOW LINE
- VEGETATION LINE
- GUARD RAIL
- PROPOSED BUILDING
- PROPOSED CONCRETE
- PROPOSED ASPHALT
- PROPOSED HEAVY-DUTY ASPHALT

PRELIMINARY SITE PLAN

GRAPHIC SCALE



HOLEY MOLEY SAYS
"DIG SAFELY"



"IT'S THE LAW"
CALL 2 WORKING DAYS BEFORE YOU DIG
811

CALL TOLL FREE
PER INDIANA STATE LAW 108-1-26
IT IS AGAINST THE LAW TO EXCAVATE
WITHOUT NOTIFYING THE UNDERGROUND
LOCATION SERVICE TWO (2) WORKING DAYS
BEFORE COMMENCING WORK.

DAC

DESIGN AND CONSTRUCTION, LLC.

P.O. BOX 930
WESTFIELD, INDIANA 46074
PH: (317) 867-1139
FAX: (317) 867-3399

KEELER-WEBB ASSOCIATES

*Consulting Engineers
Planners - Surveyors*

486 GRADLE DRIVE : CARMEL, INDIANA 46032

PH 317.574.0140
FX 317.574.1269
www.keelerwebb.com
PROJ. No. 1904-045

KWA

PROPOSED INDUSTRIAL BUILDING

JJK INVESTMENTS, LLC

Southpark Drive
Westfield, Indiana

DATE	ISSUE
07-15-2019	PRELIMINARY SITE PLAN

SHEET:

C2

THESE DRAWINGS ARE GIVEN IN CONFIDENCE AND SHALL BE USED ONLY IN PURSUANT TO THE AGREEMENT WITH **DESIGN AND CONSTRUCTION, LLC**. NO OTHER USE OR DUPLICATION MAY BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF **DESIGN AND CONSTRUCTION, LLC**. ALL OTHER COPYRIGHT AND COMMON LAW RIGHTS ARE HEREBY SPECIFICALLY RESERVED.



WESTFIELD-WASHINGTON
BOARD OF ZONING APPEALS

August 13, 2019
1908-VU-05
Exhibit 1

Petition Number: 1908-VU-05

Subject Site Address: 547 N. East Street (the “Property”)

Petitioner: Valerie Watson (the “Petitioner”)

Request: The petitioner requests a Variance of Use to permit a craft retreat house on 0.57 acres +/- in the SF3: Single Family Medium Density District (Article 13.2).

Current Zoning: SF3: Single-Family Medium Density District

Current Land Use: Commercial

Approximate Acreage: 0.57 acre +/-

Exhibits:

1. Staff Report
2. Location Map
3. Current Site Conditions
4. Proposed Signage
5. Petitioner’s Application

Staff Reviewer: Pam Howard, Senior Planner

OVERVIEW

Property Location: The subject property is approximately 0.57 acre +/- in size and is located at 547 N. East Street (see **Exhibit 2**). The Property is zoned SF3: Single-Family Medium Density District. The property is located at the northeast edge of Downtown Westfield. Adjacent properties to the north, south, east and west are used for residential purposes.

Variance Request: The petitioner is requesting a Variance of Use to permit a craft retreat house, as further described in the Statement of Intent (see **Exhibit 5**), in the SF-3: Single-Family Medium Density District.



SUMMARY OF VARIANCES

The Petitioner requests a Variance of Use to permit a craft retreat house. As described in the Statement of Intent (see **Exhibit 5**), the house will hold weekend retreats for groups of crafters and will also host art classes and/or workshops during the week.

A craft retreat house is not a contemplated use in the UDO; however, the Department has determined this to be a blend of two uses. The first is a short term rental (frequently referred to as Airbnb), this use is not regulated by the UDO and has been determined to be permitted in residential areas. The second part of the uses is the proposed art classes, held independently or in conjunction with the short term rental use. This fits the UDO's definition of Fine Arts or Commercial School¹, which is not a permitted use in the SF3 Zoning District². The proposed use could qualify as a Home Business³, if the Petitioner intended to live on the Property.

No changes are proposed to the Property at this time; however, the petitioner is proposing signage (see **Exhibit 4**) that will identify the business without altering the residential character. If the requested variance is approved the Department recommends including a condition that the Property be permitted a maximum of 2 signs, consistent with the size and designs shown in the Proposed Signage Exhibit.

COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan identifies this Property within the "Downtown"⁴ land use classification. The Downtown area was further studied in 2008 after the formation of the Grand Junction Task Group (the "GJTG"). The study resulted in an amendment to the Comprehensive Plan known as the Grand Junction Master Plan and Addendum, adopted in 2009, and then subsequently the adoption of the Grand Junction Implementation Plan (the

¹ The UDO defines "School, Fine Arts or Commercial" as "[a] facility which offers instruction specific to an art or other commercial purpose and is not publicly owned or owned or conducted by or under the sponsorship of a religious, charitable or non-profit organization. Examples include, but are not limited to schools or academies teaching the arts for profit (e.g., language school, music school, dancing studio, photography school, cooking classes, karate studio)."

² Article 13.2 Use Table of the UDO

³ 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."

⁴ Westfield-Washington Township Comprehensive Plan, Land Use Concept Map (pg. 24).



“Implementation Plan”), an amendment to the Comprehensive Plan adopted in 2013 (collectively, the “Grand Junction Plan”).

The Grand Junction Plan identifies a long term vision as well as land use and financial investment goals for the intermediate and short terms. The centerpiece of the Grand Junction Plan includes creating public gathering spaces with key public investments opportunities to include: Grand Junction Plaza, new civic facilities, extended trail system and street network, enhanced stormwater management, and signature gateway developments.

The studied land use component of the Grand Junction Plan identified several sub-districts. The Property falls within the area identified as the “Neighborhood Sub-District⁵”, characterized as follows within the Implementation Plan⁶:

The Neighborhood Sub-district includes several existing neighborhoods and residential subdivisions that are near to the downtown core (e.g., Newby’s Westfield Heights; North Union Heights; Sleepy Hollow; Pine Hollow; John Kerr Subdivision; Kenyon Subdivision; Southridge Subdivision; and Cherry Wood Estates Subdivision). The Sub-district also includes the Westfield Intermediate School campus; the Westfield Middle School campus; the Christ United Methodist campus; and the Union Bible College campus.

These areas are included in the Neighborhood Sub-district because they are the residential and institutional properties which populate and serve the Grand Junction area. It is unlikely that these areas will redevelop in the near future; however, the potential for future redevelopment does exist, and for this reason, a clear vision for the redevelopment of the downtown neighborhoods should be developed.

The specific objectives for the Neighborhood Sub-District, as prioritized in the Implementation Plan, include: (i) provide places for people to live within, or within walking distance of, downtown; (ii) develop vision and standards for future redevelopment of the sub-district; and (iii) develop standards for existing structures in the sub-district⁷.

The Department, in coordination with the GJTG, is currently working on the prioritized objectives of the Implementation Plan; however, the specific objectives noted above for the Sub-District are still in progress. As a result, the Department encouraged the petitioner to meet with

⁵ 2013 Grand Junction Implementation Plan; Grand Junction Sub-Districts Map (page 24)

⁶ 2013 Grand Junction Implementation Plan (page. 23)

⁷ 2013 Grand Junction Implementation Plan (pages 25-26)



the GJTG. The GJTG has provided a letter as a result of their meeting with the petitioner, which will be presented at the public hearing.

PROCEDURAL

Public Notice: The Board of Zoning Appeals is required to hold a public hearing on its consideration of this petition. This petition is scheduled to receive its public hearing at the August 13, 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 UDO⁸ and Indiana Code § 36-7-4-918.4 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 UDO⁹ 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 Use: The Board of Zoning Appeals shall approve or deny variances of land use from the terms of the UDO. A variance of land use may be approved under Indiana Code § 36-7-4-918.4 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;

⁸ Article 10.14(I) Processes and Permits; Variances; Conditions of the UDO.

⁹ Article 10.14(K) Processes and Permits; Variances; Acknowledgement of Variance of the 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;
3. The need for the variance arises from some condition peculiar to the property involved;
4. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought; and
5. The approval does not interfere substantially with the Comprehensive Plan.

DEPARTMENT COMMENTS

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

Recommended Condition: That the Property be permitted a maximum of 2 signs, consistent with the size and designs shown in the Proposed Signage Exhibit.

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 of use would be injurious to the public health, safety, morals, and general welfare of the community. The petitioner is working with the Westfield Fire Department to ensure applicable safety measure are in place, as required for commercial and lodging uses.

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 that the use and value of adjacent property will be affected in a substantially adverse manner. The proposed use and signage are being designed to maintain the residential character of the area. Additionally, the use would be permitted as a Home Business if the Petitioner intended to reside in the home.

3. *The need for the variance arises from some condition peculiar to the property involved.*

Finding: The layout of the existing home suits it for a business, the Property will not be able to be used in the proposed manner without a variance.



4. *The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought.*

Finding: The proposed use is not permitted as a standalone business in the SF3 Zoning District. Without the requested variance, the Petitioner will be unable to use the property as described in the Statement of Intent.

5. *The approval does not interfere substantially with the comprehensive plan.*

Finding: This property is on located in the Neighborhood Sub-District of the Grand Junction Planning Area. The proposed use will retain the residential character of the property, while allowing visitors to stay downtown.

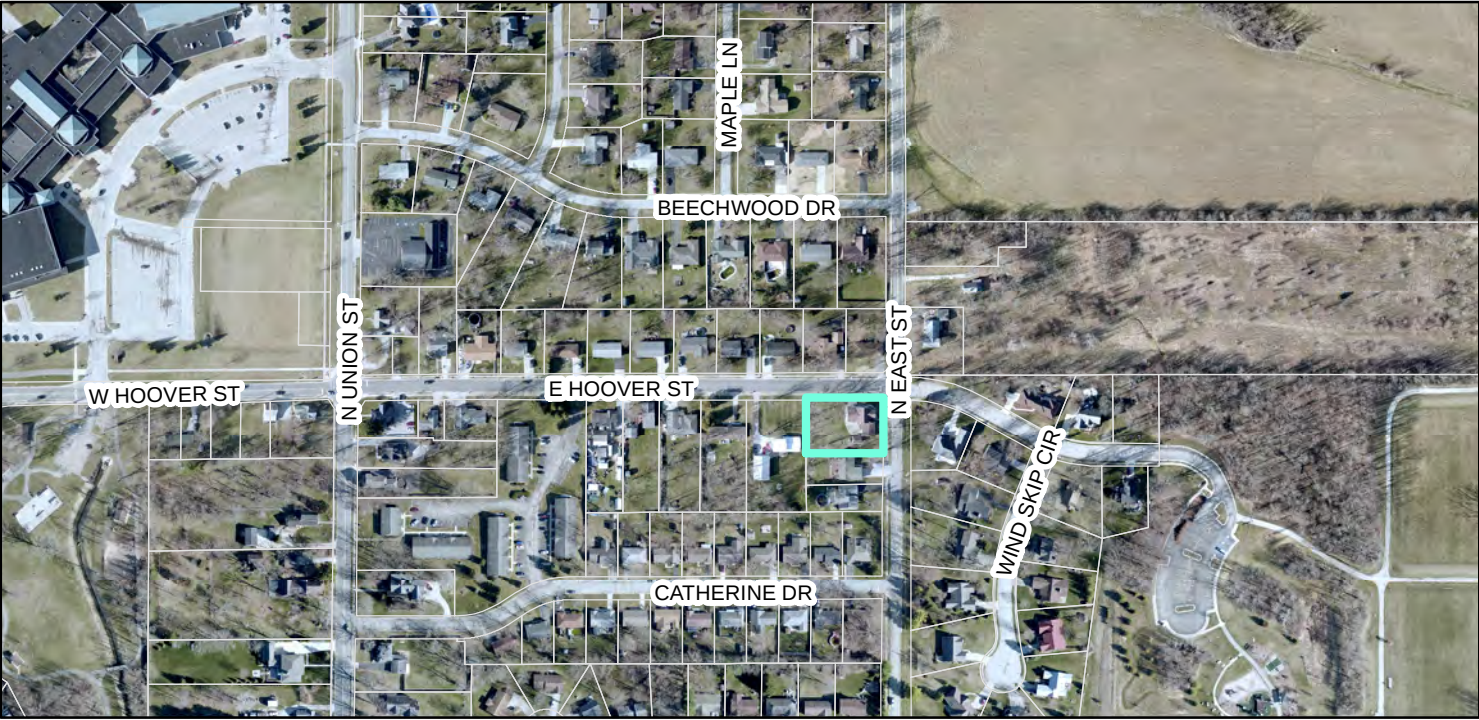
Denial: If the Board is inclined to deny the requested variance, then the Department recommends denying the variance, and then tabling the adoption of findings until the Board's next meeting with direction to the Department to prepare the findings consistent with the public hearing evidence and Board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



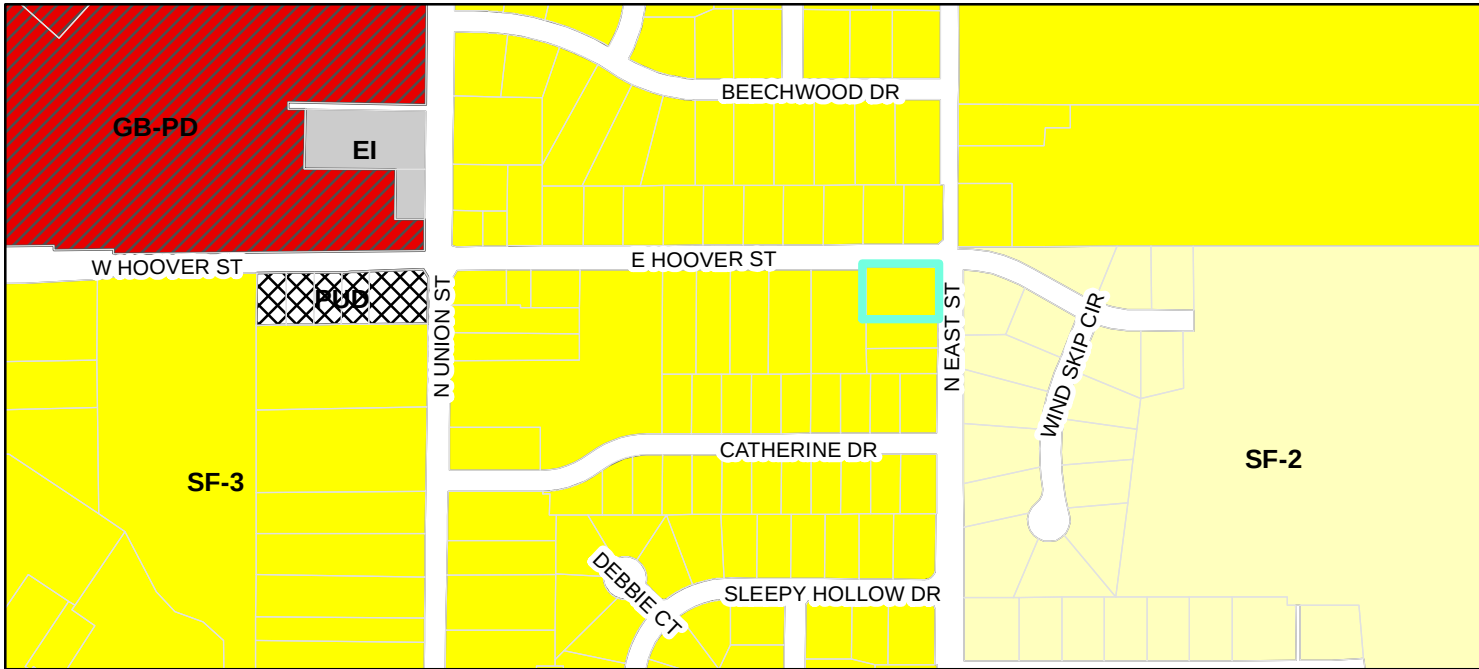
Property Location Map
Watson Craft Retreat House
1908-VU-05



Aerial Location Map



Zoning Map



- Zoning**
- | | |
|--|--------------------------|
| GB-PD (General Business - Planned Development) | SF-2 (Single Family - 2) |
| EI (Enclosed Industrial) | SF-3 (Single Family - 3) |
| PUD (Planned Unit Development) | |

SURVEYOR LOCATION REPORT

This report was prepared only for:

STEWART TITLE SERVICES OF INDIANA, INC. (432348)

AND

PROVIDENT FUNDING ASSOCIATES, LP, ISAOA

THIS REPORT IS DESIGNED FOR USE BY A TITLE INSURANCE COMPANY WITH RESIDENTIAL LOAN POLICIES. NO CORNER MARKERS WERE SET AND THE LOCATION DATA HEREIN IS BASED ON LIMITED ACCURACY MEASUREMENTS. THEREFORE, NO LIABILITY WILL BE ASSUMED FOR ANY USE OF THIS DATA FOR CONSTRUCTION OF NEW IMPROVEMENTS OR FENCES. THIS REPORT IS NOT INTENDED TO REPRESENT A SURVEY, NOR IS IT INTENDED TO BE USED BY AND/OR BENEFIT THE BORROWER(S).



PROPERTY ADDRESS: 547 N. East Street

PROPERTY DESCRIPTION: See Sheet 3 of 3 for property description.

This is to certify that the subject property does not lie within that Special Flood Hazard Area Zone "A". The accuracy is subject to map scale uncertainty and to any other uncertainty in location or elevation on Community Panel Number 18057C0136G of the Flood Insurance Rate Maps, effective date 11/19/2014.

BORROWER(S): Ryan & Valerie Watson

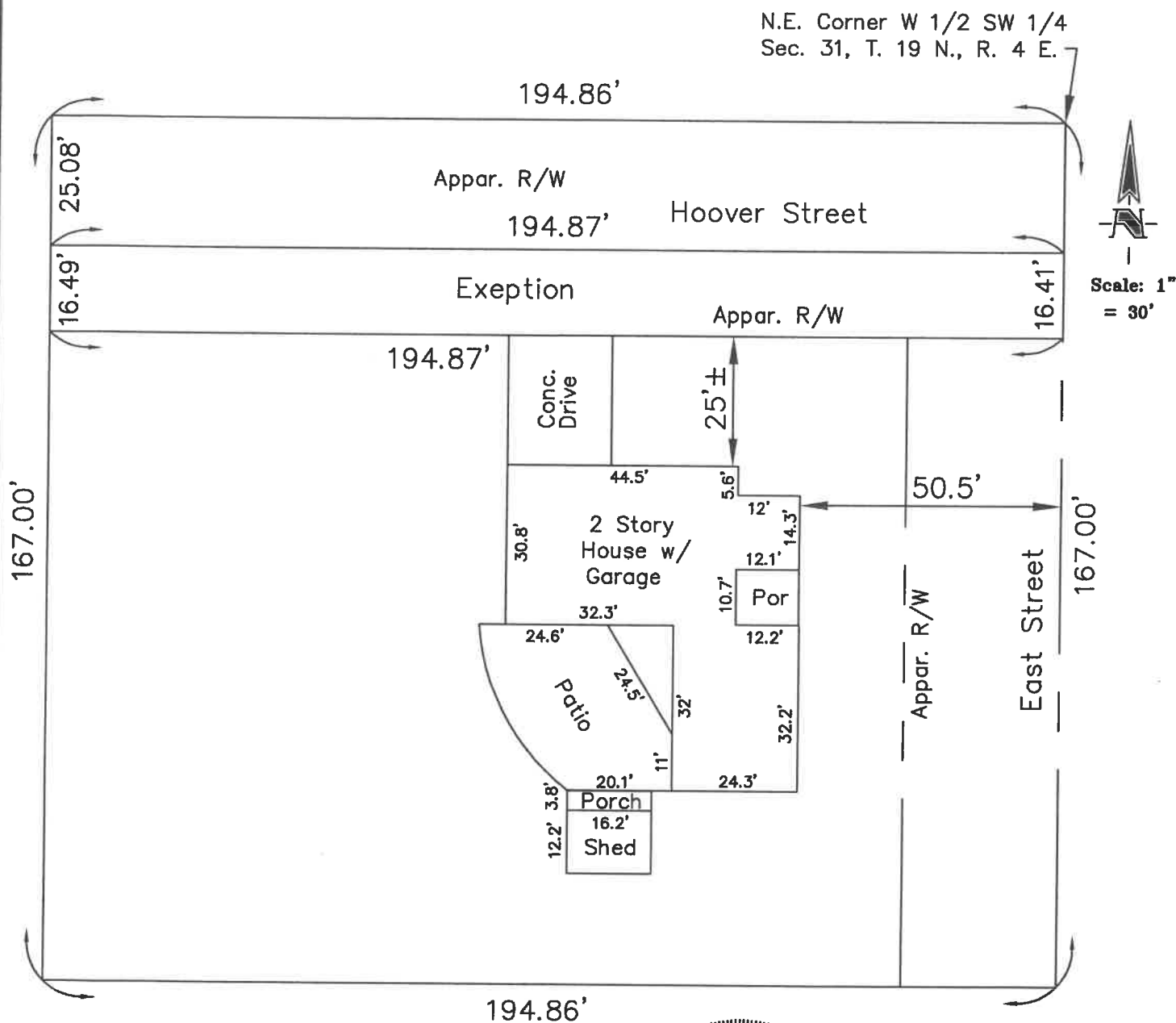
P&H
ENGINEERING/SURVEYING LLC

5251 S. East Street #1
INDIANAPOLIS, IN 46227
PHONE: (317) 974-5555
FAX: (317) 974-5570

Job No.: 19061044
Sheet 1 of 3

SURVEYOR LOCATION REPORT

I hereby certify to the parties named above that the real estate described herein was inspected under my supervision on the date indicated and that to the best of my knowledge, this report conforms with the requirements contained in Sections 27 through 29 of 865 IAC 1-12 for a SURVEYOR LOCATION REPORT.



P&H
ENGINEERING/SURVEYING LLC

5251 S. East Street #1
INDIANAPOLIS, IN 46227
PHONE: (317) 974-5555
FAX: (317) 974-5570



CERTIFIED: 06/17/2019

David B. Holley
David B. Holley
Professional Surveyor,
Indiana #890026
Job No.: 19061044
Sheet 2 of 3

Part of the West Half of the Southwest Quarter of Section 31, Township 19 North, Range 4 East in Hamilton County, Indiana, more particularly described as follows:

Beginning at the Northeast corner of said West Half and run thence South 167.00 feet; thence West 194.86 feet; thence North 167.00 feet; thence East 194.86 feet to the place of beginning.

EXCEPT that part taken by the City of Westfield, more particularly described as follows:

A part of the Southwest Quarter of Section 31, Township 19 North, Range 4 East in Hamilton County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of Quarter Section; thence South 89 degrees 24 minutes 24 seconds East along the North line of said Quarter Section 1003.33 feet; thence South 00 degrees 35 minutes 36 seconds West 25.08 feet to the Point of Beginning of this description being on the West line of the Owner's land; thence South 89 degrees 24 minutes 24 seconds East 194.87 feet to the East line of said Owner's land; thence South 00 degrees 35 minutes 38 seconds West along said East line 16.41 feet; thence North 89 degrees 25 minutes 54 seconds West 194.87 feet to said West line; thence North 00 degrees 35 minutes 40 seconds East along said West line 16.49 feet to the Point of Beginning, containing 0.074 acres, more or less.

P&H

ENGINEERING/SURVEYING LLC

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INDIANAPOLIS, IN 46227
PHONE: (317) 974-5555
FAX: (317) 974-5570

Job No.: 19061044
Sheet 3 of 3

Pamela Howard

From: Valerie Watson <watsonval@yahoo.com>
Sent: Sunday, July 21, 2019 7:17 PM
To: Pamela Howard
Cc: Ryan Watson
Subject: Val's Place - Craft Retreat House

For signage, I'm asking permission for two signs on the home. This is because the house sits on the corner lot and I want the retreat to be easy to locate. The signs do not need to be large, just clearly mark the house looking for the retreat.

Both signs will be hand crafted by myself. I've attached pictures of where I'd like to locate the signs. I'm also attaching similar designs. Please not only one picture is mine. Two are from Board and Brush website (I work there part time currently) and the rest from etsy.

The first sign will be long and narrow and over the front door. It will simply say Val's Place. Estimated size is no taller than 14 inches, no longer than 30. Constructed out of wood and paint.

The second sign would be on the side of the house. Height no greater than 24 inches, no longer than 48 inches. It will also be constructed out of wood with a wood border of a darker color. Most likely the lettering will also be wood, possibly acrylic. It will say Val's Place, Create & Connect, 547 East St.





The Losenegger Family

Est. 2006

similar style,
front door



similar style,
front door



side sign
similar wood
similar words

The
Wellingtons

Est 2018

side sign
similar wood
similar words

The Randolphs

— EST. 12.24.15 —

A wooden sign with a metal plate that reads "Watson CPA". The sign is made of a dark wood frame and a lighter wood panel. The text "Watson CPA" is cut out of a dark metal plate and set into the wood panel. The wood panel is made of many small, horizontal wooden slats of varying lengths and colors, creating a textured, mosaic-like effect. The sign is mounted on a wall.

Watson CPA

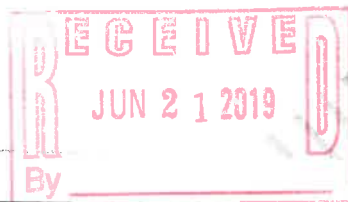
similar frame
similar wood
side sign

side sign
similar wood
possible acrylic



elements
H O L I S T I C

WESTFIELD-WASHINGTON TOWNSHIP APPLICATION FORM
VARIANCE APPLICATION



OFFICE
USE ONLY

DOCKET #: 1908-VU-05

FILING DATE:

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

PRE-FILING CONFERENCE

PRE-FILING CONFERENCE WITH: (STAFF NAME) DATE:

PRIOR OR RELATED DOCKET NUMBERS

CHANGE OF ZONING: AMENDMENTS: DEVELOPMENT PLAN:

PRIMARY PLAT: SECONDARY PLAT: VARIANCE(S):

APPLICANT INFORMATION

APPLICANT'S NAME: Valerie Watson TELEPHONE: 317-457-5008

ADDRESS: 17086 Rainier Circle, Westfield IN 46062 EMAIL: watsonval@yahoo.com

PROPERTY OWNER'S NAME: Valerie Watson TELEPHONE: 317-457-5008

ADDRESS: 17086 Rainier Circle, Westfield, IN 46062 EMAIL: 317-457-5008

REPRESENTATIVE'S NAME: TELEPHONE:

COMPANY: EMAIL:

ADDRESS:

PROPERTY AND PROJECT INFORMATION

ADDRESS OR PROPERTY LOCATION: 547 North East St, Westfield, IN 46074

COUNTY PARCEL ID #(S): 09-06-31-03-01-009.000

EXISTING ZONING DISTRICT(S): Residential EXISTING LAND USE(S): Residential

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):

Purchased the property on 6/21/19 with intent of using it as a craft retreat house. The home will be rented to groups of crafters (2-10 attendees) for weekend retreats. The home will be available for rent from Thursdays to Mondays for the weekend retreats. In addition, I plan conducting art classes/workshops and meetings in the home. Classes, like the retreats are ideally limited to 2-10 attendees.

WESTFIELD-WASHINGTON TOWNSHIP APPLICATION FORM
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: _____
Those who live in this neighborhood will notice few changes to the home/area. By increasing the existing parking pad (please note the house is on a double lot and has ample space for increased parking pad) neighbors should not see an increase in street parking. The community, in fact, will benefit from my business as it will provide a place for the community to take art classes and meet with others who enjoy the same type of activities. Because the house is already on corner lot with average traffic, I don't see there being increased traffic in the area.
- 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 home is on a double lot. The house is on the lot closest to the corner with the extra lot located to the side of the home. This provides space between the house and neighbors. The plan is to expand the parking pad to limit street parking. Other than that, the extra lot will maintain its green space with the addition of a variety of extra plants installed on the edges of the lot to increase privacy. It is my goal to make sure the neighbors of the property find us to be an exemplary neighbor.
- C. The need for the variance arises from some condition particular to the property involved because: _____
The property has a large central room, unique to most homes in the area, that allows the perfect amount of space for individuals to gather for hands-on art classes. The need for a variance arises as I will not be living in the home, so it does not qualify as a home business. The property is currently located in a residential area but is on a corner lot which makes it very accessible without disturbing neighbors. The property is also on the far corner edge of the Grand Junction development plan so there is a desire/interest in developing the property at some point.
- 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: _____
If unable to use my property as a craft retreat house with classes on the property I would then look to use the home as an Airbnb. I am purchasing this property because of the unique qualities of the space/property - large double lot, corner lot, large central room. Not being able to utilize the property as a business would be a financial hardship.
- E. The variance of use does not interfere substantially with the Comprehensive Plan because: _____
The lot/house is listed as part of the larger Grand Junction development plan. Grand Junction plans to address/develop this area in the future but it is not yet spelled out in the written plan. My business is a great way to organically grow the area in a way that respects those who currently live in the neighborhood and yet still brings growth and business to the area. There is no store front with shop hours or increase in foot traffic or parking and yet it is a business that serves not only visitors but the local community as well.

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.

[Signature]
Applicant/Representative (signature)

Valene Watson
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 21 day of June, 2019.

State of Indiana, County of Hamilton, SS:

Julie E Sole
Notary Public
SEAL
Hamilton County, State of Indiana
My Commission Expires October 4, 2024
Commission Number: 691639

[Signature]
Notary Public Signature

Julie Sole
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.

[Signature]
Property Owner (signature)

Valene Watson
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 21 day of June, 2019.

State of Indiana, County of Hamilton, SS:

Julie E Sole
Notary Public
SEAL
Hamilton County, State of Indiana
My Commission Expires October 4, 2024
Commission Number: 691639

[Signature]
Notary Public Signature

Julie Sole
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, the notary must file a statement by each Property Owner acknowledging and consenting to the filing of this application is required number application.

File Number: 432348

WARRANTY DEED

THIS INDENTURE WITNESSETH, That **Betsy Rabold**, (Grantor), of Hamilton County, in the State of Indiana, CONVEYS AND WARRANT(S) to **Ryan Watson and Valerie Watson, husband and wife**, (Grantee) of Hamilton County, in the State of Indiana, for the sum of Ten & 00/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate in Hamilton County, State of Indiana:

Part of the West Half of the Southwest Quarter of Section 31, Township 19 North, Range 4 East in Hamilton County, Indiana, more particularly described as follows:

Beginning at the Northeast corner of said West Half and run thence South 167.00 feet; thence West 194.86 feet; thence North 167.00 feet; thence East 194.86 feet to the place of beginning.

EXCEPT that part taken by the City of Westfield, more particularly described as follows:

A part of the Southwest Quarter of Section 31, Township 19 North, Range 4 East in Hamilton County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of Quarter Section; thence South 89 degrees 24 minutes 24 seconds East along the North line of said Quarter Section 1003.33 feet; thence South 00 degrees 35 minutes 36 seconds West 25.08 feet to the Point of Beginning of this description being on the West line of the Owner's land; thence South 89 degrees 24 minutes 24 seconds East 194.87 feet to the East line of said Owner's land; thence South 00 degrees 35 minutes 38 seconds West along said East line 16.41 feet; thence North 89 degrees 25 minutes 54 seconds West 194.87 feet to said West line; thence North 00 degrees 35 minutes 40 seconds East along said West line 16.49 feet to the Point of Beginning, containing 0.074 acres, more or less.

For information purposes only, the property address is purported to be:
547 N East Street, Westfield, IN 46074

Subject to current, non-delinquent real estate taxes and assessments and all subsequent taxes and assessments thereon, all of which Grantee herein assumes and agrees to pay.

Subject to any and all easements, agreements and restrictions of record. The address of such real estate is commonly known as 547 N East Street, Westfield, IN 46074.

IN WITNESS WHEREOF, Grantor has executed this deed this 21st day of June, 2019.

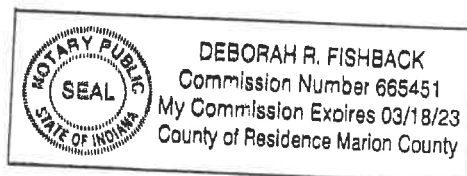
Betsy Rabold
Betsy Rabold

State of Indiana
County of Marion

Before me, a Notary Public in and for the said County and State, personally appeared Betsy Rabold, who acknowledged the execution of the foregoing Instrument, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 21st day of June, 2019.

Deborah R Fishback
Notary Public
Residing in Marion County
Indiana License Number: 665451
My Commission Expires: 03/18/2023



This instrument prepared by: David L. Walsh, Attorney at Law 993-49
I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Deborah Fishback
Information from Stewart Title Company
Send Tax bills to: 547 N East Street, Westfield, IN 46074

Grantee's street or rural route address is: 547 N East Street, Westfield, IN 46074

SURVEYOR LOCATION REPORT

This report was prepared only for:

STEWART TITLE SERVICES OF INDIANA, INC. (432348)

AND

PROVIDENT FUNDING ASSOCIATES, LP, ISAOA

THIS REPORT IS DESIGNED FOR USE BY A TITLE INSURANCE COMPANY WITH RESIDENTIAL LOAN POLICIES. NO CORNER MARKERS WERE SET AND THE LOCATION DATA HEREIN IS BASED ON LIMITED ACCURACY MEASUREMENTS. THEREFORE, NO LIABILITY WILL BE ASSUMED FOR ANY USE OF THIS DATA FOR CONSTRUCTION OF NEW IMPROVEMENTS OR FENCES. THIS REPORT IS NOT INTENDED TO REPRESENT A SURVEY, NOR IS IT INTENDED TO BE USED BY AND/OR BENEFIT THE BORROWER(S).



PROPERTY ADDRESS: 547 N. East Street

PROPERTY DESCRIPTION: See Sheet 3 of 3 for property description.

This is to certify that the subject property does not lie within that Special Flood Hazard Area Zone "A". The accuracy is subject to map scale uncertainty and to any other uncertainty in location or elevation on Community Panel Number 18057C0136G of the Flood Insurance Rate Maps, effective date 11/19/2014.

BORROWER(S): Ryan & Valerie Watson

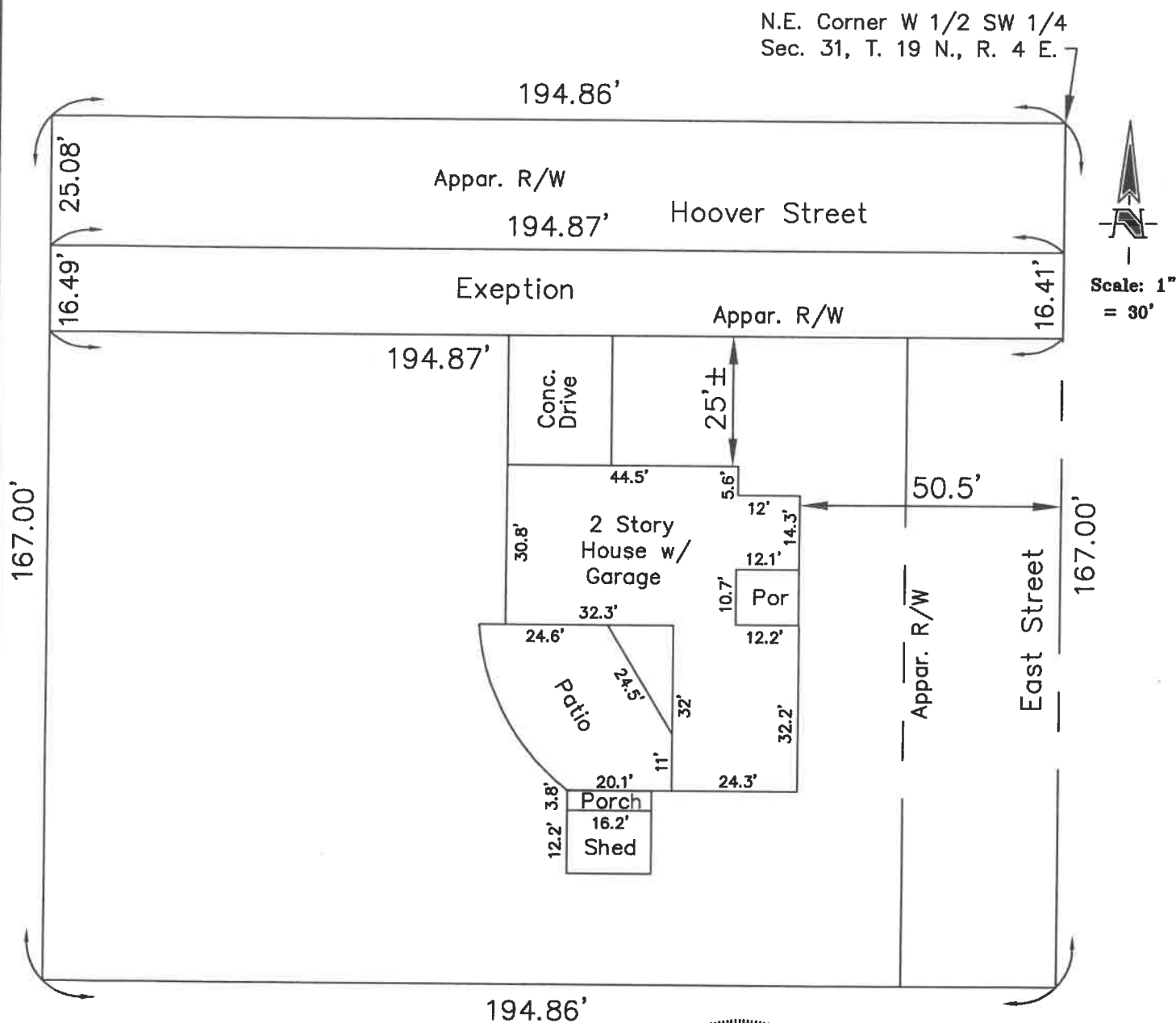
P&H
ENGINEERING/SURVEYING LLC

5251 S. East Street #1
INDIANAPOLIS, IN 46227
PHONE: (317) 974-5555
FAX: (317) 974-5570

Job No.: 19061044
Sheet 1 of 3

SURVEYOR LOCATION REPORT

I hereby certify to the parties named above that the real estate described herein was inspected under my supervision on the date indicated and that to the best of my knowledge, this report conforms with the requirements contained in Sections 27 through 29 of 865 IAC 1-12 for a SURVEYOR LOCATION REPORT.



P&H
ENGINEERING/SURVEYING LLC

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INDIANAPOLIS, IN 46227
PHONE: (317) 974-5555
FAX: (317) 974-5570



CERTIFIED: 06/17/2019

David B. Holley
David B. Holley
Professional Surveyor,
Indiana #890026
Job No.: 19061044
Sheet 2 of 3

Part of the West Half of the Southwest Quarter of Section 31, Township 19 North, Range 4 East in Hamilton County, Indiana, more particularly described as follows:

Beginning at the Northeast corner of said West Half and run thence South 167.00 feet; thence West 194.86 feet; thence North 167.00 feet; thence East 194.86 feet to the place of beginning.

EXCEPT that part taken by the City of Westfield, more particularly described as follows:

A part of the Southwest Quarter of Section 31, Township 19 North, Range 4 East in Hamilton County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of Quarter Section; thence South 89 degrees 24 minutes 24 seconds East along the North line of said Quarter Section 1003.33 feet; thence South 00 degrees 35 minutes 36 seconds West 25.08 feet to the Point of Beginning of this description being on the West line of the Owner's land; thence South 89 degrees 24 minutes 24 seconds East 194.87 feet to the East line of said Owner's land; thence South 00 degrees 35 minutes 38 seconds West along said East line 16.41 feet; thence North 89 degrees 25 minutes 54 seconds West 194.87 feet to said West line; thence North 00 degrees 35 minutes 40 seconds East along said West line 16.49 feet to the Point of Beginning, containing 0.074 acres, more or less.

P&H

ENGINEERING/SURVEYING LLC

5251 S. East Street #1
INDIANAPOLIS, IN 46227
PHONE: (317) 974-5555
FAX: (317) 974-5570

Job No.: 19061044
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