



CITY OF WESTFIELD, IN
BoardofZoningAppeals_Meeting_Cancelled_01_12_2021

Tuesday, January 12, 2021 at 07:00 PM

BOARD OR COMMISSION: Board of Zoning Appeals (BZA)

MEETING DATE: Tuesday, January 12, 2021 at 07:00 PM

MEETING PLACE: Virtual Conference Call

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

THIS MEETING HAS BEEN CANCELLED.

To submit a comment for the record on any Public Hearing item, please email planners@westfield.in.gov

OPENING OF REGULAR MEETING
THIS MEETING HAS BEEN CANCELLED

ITEMS OF BUSINESS:
No Items of Business

ITEMS CONTINUED TO A FUTURE MEETING:

2101-VS-01[PUBLIC HEARING]

4027 West State Road 32

Karissa Wright

The Petitioner requests Variances of Development Standard to construct and utilize an Accessory Building without a Principal Building on 0.38 acres +/- in the SF5: Single-family High-Density District (Article 6.1(E)(1) and (2)).

(Planner: Corey Harris - charris@westfield.in.gov)

2101-VU-01 & 2101-VS-02[PUBLIC HEARING]

16915 Westfield Park Road

TM Crowley & Associates

TM Crowley & Associates requests Variances of Use and Development Standard to permit a Very High Intensity Retail Use (Tool and Equipment Rental) with Outside

Storage on 2.63 acres +/- in the El: Enclosed Industrial District and US Highway 31 Overlay District (Articles 13.2 & 6.12(D)).
(Planner: Pam Howard – phoward@westfield.in.gov)

Note the presence of a quorum

Election of 2021 Officers

Approval of BZA Minutes

Documents: [November 10, 2020 Minutes](#) | [December 8, 2020 Minutes](#)

Review Rules & Procedures

REPORTS/COMMENTS:

ADJOURNMENT



Westfield–Washington Township Board of Zoning Appeals
Minutes of the November 10, 2020 BZA Meeting
Presented for approval: January 12, 2021

The Westfield-Washington Township Board of Zoning Appeals (BZA) met at 7:00 p.m.
on Tuesday, November 10, 2020 at Westfield City Hall and online via Skype.

OPENING OF MEETING: 7:00 PM

ROLL CALL

Members Present: Jeannine Fortier, Ken Kingshill, Victor McCarty, and Dave Schmitz (virtually).

Members Absent: All present.

City staff present: Daine Crabtree, Associate Planner; Caleb Ernest, Associate Planner; Corey Harris, Associate Planner; and Brian Zaiger, City Attorney.

APPROVAL OF MINUTES

October 13, 2020 BZA Minutes

Jeannine: typo for 2010-vs-33 Motion passed 4-0.

Kingshill: His Motion to reconsider, all the motions need to have “reconsider” deleted on the three following the first motion.

Kingshill motioned to approve the October 13, 2020 Minutes as amended.

McCarty seconded. Motion passed. Vote 4-0.

APPROVAL OF 2021 BZA Schedule of Meetings and Filing Dates

Fortier motioned to approve the 2021 BZA Schedule of Meetings and Filing Dates.

Schmitz seconded. Motion passed. Vote 4-0.

REVIEW RULES AND PROCEDURES

Crabtree reviewed BZA rules and procedures.

ITEMS OF BUSINESS:

2011-VS-34

[PUBLIC HEARING]

2753 Maple Creek Drive

Clark Byrum

The Petitioner requests a Variance of Development Standard to encroach eight (8) feet into the thirty (30) foot Minimum Rear Yard Setback on 0.34 acres +/- in the SF2: Single-Family Low-Density District to accommodate a swimming pool and deck (Article 4.5(E)(3)(a)).

(Planner: Corey Harris – charris@westfield.in.gov)

Harris overviewed this request for a Variance of Development Standard. He said one public comment had been and he read that letter of support.

Public Hearing for 2011-VS-34 opened at 7:09 p.m.

No public comments.

Public Hearing for 2011-VS-34 closed at 7:10 p.m.

Schmitz asked the Petitioner about the area located behind the project.

The Petitioner, Clark Byrum, responded that the area behind his property is flood plain.

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

McCarty motioned to approve 2011-VS-34 with the following staff conditions:

- Approval shall only be valid for the building noted on the Site Plan.

Schmitz seconded. Motion passed. Vote 4-0.

Kingshill motioned to adopt Staff's Findings of Fact for 2011-VS-34.

Schmitz seconded. Motion passed. Vote 4-0.

2011-VS-35
[PUBLIC HEARING]

19501 Ethan Allen Lane

Michelle Hernandez by Webster & Garino, LLC

The Petitioner requests a Variance of Development Standard to permit residential development on a 0.50 acre +/- Property in the AG-SF1: Agriculture/Single-Family Residential District that is deemed to be Legal Nonconforming in nature (Article 9.4(C)).

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

Crabtree overviewed this Variance of Development Standard request. He said no public comments had been received by Staff.

Public Hearing for 2011-VS-35 opened at 7:17 p.m.

No public comments.

Public Hearing for 2011-VS-35 closed at 7:18 p.m.

Schmitz asked Staff for clarification on this non-conforming status and about removing the compliance with Article 9.4(C) developmental standards.

Crabtree explained the need for a variance, and that setbacks would align with others within the neighborhood.

McCarty motioned to approve 2011-VS-35 with the following modified Staff conditions:

- The only development permitted on the property shall be single family residential and that development that could be constructed as accessory to a residential single-family use.
- Record acknowledgement of this approval with the Hamilton County Recorder's Office and return a copy of the recorded instrument to Staff.

Fortier seconded. Motion passed. Vote 4-0.

Kingshill motioned to adopt Staff's Findings of Fact for 2011-VS-35.

Fortier seconded. Motion passed. Vote 4-0.

2011-VS-36
[PUBLIC HEARING]

540 N. Union Street

Edwin and Jennifer Skelton by Church, Church, Hittle + Antrim

The Petitioner requests a Variance of Development Standard to encroach five (5) feet into the ten (10) foot Side Yard Setback on 0.50 +/- acres in the SF3: Single-family Medium Density District in order to accommodate a garage addition (Article 4.6(E)(2)).

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

Ernest overviewed this Variance of Development Standard request. He said no public comments had been received by Staff.

Justin Hays and Matthew Skelton with Church, Church, Hittle + Antrim, on behalf of the Petitioners, summarized this request. He said that the Petitioners had no objections from the property to the south.

Public Hearing for 2011-VS-36 opened at 7:25 p.m.

No public comments.

Public Hearing for 2011-VS-36 closed at 7:26 p.m.

Fortier motioned to approve 2011-VS-36 with the following Staff conditions:

- Record acknowledgement of this approval with the Hamilton County Recorder's Office and return a copy of the recorded instrument to Staff.

McCarty seconded. Motion passed. Vote 4-0.

Kingshill motioned to adopt Staff's Findings of Fact for 2011-VS-36.

Schmitz seconded. Motion passed. Vote 4-0.

2011-VS-38
[PUBLIC HEARING]

15702 Hidden Oaks Court

Patrick and Beth Mcilvenna

The Petitioners requests a Variance of Development Standard to encroach twenty-five (25) feet into the fifty-five (55) foot Minimum Rear Yard Setback on 0.69 acres +/- in the Bridgewater PUD District to accommodate a swimming pool and deck.

(Planner: Corey Harris – charris@westfield.in.gov)

Harris overviewed this request for a Variance of Development Standard. He said 13 positive public comment had been received by Staff.

Jon Dobosiewicz, with Nelson & Frankenberger LLC, on behalf the Petitioners summarized this request. He addressed the suggested additional outreach and said the Petitioner reached out to all who received the notice of the Public Hearing. Those who responded, all did so favorably.

Public Hearing for 2011-VS-38 opened at 7:40 p.m.

No public comments.

Public Hearing for 2011-VS-38 closed at 7:41 p.m.

McCarty motioned to approve 2011-VS-38 with the following Staff conditions.

- That the variance is applicable to the swimming pool and hardscape as generally illustrated on the Site Plan. The swimming pool shall be installed in general conformance with the Site Plan as determined by the Director of the Westfield Department of Community Development.
- The landscaping and screening be provided, at a minimum, as generally illustrated on the Site Plan.

Fortier seconded. Motion passed. Vote 4-0.

Kingshill motioned to adopt Staff's Findings of Fact for 2011-VS-38.

Fortier seconded. Motion passed. Vote 4-0.

ITEMS CONTINUED TO A FUTURE MEETING

None

REPORTS

- Plan Commission Liaison
- Community Development Department

ADJOURNMENT

Fortier motioned to adjourn the meeting.

Motion passed. Vote 4-0.

The meeting adjourned at 7:44 p.m.

Chairperson
Dave Schmitz

Secretary
Kevin M. Todd, AICP
Director



Westfield–Washington Township Board of Zoning Appeals
Minutes of the December 8, 2020 BZA Meeting
Presented for approval: January 12, 2021

The Westfield-Washington Township Board of Zoning Appeals (BZA)
met at 7:00 p.m. on Tuesday, December 8, 2020 online.

OPENING OF MEETING: 7:00 PM

ROLL CALL

Members Present: Jeannine Fortier, Ken Kingshill, Victor McCarty, and Dave Schmitz.
Members Absent: All present.

City staff present: Daine Crabtree, Associate Planner; Corey Harris, Associate Planner; and Brian Zaiger, City Attorney.

APPROVAL OF MINUTES

November 10, 2020 BZA Minutes tabled.

REVIEW RULES AND PROCEDURES

Crabtree reviewed BZA rules and procedures.

ITEMS OF BUSINESS:

2012-VS-39

[PUBLIC HEARING]

15367 Maple Ridge Drive

Natalie Maybee

The Petitioner requests a Variance of Development Standard to encroach sixteen (16) feet and six (6) inches into the thirty (30) foot Minimum Rear Yard Setback on 0.38 acres +/- in the Maple Ridge PUD District
(Planner: Corey Harris – charris@westfield.in.gov)

Harris overviewed this request for a Variance of Development Standard. He said three public comments had been received and forwarded to the board members.

Rob Shea with Oasis Outdoor, on behalf of the Petitioner, presented a summary of the project.

Public Hearing for 2012-VS-39 opened at 7:06 p.m.

No public comments.

Public Hearing for 2012-VS-39 closed at 7:08 p.m.

Kingshill asked the Petitioner about the location of a creek behind the house with mature trees. He asked about visibility by the neighbors and sound barrier by trees.

The Petitioner, Scott Maybee, responded yes and that the yard is fenced and the tree stand behind this home could provide a sound shield.

McCarty motioned to approve 2012-VS-39 with the following staff conditions:

- The approval is valid for the swimming pool and hardscape as generally illustrated on the Site Plan.
- Construction shall be substantially compliant with the Site Plan.

Kingshill seconded. Motion passed. Vote 4-0.

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Schmitz motioned to adopt Staff's Findings of Fact for 2012-VS-39.
Kingshill seconded. Motion passed. Vote 4-0.

ITEMS CONTINUED TO A FUTURE MEETING

None

REPORTS

- Plan Commission Liaison
- Community Development Department

ADJOURNMENT

Schmitz motioned to adjourn the meeting. Kingshill seconded.
Motion passed. Vote 4-0.

The meeting adjourned at 7:15 p.m.

Chairperson
Dave Schmitz

Secretary
Kevin M. Todd, AICP
Director