



CITY OF WESTFIELD, IN
BoardofZoningAppeals_Meeting_Agenda_04_09_2019

Tuesday, April 09, 2019 at 07:00 PM

BOARD OR COMMISSION: Board of Zoning Appeals (BZA)

MEETING DATE: Tuesday, April 09, 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 - March 12, 2019

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

Review Rules & Procedures

ITEMS OF BUSINESS:

1904-VS-06 [PUBLIC HEARING]

1111 East 156th Street

John L. & Mary B. Speidel

The petitioner is requesting a Variance of Development Standard to reduce the Minimum Lot Frontage on 18.5 acres +/- in the AG-SF1: Agricultural / Single-Family Residential District (Article 4.2(D)).

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

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

1904-VS-07 [PUBLIC HEARING]

17827 Commerce Drive

JCF Commerce, LLC

The petitioner is requesting a Variance of Development Standard related to the permitted building materials and facade offsets for a previously approved 11,700 square foot industrial building (0901-DP-01) on 2.41 acres +/- in the EI: Enclosed Industrial District (Article 6.3(G)(2)(a)(i - iii)).

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

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Project Narrative](#) | [Exhibit 4: Approved Elevations \(2009\)](#) | [Exhibit 5: Proposed Elevations](#) |

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

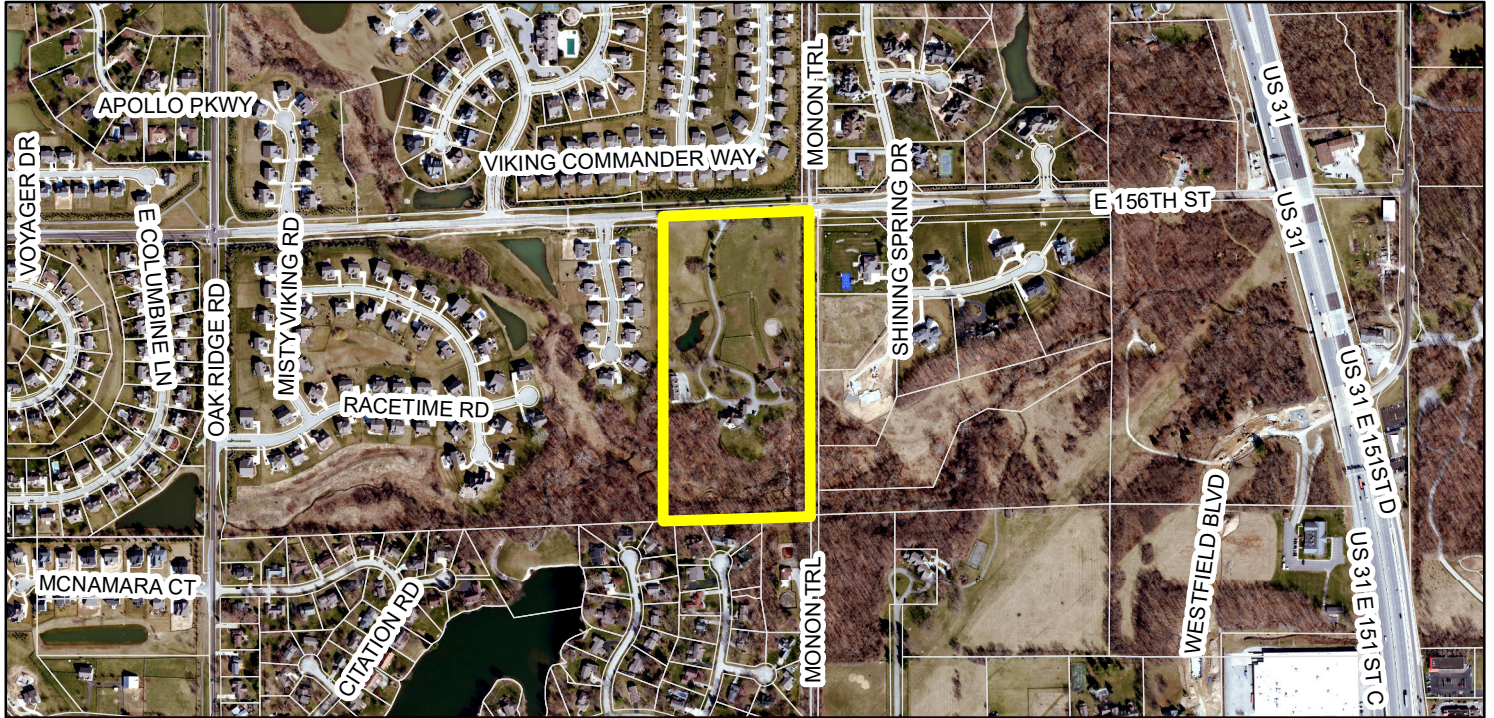
Property Location Map

Fox Hollow Farms

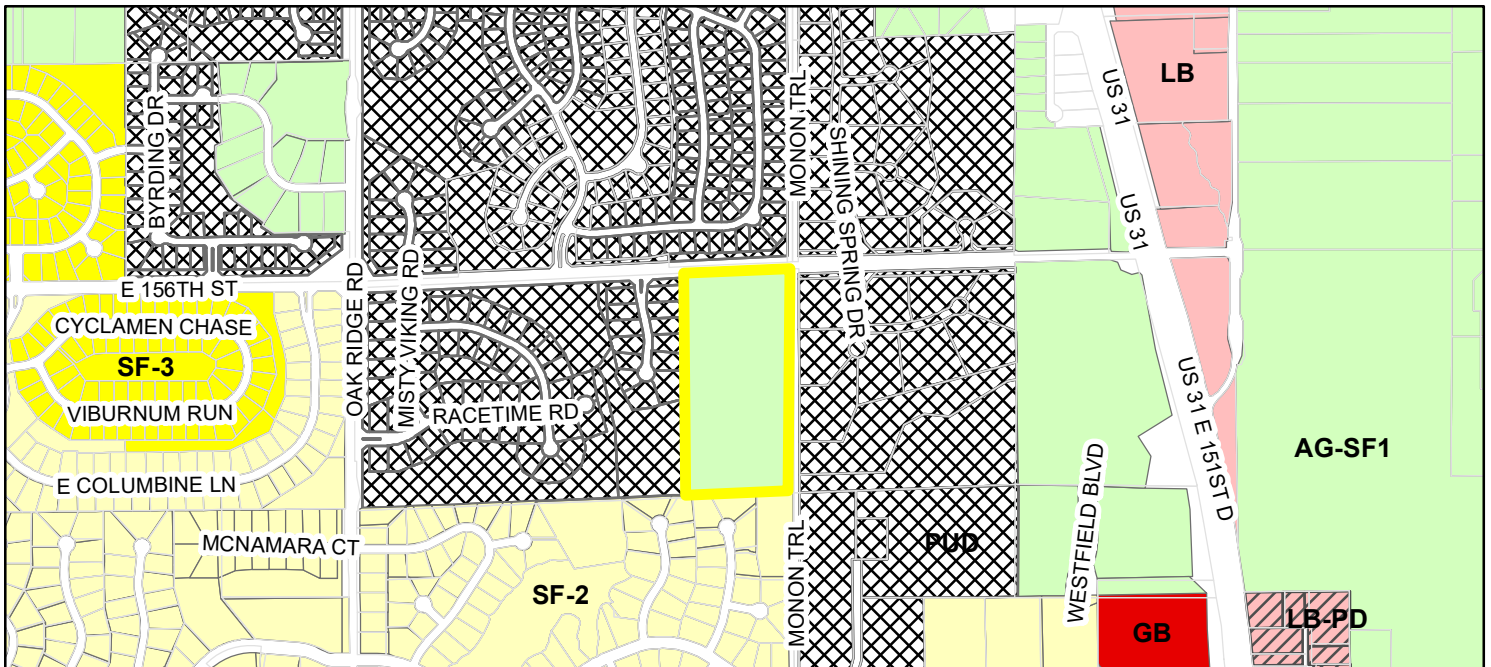
1904-VS-06; 1904-SFP-20



Aerial Location Map



Zoning Map



	Parcel		LB (Local Business)
Zoning - All			LB-PD (Local Business - Planned Development)
Zoning			PUD (Planned Unit Development)
	AG-SF1 (Agriculture - Single Family - 1)		SF-2 (Single Family - 2)
	GB (General Business)		SF-3 (Single Family - 3)



SCALE: 1"=100'

40

PARALLEL
SURVEYING LLC

555 MARKET ROAD
TIPTON, IN 46072

PHONE 765-675-6455

e-mail: wyatt.40th@gmail.com



Westfield–Washington Township Board of Zoning Appeals
Minutes of the March 12, 2019 BZA Meeting
Presented for approval: April 9, 2019

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

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

Ken Kingshill arrived at 7:03 p.m.

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

APPROVAL OF MINUTES

Motion:

Smith motioned to approve the February 12, 2019 meeting minutes as written.

Fortier seconded. Motion passed. Vote 4-0. (Kingshill not yet present)

REVIEW RULES AND PROCEDURES

Howard reviewed BZA rules and procedures.

ITEMS OF BUSINESS:

1903-VU-03 &

1903-VS-05

[PUBLIC HEARING]

15010 Bridlewood Drive

Jonathan Dosmann

The petitioner is requesting a Variance of Use to permit an addition to a Single-Family Dwelling and a Variance of Development Standard to reduce the Minimum Front Yard Setback in the SB-PD: Special Business / Planned Development District. (Articles 13.2 and 4.22).

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

Ernest overviewed these requests. He explained the existing home is located within the Bridlewood Subdivision, which is zoned the SB-PD District. The subdivision received Primary Plat approval on November 23, 1987. He said that at that time, it was determined that Single-Family Residential was permitted in the SB-PD District, though the rationale for making this determination is unclear. In order to formally memorialize the rationale behind permitting Single-Family Residential, staff asked the Petitioner to include a Variance of Use as part of their request. The Department is looking into ways to address this issue on a more global scale to alleviate the issue in future instances. Ernest added that in regard to the Variance of Development Standard that the Minimum Front Yard Setback for the SB-PD District is sixty (60) feet. The proposed side addition will be approximately thirty-six (36) feet from the east property line, requiring a reduction in the Minimum Front Yard Setback.

Kingshill asked if everyone within this subdivision would need to come in for a Variance of Use prior to making any changes to their property.

Howard responded that they would only if a Variance of Standard is necessary; if not then it would be deemed legal non-conforming.

Public Hearing for 1903-VU-03 & 1903-VS-05 opened at 7:08 p.m.

No public comments.

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

Public Hearing for 1903-VU-03 & 1903-VS-05 closed at 7:09 p.m.

Motion:

Kingshill motioned to approve 1903-VU-03 & 1903-VS-05 with the following staff condition.

- The addition shall be built as shown on the Site Plan Exhibit (Exhibit 3) and Proposed Addition Exhibit (Exhibit 4) attached to the Staff Report.

Smith seconded. Motion passed. Vote 5-0.

Motion:

Kingshill motioned to approve the Findings of Fact for 1903-VU-03 & 1903-VS-05.

Smith seconded. Motion passed. Vote 5-0.

1902-VS-04

**[ADOPTION OF
FINDINGS OF FACT]**

16708 Dean Road

GEFT Outdoor, LLC

Adoption of Findings of Fact for Variance of Development Standard that was denied on February 12, 2019.

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

Smith stated that the findings are consistent with discussion at the hearing. All Agreed.

Motion:

Smith motioned to approve the Findings of Fact for 1902-VS-04.

Raines seconded. Motion passed. Vote 5-0.

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

Motion:

Kingshill motioned to adjourn the meeting.

Raines seconded. Motion passed. Vote 5-0.

The meeting adjourned at 7:17 p.m.

Chairperson
Dave Schmitz

Secretary
Matthew S. Skelton, Esq., AICP
Director



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

April 9, 2019

1904-VS-07

Exhibit 1

Petition Number: 1904-VS-07

Subject Site Address: 18727 Commerce Drive ("the Property")

Petitioner: J.R. Freiburger ("the Petitioner")

Request: The petitioner requests Variances of Development Standard related to the permitted building materials and required offsets for a previously approved (0901-DDP-01) 11,700 square foot industrial building (the "Proposed Building") on 2.41 acres +/- in the EI Enclosed Industrial District (Article 6.3(G)(2)(a)(i) through (iii))

Current Zoning: EI: Enclosed Industrial

Current Land Use: Industrial/Vacant

Approximate Acreage: 2.41 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Project Narrative
4. Approved Elevations (2009)
5. Proposed Elevations
6. Proposed Site Plan
7. Existing Conditions
8. Alpha Tau Park Current Buildings Exhibit

Staff Reviewer: Daine Crabtree, Associate Planner

OVERVIEW

Location: The subject property is 2.41 acres +/- in size and located at the northeast corner of 18727 Commerce Drive in what is commonly known as the Alpha Tau Business Park (**see Exhibit 2**). The Property is zoned EI: Enclosed Industrial. Adjacent properties are zoned EI: Enclosed Industrial and the Wheeler Landing Planned Unit Development (PUD) District.

Property History: A Detailed Development Plan (0901-DDP-01, "the Original Development Plan") was approved at the January 20, 2009, Town of Westfield Plan Commission Meeting, which approved a second industrial building (the "Previously Approved Building"), 11,700 square feet in size, on the Property.

Requested Variances: The petitioner is requesting Variances of Standard to modify building material and offset requirements.



SUMMARY OF VARIANCE

The Property is currently subject to the EI: Enclosed Industrial¹ zoning set forth by the Westfield-Washington Township Unified Development Ordinance (the “UDO”).

The petitioner is requesting three (3) Variances of Standard for building material and offset requirements, as generally illustrated on the Elevations (**see Exhibit 5**) and described in the Petitioner’s Narrative (**see Exhibit 3**).

Chapter 6.3(G)(2)(a)(i) of the UDO requires that a minimum of sixty percent (60%) of the Building Façades considered “External Façades” (exclusive of window and doors) shall be Masonry Materials. The petitioner is requesting that this standard not apply, as they are planning on using Concrete Masonry Units (standard masonry blocks & split-face masonry blocks) in lieu of Masonry Materials.

Chapter 6.3(G)(2)(a)(ii) requires that Building Façades that are ninety (90) feet or greater in length shall be designed with offsets (projecting or recessed) at intervals of not greater than sixty (60) feet. The petitioner is requesting that no offsets be required.

Chapter 6.3(G)(2)(a)(iii) requires that if materials other than Masonry Materials are utilized on any Building Façade, then the Building Façade shall be supplemented with: (i) the use of multiple colors and textures (e.g. rough, smooth, striated, etc.) or (ii) the addition of architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves, etc.).

If the Proposed Building elevations were presented at the time the Original Development Plan’s submittal, it would have complied with the existing standards. However, because architectural standards for Industrial Buildings have increased substantially since 2009, the Proposed Building does not comply with the UDO’s Architectural Standards. The Proposed Building, however, would be similar in appearance to the buildings that already exist in the Alpha Tau Business Park (see **Exhibit 5** and **Exhibit 7**). Similar variances for building material and offsets within docket 1706-VS-10 for another building within Alpha Tau Business Park, were approved at the July 12, 2017, BZA meeting.

The Site Plan (see **Exhibit 6**) remains unchanged from its approval in 2009; only the proposed elevations differ.

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

¹ Article 4.24: EI: Enclosed Industrial District



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

April 9, 2019

1904-VS-07

Exhibit 1

public hearing at the April 9, 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.

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.

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

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



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

April 9, 2019

1904-VS-07

Exhibit 1

DEPARTMENT COMMENTS:

Recommended Findings for Approval: If the Board is inclined to approve the Variance of Development Standards (1904-VS-07), then the Department recommends the following written findings of fact and condition:

- 1) **Criteria:** 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 existing use and proposed improvements will otherwise comply with the applicable standards of the EI: Enclosed Industrial District.

- 2) **Criteria:** The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner:

Finding: It is unlikely the use and value of adjacent property will be affected in a substantially adverse manner. The proposed variance should not have a negative impact on surrounding properties because the use of the property will not change and the building elevations provided indicate that the building will fit the character of the existing, adjacent businesses.

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

Finding: Regarding the required building materials and offsets, strict adherence to the zoning ordinance would result in reduction/loss of usable industrial space. Regarding the required building materials, strict adherence to the zoning ordinance would result in building facades that are significantly different than those that currently exist in the Alpha Tau Business Park.

Recommended Conditions:

- That the Variances of Standard granted shall apply only to the proposed 11,700 square foot building and no other building on the Property.
- That the Proposed Building be designed in substantial compliance with the elevations depicted in **Exhibit 5**.
- That the Petitioner shall record an acknowledgement of this approval with the County Recorder's Office and return a copy of the recorded instrument to the Economic and Community Development Department.

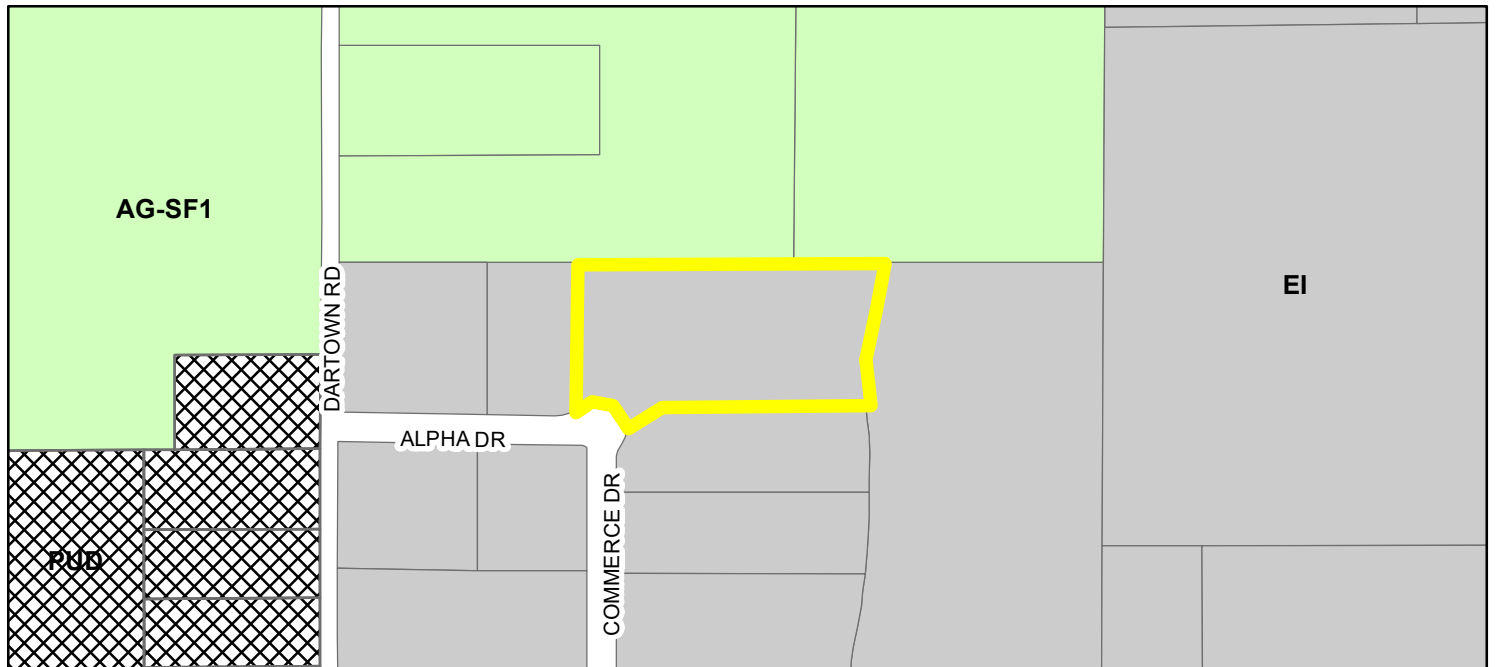
Denial: If the Board is inclined to deny the requested variance, then the Department recommends denying the variance, and then tabling the adoption of findings until the Board's next meeting with direction to the Department to prepare the findings pursuant to the public hearing evidence and Board discussion.

Aerial Location Map

 Site



Zoning Map



Zoning - All

Zoning

 AG-SF1 (Agriculture - Single Family - 1)

 EI (Enclosed Industrial)

 PUD (Planned Unit Development)



**JCF Commerce, LLC
233 E. 175th Street
Westfield, IN 46074**

February 28, 2019

Attn: Plan Reviewer
City of Westfield Board of Zoning Appeals
2728 East 171st Street
Westfield, IN 46074

Re.: J.R. Freiburger
JCF Commerce Property
18727 Commerce Drive
Westfield, IN 46074

PROJECT NARRATIVE

I am the managing member of JCF Commerce, LLC, who owns the property at 18727 Commerce Drive. We have a previously designed and approved design development plan for both civil and architectural details for an 11,700 square foot office/warehouse building to be built on the existing eastern half of this 3 acre parcel. The original building design was for a specific tenant who needed high ceiling heights and 2 floors of office space in part of this building. That company is no longer a tenant and so the building needs to be made slightly shorter, with more flex space, multi-tenant options. It will be the identical size and footprint so there will be no material change to the approved site plan.

Due to changing the architecture this project it would now fall under the new development standards, which impose significant undue hardship on this project. Given that this is the last buildable footprint in the Alpha Tau Park, This project is petitioning for Development Standards variances with the BZA that are more in keeping with the balance of all architecture within the industrial park.

The following is a list of the variances we are requesting. The development standards variances are due to the changes in the Zoning Ordinance since the park was originally developed in the 1990's

**WESTFIELD-WASHINGTON TOWNSHIP UNIFIED DEVELOPMENT ORDINANCE
6.3 Architectural Standards**

G. Industrial Districts: All new nonresidential buildings or building additions located within an Industrial District shall comply with the following:

2. Building Facades:

a. External Facades: Each Building Façade visible from a Street, oriented to an adjoining Residential District, or oriented to an alternative transportation corridor bearing a designation on the Thoroughfare Plan (collectively, "External Façade"), shall comply with the following:

- i. A minimum of sixty percent (60%) of the Building Façade (exclusive of window and doors) shall be Masonry Materials.**

Masonry Material: Brick, limestone, natural stone, manufactured stone (e.g., Cultured Stone®), or a combination of the same, bonded together with a mortar to form a wall, buttress, or similar mass. Fiber Cement Siding is not a Masonry Material for purposes of this Ordinance.

Strict application of this Zoning Ordinance creates a hardship due to the elimination of concrete masonry units in the current definition of masonry materials. Our design provides for building façade materials which are similar to the surrounding Industrial Buildings.

ii. Building Facades, which are ninety (90) feet or greater in length, shall be designed with offsets (projecting or recessed) at intervals of not greater than sixty (60) feet. Offsets shall extend the entire vertical plane of the Building Façade and shall be a minimum depth of four (4) feet and a minimum aggregate length of twenty percent (20%) of the horizontal plane of the overall Building Façade.

Strict application of this Zoning Ordinance creates a hardship due to the fact that the overall building footprint and associated approved site plan were approved prior to the change in Zoning requiring these offsets. No other building in the park has been required to oblige this requirement.

b. All Building Facades: If materials other than Masonry Materials are utilized on any Building Façade, then the Building Façade shall be supplemented with: (i) the use of multiple colors and textures (e.g., rough, smooth, striated, etc); or (ii) the addition of architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves, etc.).

Strict application of this Zoning Ordinance creates a hardship due to the fact that these elements are imposed over a previously established, existing, industrial park that does not have these elements as part of the architecture. Requiring these elements would create financial hardship due to having to over improve the subject property relative to the existing neighboring properties.

Construction is planned to begin immediately upon approval by all appropriate agencies with the intention of completing the building by fall of 2019. The design of the facility will meet requirements set in local and state building codes and will not be a fire hazard to the public.

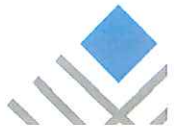
Thank you for your consideration of this Variance Request and please feel free to call or email me with any questions you may have at any time.

Respectfully,

A handwritten signature in blue ink, appearing to read "J.R. Freiburger II", with a stylized flourish at the end.

J.R. Freiburger II
Managing Member

AFFIDAVIT OF NOTICE OF PUBLIC HEARING



DOCKET #: _____

PUBLIC HEARING DATE: _____

APPLICANT'S NAME: J.R. FreiburgerREPRESENTATIVE'S NAME: J.R. Freiburger COMPANY: JCF Commerce, LLCPROJECT TO BE KNOWN AS: JCF Commerce Building #2

APPLICATION TYPE: ☐ CHANGE OF ZONING ☐ TEXT AMENDMENT ☐ COMMITMENTS ☐ PRIMARY PLAT
☐ DEVELOPMENT PLAN (SITE PLAN) ☒ BOARD OF ZONING APPEALS (VARIANCE, SPECIAL EXCEPTION)

PUBLIC NOTICE AFFIDAVIT

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath does hereby certify that notice of public hearing to consider above petition was sent by certified, registered or first class mail to the last known address of each of the following persons, as attached hereto as **Exhibit A**, they being all persons to whom notice was required to be sent by the Plan Commission's Rules of Procedure, and that said notices were postmarked on the _____ day of _____, 20____, being at least ten (10) days prior the scheduled public hearing.

I (We) further certify that the notice required to be posted on the subject property described in the above petition was posted on the subject property in accordance with the Plan Commission's Rules of Procedures on the 28TH day of MARCH, 2019, being at least ten (10) days prior the scheduled public hearing.

J.R. Freiburger
 Applicant/Representative (signature)*

J.R. Freiburger
 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 instrument.

Witness my hand and Notarial Seal this 8th day of MARCH, 2019.

State of Indiana County of Hamilton, SS:



INDIANA

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Auditor Online

Adjoiner Request

Online Submission Receipt

This receipt may not display at a future date or time. Please print this page for your records or make note of the Confirmation Number.

Date of Submission: Mar 7, 2019
Confirmation #: AR-2019-0059

PAYMENT SUMMARY:

Payment Status: Fees have been paid.
County Fee: \$25.00
**** LoGO Portal Fee:** \$1.52
LoGO Total: \$26.52

TRANSACTION SUMMARY:

Adjoiner Request
Owner: JCF Commerce, LLC
Contact's Name: J.R. Freiburger
Number of Subject Parcels: 1
Parcel Number of Property: 09-05-35-00-00-017.006

DELIVERY:

Com-Tech

Westfield, Indiana



Front Elevation
Scheme A

SOUTH ELEVATION



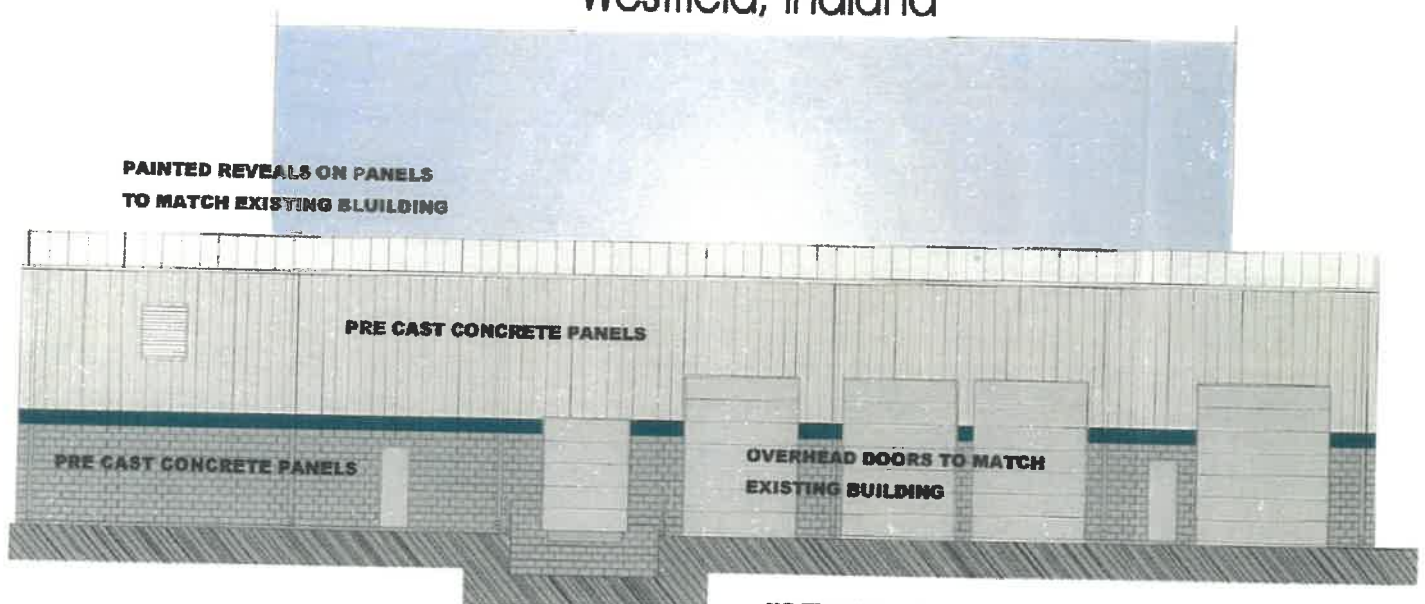
Systems Builders, Inc.
9150 Harrison Park Court
Indianapolis, IN
317 554-8000

BAB Associates
Architecture, Inc.
160 W. Corner Dr.
Suite 236
Carmel, IN 46032
317.844.1264



Com-Tech

Westfield, Indiana



Systems Builders, Inc.
9153 Harrison Park Court
Indianapolis, IN
317.5546.8000

Right Side Elevation
Scheme A

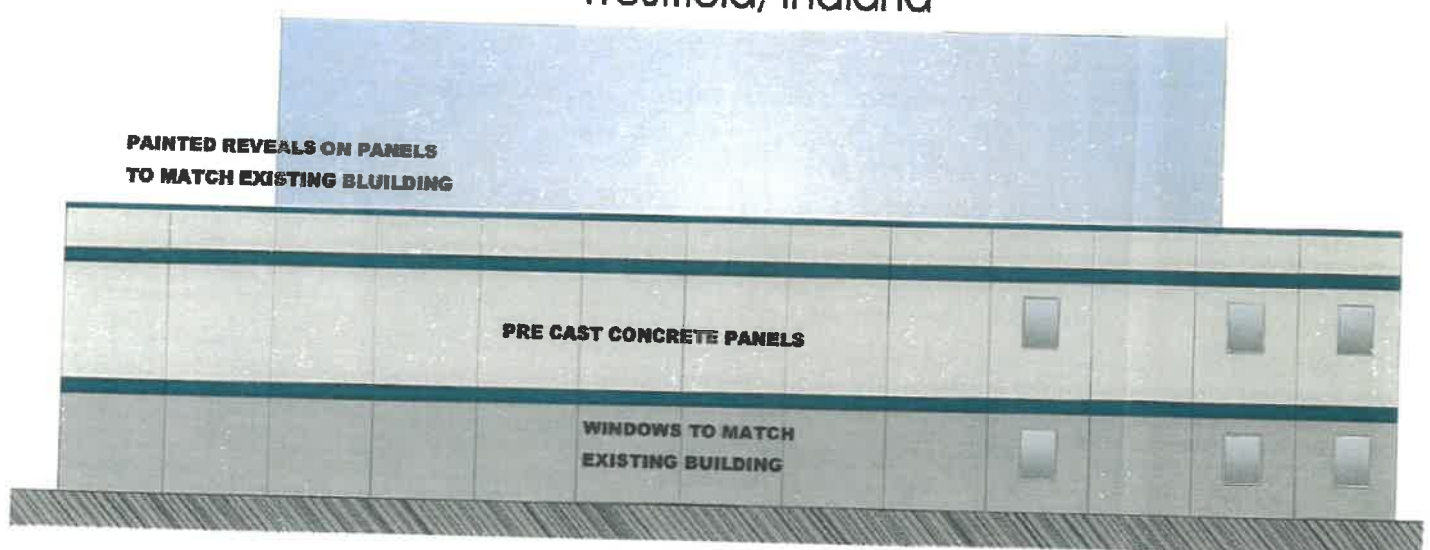
WEST ELEVATION

BAB Associates
Architecture, Inc.
160 W. Cornell Dr.
Suite 236
Cornell, IN 46032
317.844.1264



Com-Tech

Westfield, Indiana



Left Side Elevation
Scheme A

EAST ELEVATION

SBI
Systems Builders, Inc.
9180 Harrison Park Court
Indianapolis, IN
317 5546 8000

BAB Associates
Architecture, Inc.
140 W. Canal Dr.
Suite 230
Carmel, IN 46032
317.844.1264



Com-Tech

Westfield, Indiana



Rear Elevation
Scheme A

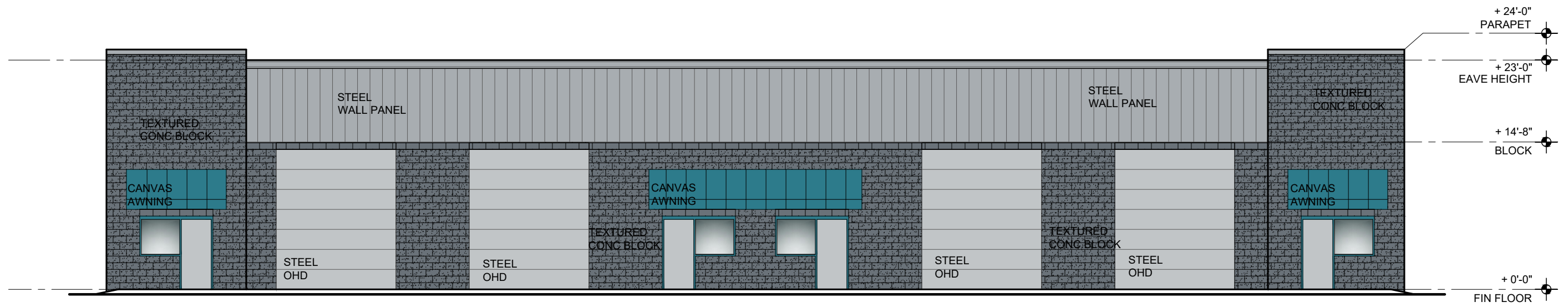
NORTH ELEVATION



Systems Builders, Inc.
9150 Harrison Park Court
Indianapolis, IN
317 5548 8000

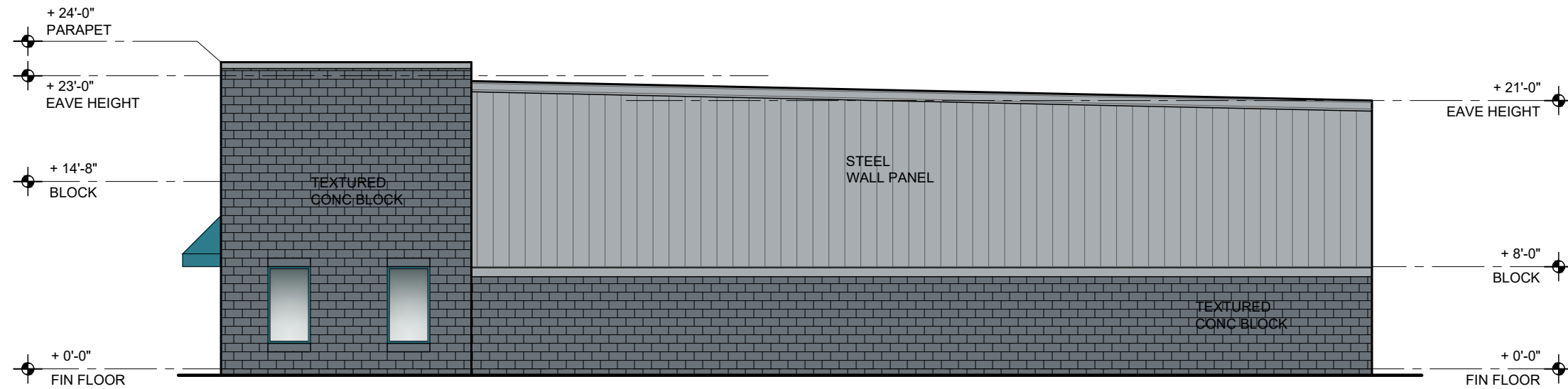
BAB Associates
Architecture, Inc.
60 W. Cornell Dr.
Suite 230
Cornell, IN 46032
317 844 1264





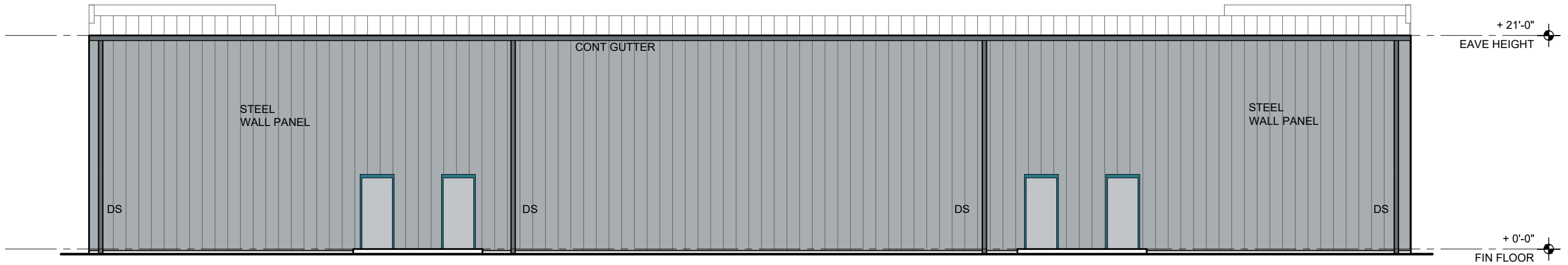
WEST ELEVATION

scale : 3/32" = 1'-0"



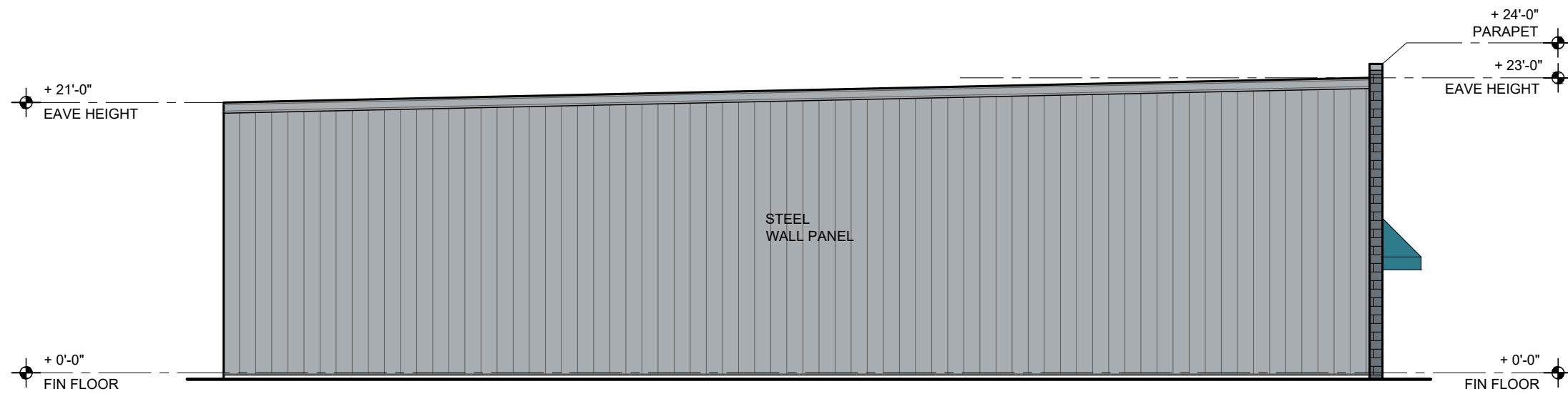
SOUTH ELEVATION

scale : 3/32" = 1'-0"



EAST ELEVATION

scale : 3/32" = 1'-0"



NORTH ELEVATION

scale : 3/32" = 1'-0"

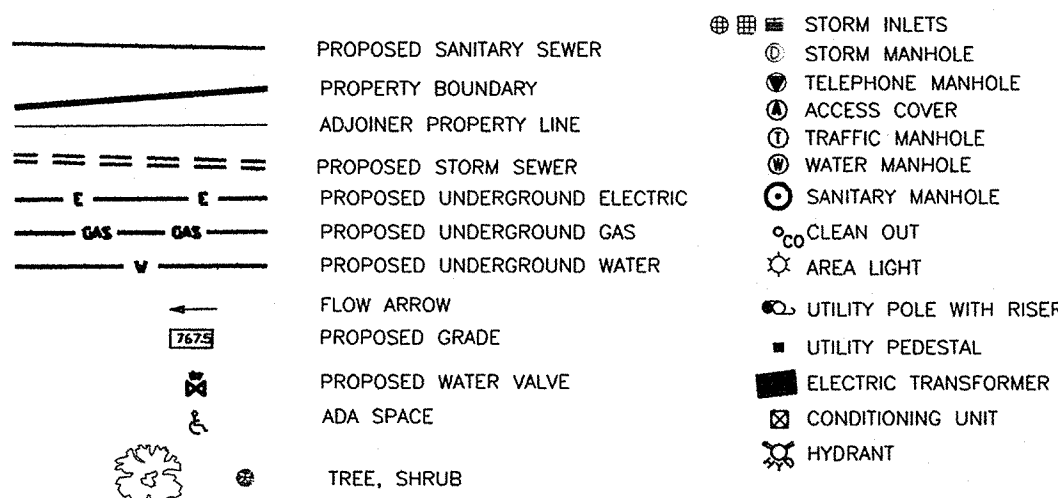
HOLEY MOLEY SAYS

"DIG SAFELY"



KNOW WHAT'S BELOW
PER INDIANA STATE LAW IC3-1-26,
IT IS AGAINST THE LAW TO EXCAVATE
WITHOUT NOTIFYING THE UNDERGROUND
LOCATION SERVICE TWO (2) WORKING
DAYS BEFORE COMMENCING WORK.
CALL 1-800-362-5544 to schedule
a locate request

PROPOSED LEGEND



ASPHALT PAVEMENT SPECIFICATIONS

The paving contractor shall be responsible for the following:

1. The area to be paved shall be cleared of all rock, debris, roots and vegetation. An approved soil sterilant shall be utilized to prevent the growth of weeds.
2. All soft, yielding or other unsuitable materials encountered during any phase of subgrade construction shall be removed and replaced with suitable material. The replacement material shall fill the unstable area for the entire depth of the compacted subgrade and meet the subgrade compaction requirements. The subgrade shall be shaped to the true lines and grade as shown on the plans.
3. The subgrade shall be compacted to 95% laboratory density as determined by AASHTO Method T-99.
4. The subgrade and finish paving shall be tested by an approved testing company for uniform smoothness, density and grade.
5. Slope pavement 0.75% (MIN.) to insure proper surface drainage.
6. The hot mix asphalt based may be placed directly on the prepared subgrade in one lift for the base course to the required compacted thickness as specified in local street standards.
7. The hot mix asphalt base and surface shall be placed in one lift to the true line and grades as shown on the plans. The paving mixture shall be placed and compacted at a temperature between 250 F. (121 C) and 300 F. (149 C).
8. The paving mixture shall be transported to the job site in clean well-covered trucks with smooth dump beds. The base and surface mixtures are to be placed with self contained, power propelled pavers capable of placing the mix to the required dimensions as shown on the plans.
9. Asphalt grade shall be determined by its ability to satisfactory coat the aggregate, resist rutting and remain stiff during high temperatures and sustain freeze/thaw cycles in addition to the considerations of anticipated weather, mixing process and curing rate.
10. See details on Sheet C5 for pavement cross-sections.
11. All proposed asphalt pavement as shown shall be constructed in compliance with INDOT standard specifications, latest edition.
12. All parking striping and ADA areas shall be marked with a durable nonshrink, white point to be approved by the engineer.

SITE NOTES

1. Site Information was taken from Keeler-Webb Ass., dated 02/03/05. It is the contractor's responsibility to verify existing site conditions prior to starting work.
2. The contractor shall be responsible for obtaining or verifying that all permits and approvals are obtained from the respective city, county, and /or state agencies prior to starting construction.
3. The Plumbing contractor shall consult with the Local Water Company, provide all materials and labor, and pay all costs not borne by the Local Water Company to provide any new water service.
4. The Plumbing contractor shall consult with the Local Gas Company, provide all materials and labor, and pay all costs not borne by the Local Gas Company to provide any new gas service.
5. The Electrical Contractor shall consult with the Local Power Company, provide all materials and labor, and pay all costs and fees not borne by the Local Power Company to provide any new underground electrical service.
6. The Electrical Contractor shall consult with the Local Telephone Company, and shall provide all labor and materials required which are not borne by the Telephone Company to provide any new telephone service.
7. Domestic water lateral service shall be Type 'K' Copper. (or approved equal per local water company).
8. The incoming water service shall be installed with a minimum of 54" of cover.
9. All utility service lines shall be constructed in accordance with all the latest applicable codes and to each utility's and/or city's standards.
10. Use compacted granular fill when utility lines are placed under walks and driveways.
11. Soil borings have not been performed at this time. Pavement design is based on an assumed soil bearing pressure of 1500 p.s.i.
12. Provide sleeves for mechanical work as required.
13. Notify Engineer at least 1 day (24 hours) prior to placing any concrete.
14. Areas between curbing, sidewalks, paving and building shall be filled with 4" of topsoil suitable for landscaping.
15. See sheet C2 for exterior concrete specifications.
16. See this sheet for sanitary sewer lateral specifications and requirements.
17. This structure shall comply with A.D.A. 1991.
18. All edge of pavement radii are 5 feet unless otherwise noted.
19. If active utilities are encountered but not shown on the drawings, the engineer shall be advised before work is continued.
20. Inactive and abandoned utilities encountered in excavating and grading operations shall be reported to the engineer. They shall be removed, plugged or capped as directed by the utility company and the engineer.
21. Contractor to install "Knox-Box" at a location adjacent to front door. Coordinate location, type and style with Westfield Fire Department.

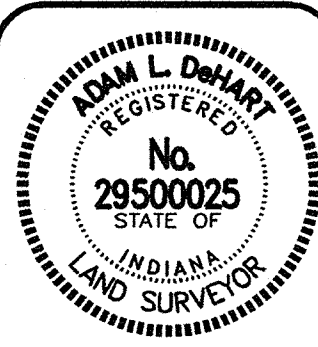
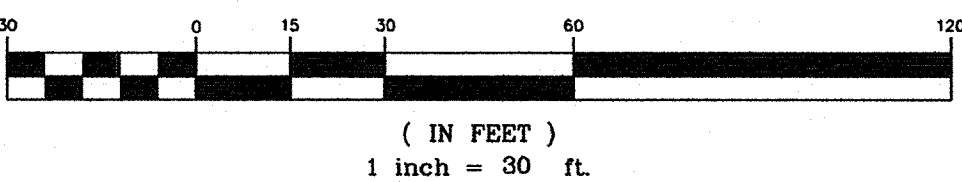
SITE DATA

Zoned	EI
Lot area	3,000 Ac. +/-
New Employee parking (10' x 20' spaces)	23
Handicapped parking	1
Proposed parking	24
Building 2 area	11,700 sq. ft.

Minimum Front Yard Setback	40'
Minimum Rear Yard Setback	20'
Minimum Side Yard Setback	20'
Minimum North & East Side buffer Setback	15'

PROPOSED SITE PLAN

GRAPHIC SCALE



DATE	FOR	ISSUE
2-09-05	PRE FILING CONF.	
2-18-05	TAC REVIEW	
3-07-05	H.C.S.O. REVISIONS	
1-04-06	BUILDING 2 REVISIONS	
11-10-08	PARKING/DETENTION	
2-23-08	TAC REVISIONS	

KEELER-WEBB ASSOCIATES
Consulting Engineers-Planners-Surveyors
486 GRADLE DRIVE
CARMEL, INDIANA 46032
E-mail: adehar@keelerwebb.com
PHONE (317) 574-0140
FAX (317) 574-1269



COM-TECH CONSTRUCTION INC.
TURNKEY CONSTRUCTION FOR THE TELECOMMUNICATIONS INDUSTRY
P.O. BOX 609
WESTFIELD INDIANA 46074

DRAWN BY: ALD
CHECKED BY: ALD
PROJECT No.
0811-010
SHEET No.

C1

Exhibit 8

Current Buildings in Alpha Tau Park













WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

April 9, 2019

1904-VS-06

Exhibit 1

Petition Number: 1904-VS-06

Subject Site Address: 1111 156th Street (The "Property")

Petitioner: John L. & Mary B. Speidel (The "Petitioner")

Representative: Wyatt Johnson

Request: The Petitioner is requesting a Variance of Development Standard to reduce the Minimum Lot Frontage requirement (Article 4.2(D)) on 18.5 acres +/- in the AG-SF1: Agricultural / Single-Family Residential District.

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

Current Land Use: Residential

Approximate Acreage: 18.5 acres+/-

Exhibits:

1. Staff Report
2. Location Map
3. Site Plan
4. Character Exhibits

Staff Reviewer: Jonathan Dorsey, Associate Planner

OVERVIEW

Location: The subject Property is 18.5 acres +/- in size and is located at 1111 156th Street (see **Exhibit 2**), alternatively known and referred to as Fox Hollow Farms. The Property is currently zoned the AG-SF1 District. The surrounding properties to the north, east and west are within the Viking Meadows PUD zoning district and the adjacent property to the south is zoned SF-2.

Variance Request: The Petitioner is requesting a Variance of Development Standard to reduce the Minimum Lot Frontage¹ from two hundred and fifty (250) feet to zero (0) feet (article 4.2(D)) (see **Exhibit 3**).

SUMMARY OF VARIANCE

The Petitioner is requesting to reduce the Minimum Lot Frontage for the proposed Lot 3 from two hundred and fifty (250) feet to zero (0) feet; more specifically outlined below:

- 1) The Minimum Lot Frontage for AG-SF1 as defined in the Unified Development Ordinance is two hundred and fifty (250) feet (Article 4.2 (D)).

¹ The UDO defines "Lot Frontage" as [t]he length of the Front Lot Line.



COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan (The “Plan”) identifies the Property within the “Existing Suburban” land use classification². The vision for the Existing Suburban includes encouraging compatible infill development on vacant parcels in existing neighborhoods, new development upon demonstration that it will not alter the character of the area or will not generate negative land use impacts, develop infill that is compatible in mass, scale, density, materials, and architectural style to existing development, and ensuring that new development is properly buffered when adjacent to existing suburban uses. This land use classification considers the following to be appropriate land uses: Detached dwellings, attached dwellings, institutional uses, and recreational uses³.

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 April 9, 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.

² Page 24 of the Westfield and Washington Township Comprehensive Plan; Chapter 2; Land Use Plan: Land Use Classifications and Development Policies.

³ Page 39 of the Westfield and Washington Township Comprehensive Plan; Chapter 2; Land Use Plan: Background.

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

⁶ Article 10.14(K) Processes and Permits; Variances; Acknowledgement of Variance of the UDO.



Variances of Development Standard: The Board of Zoning Appeals shall approve or deny variances from the terms of the UDO. 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;
- 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 of Development Standard (1904-VS-06), then the Department recommends the following conditions and written findings of fact related to the Variance of Development Standard:

Recommended Condition:

1. The lots shall be subdivided in substantial compliance with the Site Plan Exhibit attached to the Staff Report.
2. That any new construction on the lots be substantially similar to the Character Exhibits attached to the Staff Report.

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 proposed use of the new lots would be compliant with all other 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 use of the Property would not change from its current use as residential and the continued use will stay consistent with the quality and character of the surrounding area as designated in the 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 properly subdivide and improve the property, as proposed.



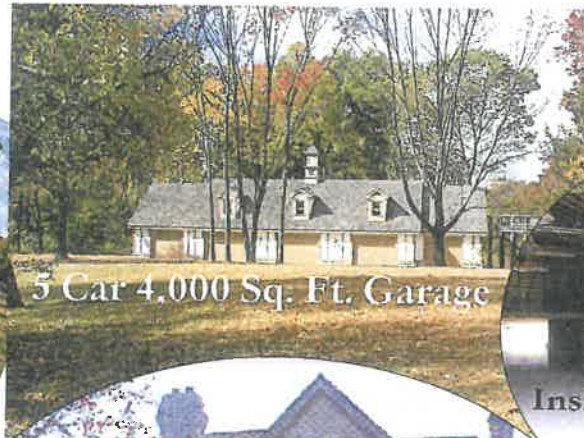
Denial: If the Board is inclined to deny the requested variance, then the Department recommends denying the variance, and then tabling the adoption of findings until the Board's next meeting with direction to the Department to prepare the findings pursuant to the public hearing evidence and Board discussion.



Entrance



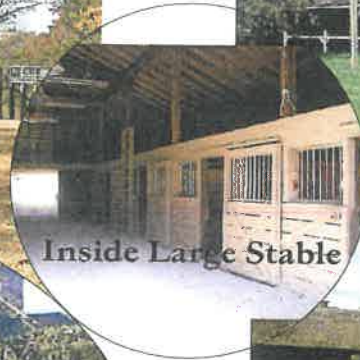
Field To House



5 Car 4,000 Sq. Ft. Garage



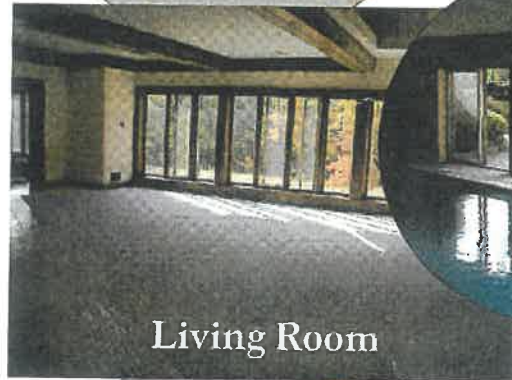
Large Horse Stable



Inside Large Stable



Small Horse Stable



Living Room



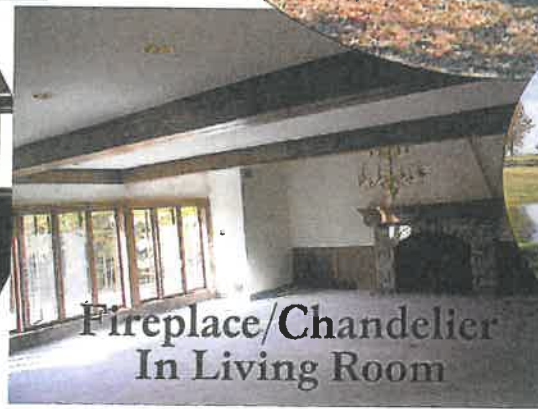
Indoor Pool



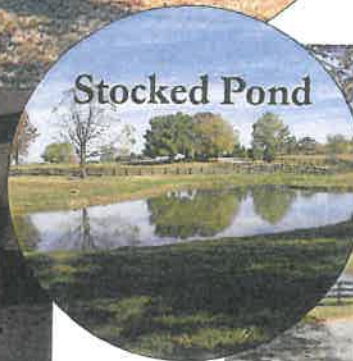
Exercise Ring



Den



Fireplace/Chandelier
In Living Room



Stocked Pond



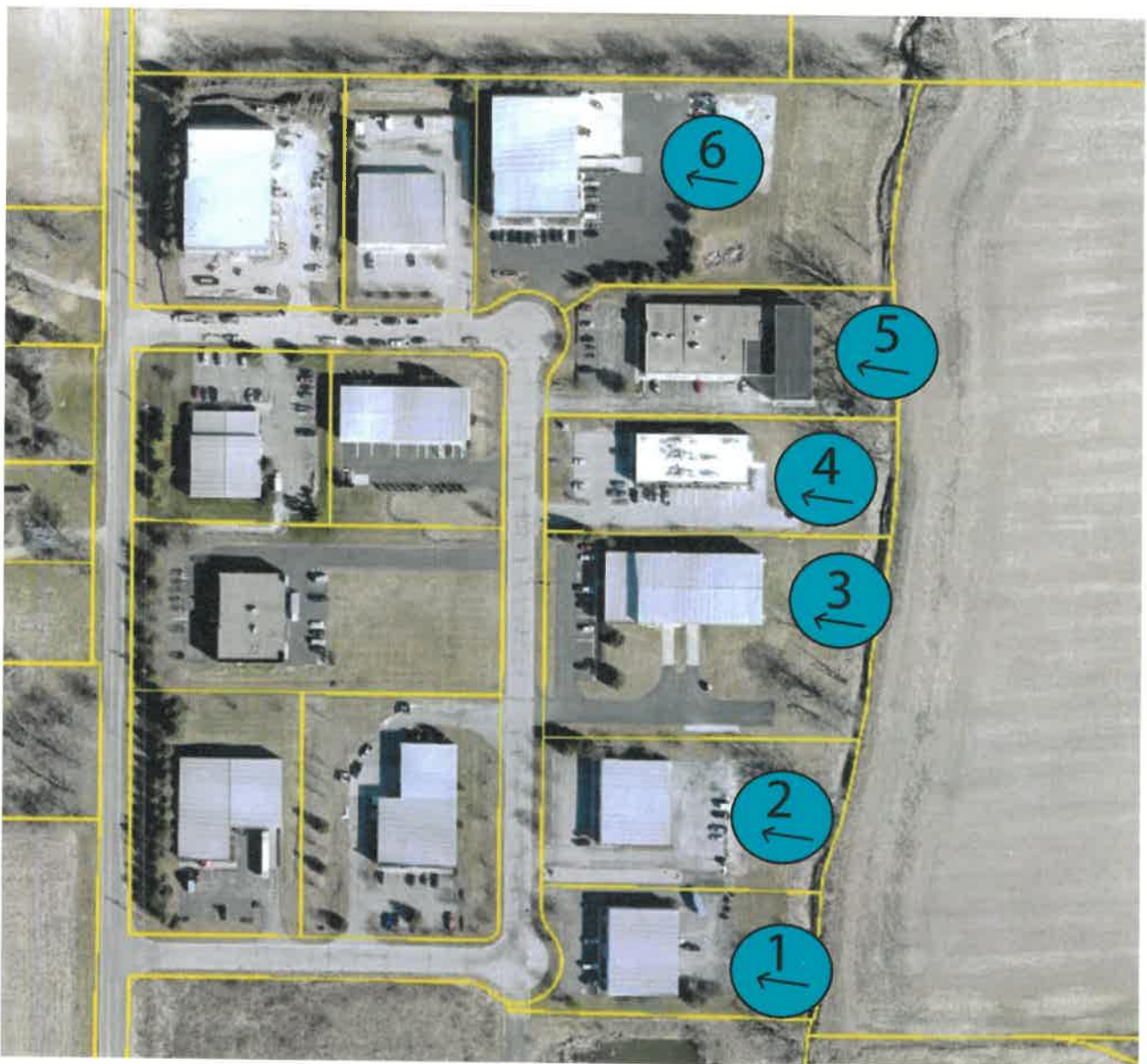
Large Horse Stable
With Swing

CHARACTER EXHIBITS



CHARACTER
EXHIBITS





1



2



3



4



5



6

