



CITY OF WESTFIELD, IN
BoardofZoningAppeals_Meeting_10_10_2017

Tuesday, October 10, 2017 at 07:00 PM

BOARD OR COMMISSION: Board of Zoning Appeals (BZA)

MEETING DATE: Tuesday, October 10, 2017 at 07:00 PM

MEETING PLACE: Westfield City Hall- Assembly Room

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

Documents: [BZA Minutes - July 12, 2017](#)

Approval of 2018 Schedule of Meetings and Filing Dates

Documents: [2018 Schedule of BZA Meetings and Filing Dates](#)

Review Rules & Procedures

ITEMS OF BUSINESS:

1707-VU-01

20125 Grassy Branch Road

Faegre Baker Daniels, LLP on behalf of Pamela Bontreger

The Petitioner is requesting a Variance of Use to allow for Office, Construction Trade use in the AG-SF1: Agriculture / Single-Family Rural District (Article 13.2).

Documents: [Exhibit 1 Staff Report](#) | [Exhibit 2 Location Map](#) | [Exhibit 3 Concept Plan](#) | [Exhibit 4 Petitioner's Presentation](#)

1710-VS-13 [PUBLIC HEARING]

18881 IMMI Way

Weihe Engineers on behalf of Anthony Properties, L.P.

The Petitioner is requesting Variances of Standard for the Maximum Building Height and Foundation Planting requirements to permit construction of an 8,064 square foot accessory building in the EI: Enclosed Industrial District (Article 6.1(F) and Article 6.8(L)).

Documents: [Exhibit 1 Staff Report](#) | [Exhibit 2 Location Map](#) | [Exhibit 3 Site Plan](#) | [Exhibit 4 Elevations](#) | [Exhibit 5 Application](#)

1710-VS-14 [PUBLIC HEARING]

20776 Anthony Road

Meyers Construction Management, Inc. on behalf of Jacob Jensen

The Petitioner is requesting Variances of Standard to allow for the construction of a single-family dwelling on the property in the AG-SF1 Agriculture / Single-Family Rural District) (Articles 4.2(C), 4.2(D), 4.2(E)(1)(b), 4.2(E)(2), and 4.2(F)).

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Site Plan](#) | [Exhibit 4: Character Exhibits](#) | [Exhibit 5: Application](#)

1710-VS-16 [PUBLIC HEARING]

16062 Colleton Ct.

Mark E. Wise

The Petitioner is requesting Variances of Standard to allow an accessory building to be constructed within ten (10) feet of an Established Front Yard, and to modify the Maximum Building Height for an Accessory Building in the Bridgewater Planned Unit Development (PUD) District (UDO Article 6.1(D)(2)(a) and UDO Article 6.1(F)).

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Site Plan](#) | [Exhibit 4: Proposed Accessory Building Exhibit](#) | [Exhibit 5: Application](#)

1710-VU-03 [PUBLIC HEARING]

17828 Joliet Road

Brent and Cecilia Hollingsworth

The Petitioner is requesting a Variance of Use to allow a private storage building on 1.41 acres +/- in the SF5: Single Family High Density (Village) District (Article 13.2).

Documents: [Exhibit 1 Staff Report](#) | [Exhibit 2 Location Map](#) | [Exhibit 3 Existing Lot](#) | [Exhibit 4 Site Plan](#) | [Exhibit 5 Application](#)

1609-AA-01 [CONTINUED]

14939 Ditch Road

The petitioner is appealing an Administrative Determination (1604-AD-02) regarding standards applicable to a concrete business pursuant to a previously approved Variance of Use (79-V-12).

1707-SE-01 [WITHDRAWN]

2510 East 171st Street

Kevin Newby

The petitioner is requesting Special Exceptions to allow an Agritourism Use and an Equestrian Facility in the AG-SF1: Agriculture/Single Family Rural District (Article 13.2).

REPORTS/COMMENTS:

Plan Commission Liaison

Economic and Community Development Department

ADJOURNMENT



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

October 10, 2017
1710-VS-14
Exhibit 1

Petition Number: 1710-VS-14

Subject Site Address: 20776 Anthony Road (the "Property")

Petitioner: Jacob Jensen (the "Petitioner")

Request: The petitioner requests Variances of Standard to allow for the construction of a single-family dwelling on the property (Articles 4.2 (C), 4.2 (D), 4.2 (E) (1) (b), 4.2 (E) (2), and 4.2 (F) in the AG-SF1 Agriculture / Single-Family Rural District).

Current Zoning: AG-SF1

Current Land Use: Residential

Approximate Acreage: 0.44 acres +/-

Exhibits:

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

Staff Reviewer: Caleb Ernest, Associate Planner

OVERVIEW

Location: The subject property is 0.44 acres +/- in size and located at 20776 Anthony Road (see **Exhibit 2**). The Property is zoned AG-SF1 Agriculture / Single-Family Rural District. The Property previously contained a single-family home and Accessory Building, which have since been demolished. The surrounding properties are all zoned AG-SF1.

Variance Request: The Petitioner is requesting this variance to allow a Single-Family Dwelling to be constructed, as generally illustrated on the Site Plan Exhibit (see **Exhibit 3**) and Character Exhibit (see **Exhibit 4**).

SUMMARY OF VARIANCE

The Petitioner is requesting this variance to allow a Single-Family Dwelling to be constructed as generally described in the statement of intent (see **Exhibit 5**), and illustrated on the Site Plan Exhibit (see **Exhibit 3**) and Character Exhibit (see **Exhibit 4**).

Development in the AG-SF1 District is subject to the standards of Article 4.2 AG-SF1 Agriculture / Single-Family Rural District of the UDO.

Article 4.2 (C) AG-SF1 Agriculture / Single-Family Rural District; Minimum Lot Area: Three (3) acres.

Article 4.2 (D) AG-SF1 Agriculture / Single-Family Rural District; Minimum Lot Frontage: 250 feet.

Article 4.2 (E)(1)(b) AG-SF1 Agriculture / Single-Family Rural District; Minimum Building Setback Line; Front Yard; On all other Streets: 80 feet.

Article 4.2 (E)(2) AG-SF1 Agriculture / Single-Family Rural District; Minimum Building Setback Line; Side and Rear Yard: 30 feet.

Article 4.2 (F) AG-SF1 Agriculture / Single-Family Rural District; Minimum Lot Width: 100 feet.

The requested variance is to: (i) allow minimum lot area of 0.6 acres; (ii) allow minimum Lot Frontage¹ of 80 feet; (iii) allow minimum Building Setback Line² for the Front Yard³ of 60 feet; (iv) allow minimum Building Setback Line for the side and rear yard of 15 feet; and (v) allow minimum Lot Width⁴ of 80 feet.

¹ Chapter 12 of the UDO defines "Lot Frontage" as "[t]he length of the Front Lot Line."

² Chapter 12 of the UDO defines "Building Setback Line" as "[a] line parallel to a Right-of-way line, edge of a stream, or other Lot Line established on a parcel of land or Lot for the purpose of prohibiting construction of a building or structure in the area between such line and the Right-of-way, stream bank, or other Lot Line."

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

⁴ Chapter 12 of the UDO defines "Lot Width" as "[t]he dimension of a Lot, measured between Side Lot Lines on the Building Setback Line."

Please see the table below for clarity to the requested changes in standards.

	AG-SF1	Variance
Minimum Lot Area:	Three (3) acres	0.6 acres
Minimum Lot Frontage:	250 feet	80 feet
Minimum Building Setback Line; Front Yard; On All Other Streets:	80 feet	60 feet
Minimum Building Setback Line; Side and Rear Yard:	30 feet	15 feet
Minimum Lot Width:	100 feet	80 feet

The Property is a Legal Nonconforming Lot⁵, but does not meet the standards for development as a Nonconforming Lot of Record⁶ where:

1. The Property Owner of said parcel does not own, in whole or in part, sufficient adjacent land to enable the parcel to conform to the dimensional and acreage requirements of this Ordinance;
2. The Lot Width is no less than one hundred (100) feet; and
3. The Lot Area is no less than one (1) acre.

The Property does not comply because the existing Lot Width is less than one hundred (100) feet and the lot area is less than one (1) acre. The existing septic field on the east side of the Property restricts the construction of a structure within the Nonconforming Lot of Record standards as well as the Petitioner's choice to preserve existing mature trees. The Property herein requires variances of standards to comply.

COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan identifies this property within the "Rural Northwest" land use classification.

⁵ Chapter 9 of the UDO defines "Legal Nonconforming Lot" as "deemed as such for any Lot that: (i) was established and recorded prior to the date of passage of the Westfield Washington Township Zoning Ordinance of December 20, 1977; and (ii) no longer conforms to the regulations set forth in this Ordinance, or its subsequent amendments, as applicable to Lots (e.g., Lot Area, Lot Width, Lot Depth, Lot Frontage)."

⁶ Article 9.4(B) Nonconforming Regulations; Nonconforming Lots of Record of the UDO.

PROCEDURAL

Public Notice: The Board of Zoning Appeals is required to hold a public hearing on its consideration of a Variance of Development Standard. This petition is scheduled to receive its public hearing at the October 10, 2017, 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 UDO⁷ 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 UDO⁸ 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.
-

⁷ Article 10.14(I) Processes and Permits; Variances; Conditions of the UDO.

⁸ Article 10.14(K) Processes and Permits; Variances; Acknowledgement of Variance of the UDO.

DEPARTMENT COMMENTS

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

Recommended Condition:

1. The dwelling shall be constructed to the quality and character as seen in **Exhibit 4**.

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 AG-SF1 Agriculture / Single-Family Rural District.

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

Finding: It is unlikely the use and value of area adjacent to the property will be affected in a substantially adverse manner. The proposed variance should not have a negative impact on surrounding properties because: (i) the property is currently a vacant lot; (ii) the proposed improvement will enhance the value of the subject property; (iii) the improvements will otherwise comply with or exceed the applicable standards; and (iv) the approval of the variance will allow for 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 in accordance with the Unified Development Ordinance.

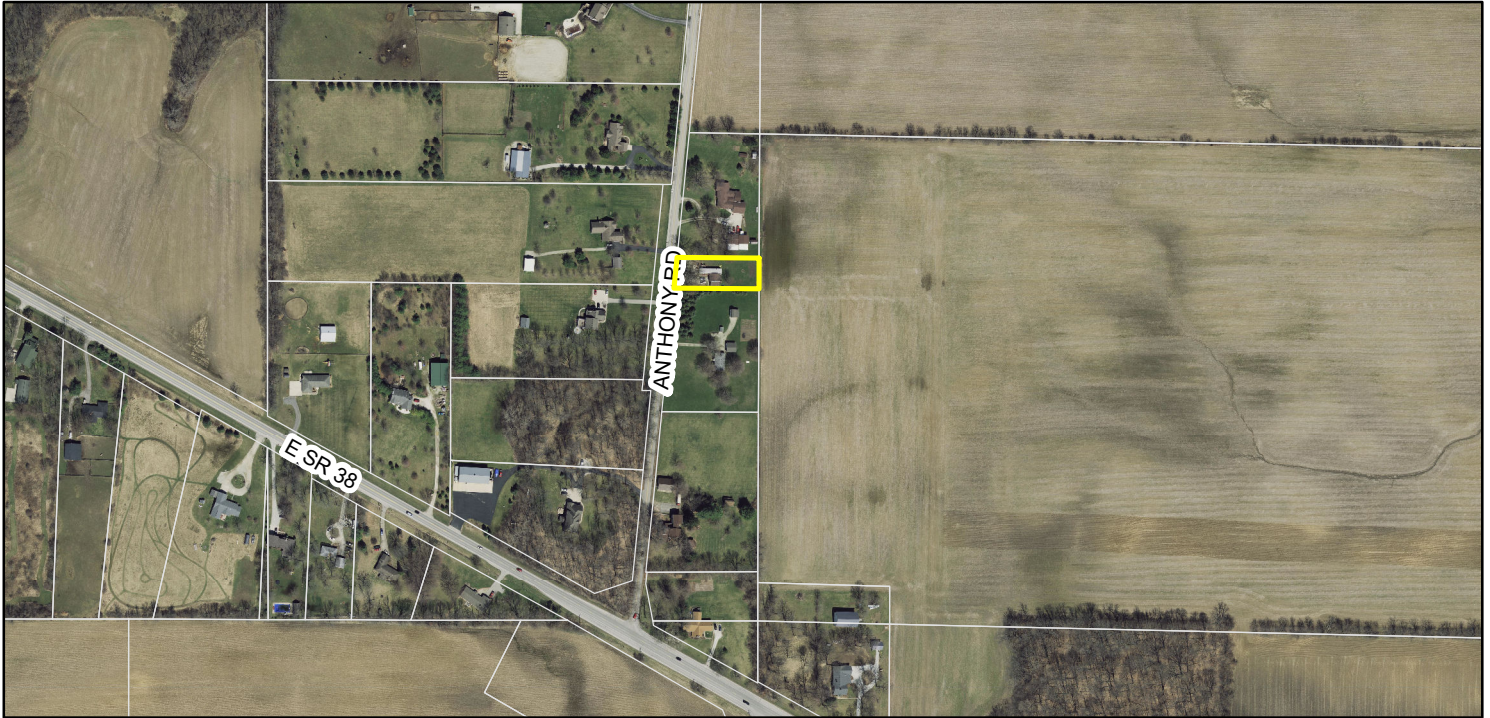
Denial: If the Board is inclined to deny the requested variance, then the Department recommends denying the variance, and then tabling the adoption of findings until the Board's next meeting with direction to the Department to prepare the findings pursuant to the public hearing evidence and Board discussion.



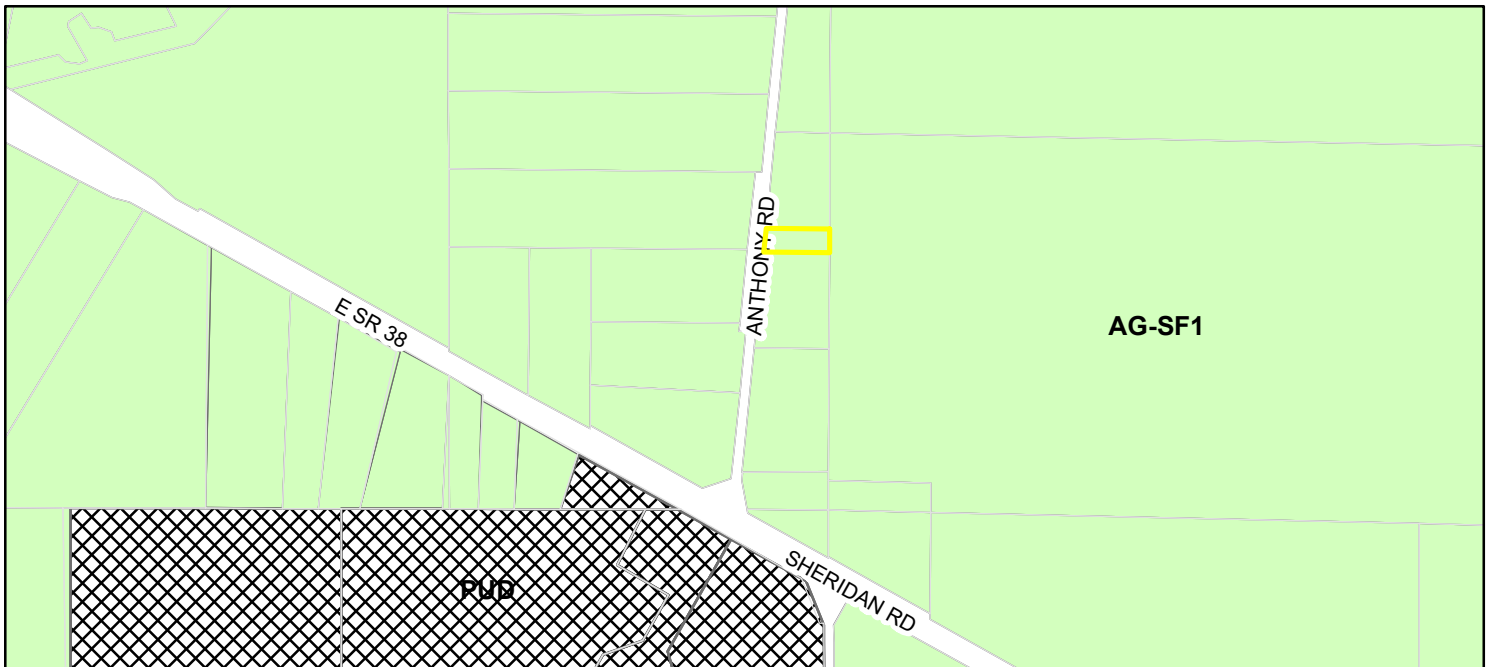
Property Location Map
Jensen-Anthony Road Variance
Variance of Standards
1710-VS-14



Aerial Location Map

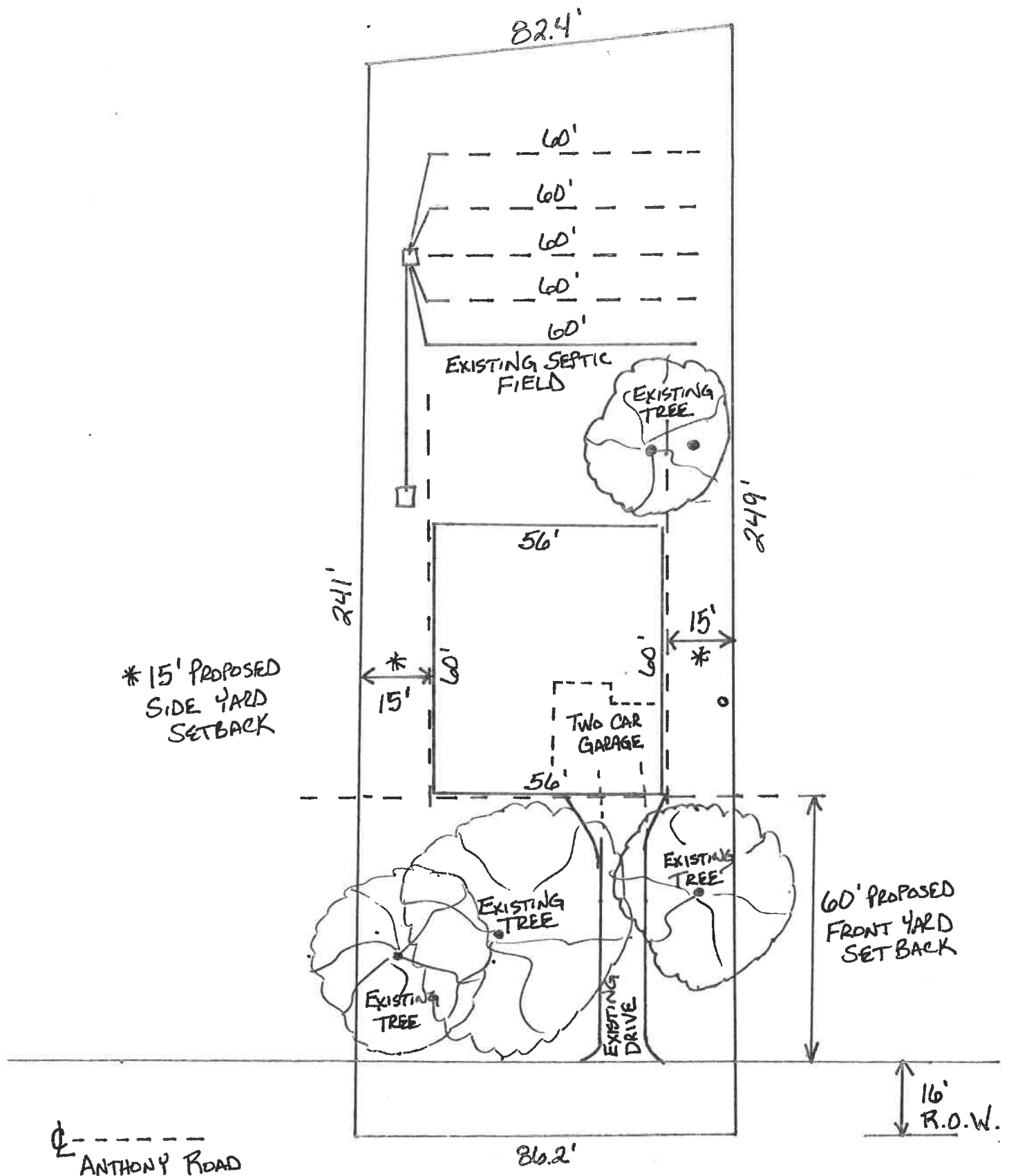


Zoning Map



- Parcel Zoning
- Zoning - All AG-SF1 (Agriculture - Single Family - 1)
- PUD (Planned Unit Development)

20776 ANTHONY ROAD, WESTFIELD



SCALE: 1" = 30'





WESTFIELD-WASHINGTON TOWNSHIP APPLICATION FORM
VARIANCE APPLICATION

RECEIVED



OFFICE
USE ONLY

DOCKET #: 1710-VS-14

FILING DATE: _____

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

PRE-FILING CONFERENCE

PRE-FILING CONFERENCE WITH: PAM HOWARD, CALEB ERNEST (STAFF NAME) DATE: 8/25/17

PRIOR OR RELATED DOCKET NUMBERS

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

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

APPLICANT INFORMATION

APPLICANT'S NAME: JACOB JENSEN TELEPHONE: (317) 385-8713

ADDRESS: 17903 SPRINGMILL RD. WESTFIELD, IN 46074 EMAIL: JAKE.JENSEN.DVM@GMAIL.COM

PROPERTY OWNER'S NAME: Kevin M. Mineards TELEPHONE: 317-710-6705

ADDRESS: 19201 Eagletown Rd Westfield IN 46074 EMAIL: netamasonry1982@gmail.com

REPRESENTATIVE'S NAME: SANDRA MYERS TELEPHONE: (317) 710-4658

COMPANY: MYERS CONSTRUCTION MANAGEMENT INC EMAIL: SANDRA@MYERSCM.COM

ADDRESS: 13518 MYRTLE LANE FISHERS, IN 46038

PROPERTY AND PROJECT INFORMATION

ADDRESS OR PROPERTY LOCATION: 20776 Anthony Road Westfield, IN 46062

COUNTY PARCEL ID #(S): 08-06-18-00-00-009.000

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

VARIANCE REQUEST

☐ VARIANCE OF LAND USE

CODE CITATION: _____

☒ VARIANCE OF DEVELOPMENT STANDARD(S) CODE CITATION: 4.2c, 4.2d, 4.2e(1b), 4.2e(2), 4.2f

FINDINGS OF FACT: (PLEASE SEE ATTACHED)

STATEMENT OF INTENT (EXPLANATION OF REQUEST - ATTACH SEPARATE SHEET IF NECESSARY): See attached

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.

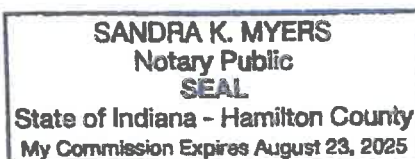
Jacob Jensen
Applicant/Representative (signature)

Jacob Jensen
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 25th day of August, 2017.

State of Indiana, County of Hamilton, SS:



Sandra K. Myers
Notary Public Signature
Sandra K. Myers
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.

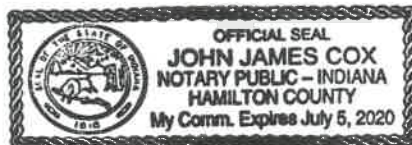
[Signature]
Property Owner (signature)*

KEVIN M. MINERALS
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 29th day of August, 2017.

State of Indiana, County of Hamilton, SS:



John James Cox
Notary Public Signature
John James Cox
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.

FINDINGS OF FACT (VARIANCE OF DEVELOPMENT STANDARD)APPLICANT: JACOB JENSEN

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:

4.2c Minimum Lot Area

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

building a single-family dwelling on 0.61 acres will have no detrimental effects on the community

- B. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because: the property currently has no buildings and is covered by

tall grass. Building a suitable single-family dwelling on the property will increase the adjacent property values.

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

the property is a legal non-conforming lot, consisting of 0.61 acres. If the variance is not granted then it will not be possible to build on this lot.

FINDINGS OF FACT (VARIANCE OF DEVELOPMENT STANDARD)APPLICANT: JACOB JENSEN

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:

4.2 d Minimum Lot Frontage

- A. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because: building a single-family dwelling on a property with less than 250ft of frontage will have no detrimental effects on the community.
- B. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because: the property currently has no buildings and is covered by tall grass. Building a suitable single-family dwelling on the property will increase the adjacent property values
- C. The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property because: the property is a legal non-conforming lot with a frontage of less than 250ft. If the variance is not granted then it will not be possible to build on this property.

FINDINGS OF FACT (VARIANCE OF DEVELOPMENT STANDARD)APPLICANT: JACOB JENSEN

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:

4.2 e (1b) Minimum Building Setback Line

- A. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because: building a single-family dwelling at a minimum setback of 60ft from the front property line will have no detrimental effects on the community.
- B. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because: the property currently has no buildings and is covered by tall grass. Building a single-family dwelling on the property will increase the adjacent property values.
- C. The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property because: the property is a legal non-conforming lot. In order to build a single family dwelling without damaging the existing septic system and mature trees, the dwelling must be closer than 80ft to the front property line.

FINDINGS OF FACT (VARIANCE OF DEVELOPMENT STANDARD)APPLICANT: JACOB JENSEN

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:

4.2 e (2) Minimum Building Setback Line

- A. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because: building a single-family dwelling at a minimum setback of less than 30ft from the side and rear yard will have no detrimental effects on the community. Mature trees in the side yards of this and the adjacent properties already provide privacy between the properties.
- 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 property currently has no buildings and is covered by tall grass. Building a single-family dwelling on the property will increase the adjacent property values.
- C. The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property because: the property is a very narrow legal non-conforming lot. If a variance is not granted then this property will only accomodate a dwelling with a maximum width of 25ft.

FINDINGS OF FACT (VARIANCE OF DEVELOPMENT STANDARD)APPLICANT: JACOB JENSEN

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:

4.2 f Minimum Lot Width

- A. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because: _____
building a single-family dwelling on a lot that is less than 100 ft
wide will have no detrimental effects on the community.
- B. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because: the property currently has no buildings and is covered by tall grass.
Building a single-family dwelling on the property will increase the
adjacent property values.
- C. The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property because: _____
the property is a legal non-conforming lot that is less than 100 ft wide.
If the variance is not granted then it is not possible to build on this
property.

WESTFIELD-WASHINGTON TOWNSHIP
VARIANCE APPLICATION

STATEMENT OF INTENT:

I intend to build a single-family dwelling on the property located at 20776 Anthony Road in Westfield, IN. This property is considered a legal non-conforming lot as it does not meet the minimum lot area, minimum lot frontage, or minimum lot width required for AG-SF1 zoning.

In order to build an attractive single-family dwelling on this property that conforms to Development Standard Code Citation 4.2H, several variances need to be obtained. In addition, the result of obtaining these variances will allow for the preservation of the existing mature trees and driveway. Therefore, I request the following variances:

1. Minimum lot area of 0.6 acres (4.2C)
2. Minimum lot frontage of 80 feet (4.2D)
3. Minimum building setback line for the front yard of 60 feet (4.2E(1)b)
4. Minimum building setback line for the side and rear yard of 15 feet (4.2E(2))
5. Minimum lot width of 80 feet (4.2F)



SALE
VISION
7-804-5333
Great Real Estate
in Orange County

The Westfield-Washington Township Board of Zoning Appeals met at 7:00 p.m. on Tuesday, July 12, 2017, at Westfield City Hall. Members present included Jeannine Fortier, Martin Raines, Dave Schmitz, and Robert Smith. Also present were Kevin Todd, Senior Planner; Daine Crabtree, Associate Planner; Matt Pleasant, Associate Planner; and Brian Zaiger, City Attorney.

ROLE CALL

Noted presence of a quorum.

APPROVAL OF MINUTES

Schmitz moved to approve the May 9, 2017 meeting minutes as presented.

Raines seconded, and the motion passed 4-0.

REVIEW OF RULES AND PROCEDURES

Todd reviewed BZA rules and procedures.

ITEMS OF BUSINESS

1706-VS-10

[PUBLIC HEARING]

Northeast Corner of Dartown Road and Alpha Tau Drive

Parcel No. 09-05-35-00-00-017.010

Adam DeHart on behalf of Patrick Chittenden

The Petitioner is requesting Variances of Standard for building material and offset requirements in the EI: Enclosed Industrial District (Article 6.3(G)(2)(a)(i) and Article 6.3(G)(2)(a)(ii)).

Crabtree presented an overview and summary of the requested Variances of Standard, as summarized in the Department report and overviewed the petitioner's request to modify building material and offset requirements in the EI: Enclosed Industrial District

Adam DeHart, Keeler-Webb Associates Land Surveyors, on behalf of landowner Patrick Chittenden presented an overview of the requests. The current zoning classification causes the petitioner hardship for the proposed warehouse project in that it will result in a substantial loss of usable property.

Public Hearing opened at 7:13 p.m.

No Public Comment

Public Hearing closed at 7:14 p.m.

Schmitz asked if the standards that the petitioner is seeking variances from were brought about by the fairly recent UDO, thus being the reason this was not an issue for the existing buildings. Crabtree agreed. Discussion ensued.

Smith asked the petitioner the finding of facts questions.

Schmitz motioned to approve 1706-VS-10 with staff's condition that the proposed building be designed in in substantial compliance with elevations depicted in Exhibit 5.

Fortier seconded and the Motion passed 4-0.

Schmitz moved to adopt the Department's recommended findings of facts.

Smith seconded and the Motion passed 4-0.

1706-VS-11**[PUBLIC HEARING]****1821 East 151st Street (Circle K)**

Courtney Signs and Lighting Service on behalf of Municipal Resolutions

The Petitioner is requesting a Variance of Standard to modify a condition of a previously approved Variance to permit a Monument Sign for an Outlot in the SB-PD: Special Business / Planned Development District.

Todd introduced and overviewed the requested Variance of Standard to modify a condition of a previously approved Variance to permit a Monument Sign for an Outlot in the SB-PD: Special Business / Planned Development District.

Ed Williams with Courtney Signs explained how this request came about.

Public Hearing opened at 7:24 p.m.

No public comment.

Public Hearing closed at 7:25 p.m.

No Board comments.

Schmitz motioned to approve 1706-VS-11 which shall amend the conditions of 1702-VS-05, specifically the sign location exhibit.

Raines seconded and the Motion passed 4-0.

Schmitz moved to adopt the Department's recommended findings of facts.

Smith seconded and the Motion passed 4-0.

1707-VU-01**[PUBLIC HEARING]****20125 Grassy Branch Road***Faegre Baker Daniels, LLP on behalf of Pamela Bontreger*

The Petitioner is requesting a Variance of Use to allow for Office, Construction Trade use in the AG-SF1: Agriculture / Single-Family Rural District. (Article 13.2).

Pleasant gave an overview of this request for a Variance of Use to allow for Office, Construction Trade use in the AG-SF1: Agriculture / Single-Family Rural District.

Andy Buroker with Faegre Baker Daniels, on behalf of Pamela and Brett Bontrager, gave a presentation of this use variance requesting a limited and temporary variance to park a limited number of business vehicles on this property (3.5 years) for the purpose of servicing their Westfield clients. This is property is not the location the petitioners plan to use in establishing a future permanent business location. Conditions: 1) Petitioner will not store any landscaping materials or park larger service vehicles at this location; 2) Petitioner will not use this location as a retail location; 3) Petitioner will make improvements to property landscaping to screen the parking area from Grassy Branch Road frontage. Petitioner has reached out to neighbors.

Petitioner stated that they had met with some of the neighbors and distributed information as well.

Public Hearing opened at 7:40 p.m.

Kevin Huff, 20244 Grassy Branch Road; stated he is not opposed to this petition. He wants to see the property remain in good condition and appear as a residential property. He expressed concern about truck traffic and questioned the hours of operation. He questioned if the variance goes with property owners or land.

James Peyton, 20202 Grassy Branch Road inquired about the following: signage, hours of operation, onsite repair shop, storage of landscaping equipment. His concerns included ingress and egress along with the traffic impact on Grassy Branch Road. He suggested larger turn-around area on site as opposed to using Grassy Branch Road.

Public Hearing closed at 7:52 p.m.

Buroker responded that there would be no signage, repair shop, or material storage.

Schmitz asked about fuel storage. Petitioner responded there would be no fuel storage on site.

Petitioner addressed hours of operation.

Smith asked about the feasibility of creating a larger turn-around on site. Petitioner feels the necessary turn-around is possible.

Petitioner requested that conditions four and seven be condensed into one succinct condition.

Smith would like to see a new proposal with modifications to the layout and parking.

Zaiger suggested that the expansion of the parking lot might requires a separate variance. Instead, it may be better to let staff revise this request to include the expansion of the parking lot to be a condition. Buroker stated this was not a parking lot to begin with.

This petition was continued to consider extension of existing gravel area.

1609-AA-01
[CONTINUED]

14939 Ditch Road

Indiana Structural Foundations, LLC

The petitioner is appealing an Administrative Determination (1604-AD-02) regarding standards applicable to a concrete business pursuant to a previously approved Variance of Use (79-V-12).

1707-SE-01
[CONTINUED]

2510 East 171st Street

Kevin Newby

The petitioner is requesting Special Exceptions to allow an Agritourism Use and an Equestrian Facility in the AG-SF1: Agriculture/Single Family Rural District (Article13.2).

REPORTS/COMMENTS

Plan Commission Liaison Report.

Economic and Community Development Department

Schmitz motioned to adjourn the meeting.

Fortier seconded, and the motion passed.

The meeting adjourned at 8:08 p.m.

Chairperson
Robert Smith, Esq.

Secretary
Matthew S. Skelton, Esq., AICP
Director



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

October 10, 2017
1710-VS-16
Exhibit 1

Petition Number: 1710-VS-16

Subject Site Address: 16062 Colleton Ct (the "Property")

Petitioner: Mark E. Wise (the "Petitioner")

Request: The petitioner is requesting Variances of Standard to allow an accessory building to be constructed within ten (10) feet of an Established Front Yard, and modify the Maximum Building Height for an Accessory Building in the Bridgewater Planned Unit Development (PUD) District.

Current Zoning: Bridgewater PUD (Ord. 02-17, Restated as Ord. 06-49)

Current Land Use: Residential

Approximate Acreage: 1.16 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Site Plan Exhibit
4. Proposed Accessory Building Exhibit
5. Application

Staff Reviewer: Pam Howard, Associate Planner

OVERVIEW

Location: The subject property is 1.16 acres +/- in size and located at 16062 Colleton Court (see **Exhibit 2**). The Property is zoned the Bridgewater Planned Unit Development (PUD) District. The Property currently contains a single-family home, pool, and Accessory Building¹ (see **Exhibit 3**). The surrounding properties to the south and west are also zoned the Bridgewater PUD District. Properties to the north and east are zoned AG-SF1: Agriculture / Single-Family Rural District, and include the Woodshire Subdivision to the north, and larger lot single-family homes to the east.

Variance Request: The Petitioner is requesting this variance to allow an Accessory Building to be constructed, as generally illustrated on the Site Plan Exhibit (see **Exhibit 3**) and Proposed Accessory Building Exhibit (see **Exhibit 4**).

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

SUMMARY OF VARIANCE

The Petitioner is requesting this variance to allow a 2,400 square foot +/- Accessory Building (40' x 60') to be constructed within ten (10) feet of an Established Front Yard² and at a Building Height³ of 22 feet +/-, as generally described in the statement of intent (see **Exhibit 5**), and illustrated on the Site Plan Exhibit (see **Exhibit 3**) and Proposed Accessory Building Exhibit (see **Exhibit 4**). The existing home is a corner lot and therefor has two Front Lot Lines⁴. The Established Front Yard in which the Accessory Building is proposed abuts 161st Street, and is buffered by the required by the Bridgewater PUD.

Accessory Buildings are subject to Article 6.1 Accessory Use and Building Standards of the UDO.

Article 6.1(D)(2)(a) Accessory Use and Building Standards; Building Location; Lots in Subdivisions; Front Setback: No Accessory Building may be erected closer than ten (10) feet from the Established Front Yard.

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

The requested variance is to: (i) allow the Accessory Building within ten (10) feet of an Established Front Yard; and (ii) allow a maximum Building Height of thirty (30) feet +/- for the Accessory Building.

COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan identifies this property within the "Suburban Residential" 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 October 10, 2017, 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 UDO⁵ and Indiana law provide that the Board of Zoning Appeals may impose reasonable conditions and limitations concerning use, construction, character, location,

² Chapter 12 of the UDO defines "Yard, Established Front" as "[a] Yard extending across the full width of the Lot between the Principal Building, as built, and the Front Lot Line, the depth of which is the least distance between the Front Lot Line and the Principal Building."

³ Chapter 12 of the UDO defines "Building Height" as "[t]he vertical distance measured from the lot ground level to the highest point of the roof for a flat roof (or the top of the parapet wall, if provided); to the deck line of a mansard roof; and to the mean height between eaves and ridges for gable, hip and gambrel roofs."

⁴ Chapter 12 of the UDO defines "Lot Line, Front" as "[a] Lot Line abutting a Street (public or Private Street). A Through Lot and Corner Lot will have multiple Front Lot Lines.

⁵ Article 10.14(l) Processes and Permits; Variances; Conditions of the UDO.

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 UDO⁶ requires that the approval of the variance shall be memorialized in an acknowledgement of variance instrument prepared by the Department. The acknowledgement shall: (i) specify the granted variance and any commitments made or conditions imposed in granting of the variance; (ii) be signed by the Director, Property Owner and Applicant (if Applicant is different than Property Owner); and (iii) be recorded against the subject property in the Office of the Recorder of Hamilton County, Indiana. A copy of the recorded acknowledgement shall be provided to the Department prior to the issuance of any subsequent permit or commencement of uses pursuant to the granted variance.

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

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
 2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and
 3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property.
-

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

DEPARTMENT COMMENTS

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

Recommended Conditions:

1. The Accessory Building shall be built as described in the Statement of Intent and as shown on the Site Plan Exhibit and Proposed Accessory Building Exhibit attached to the Staff Report.
2. The Accessory Building will not be used for commercial purposes.

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 Bridgewater PUD District.

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

Finding: It is unlikely the use and value of adjacent property will be affected in a substantially adverse manner. The proposed variance should not have a negative impact on surrounding properties because: (i) the proposed improvement will enhance the value of the subject property; (ii) the improvements will otherwise comply with or exceed the applicable standards; and (iii) the approval of the variance will allow for the 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 residential use of the property is otherwise permitted by the Unified Development Ordinance and the proposed improvements would otherwise comply with the Unified Development Ordinance.

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.



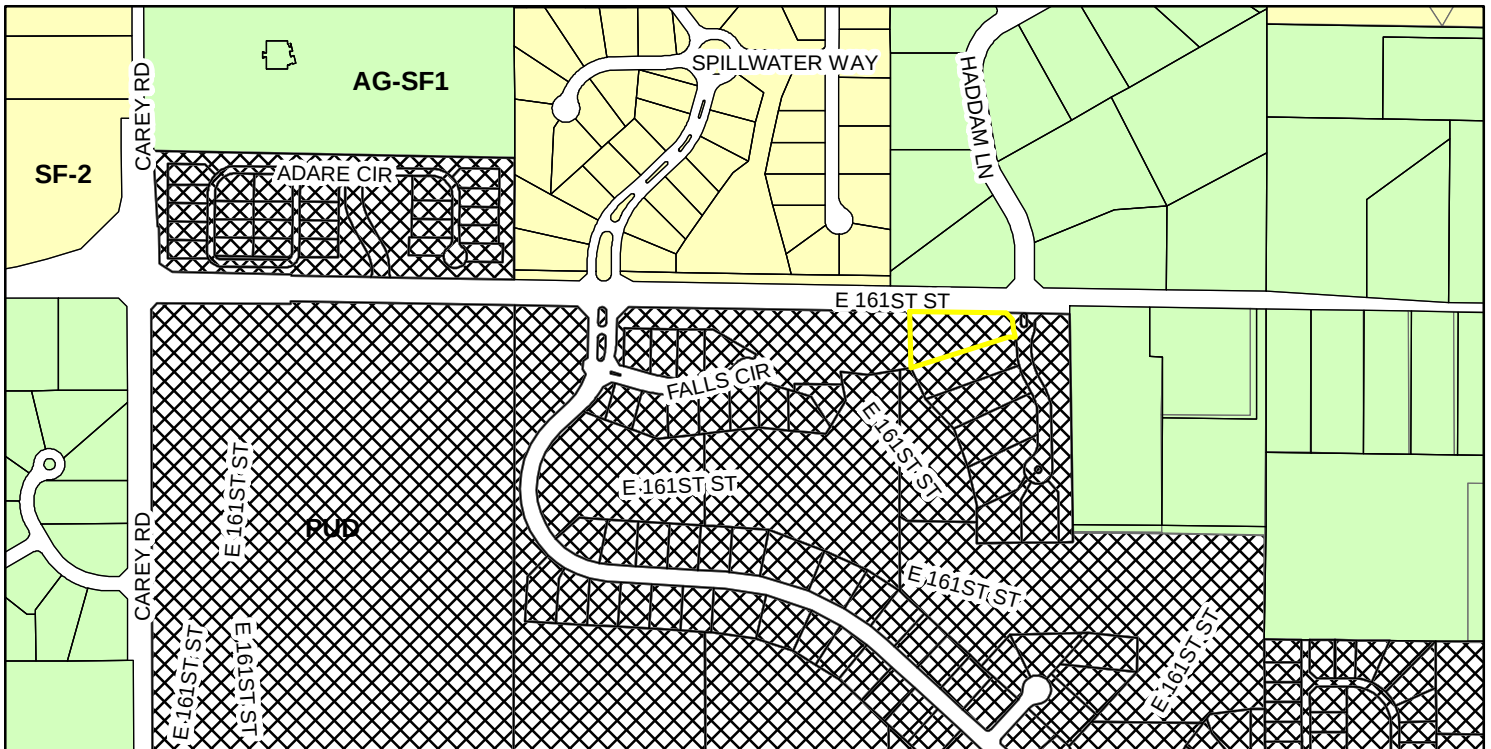
Property Location Map
16062 Colleton Ct.
1710-VS-16



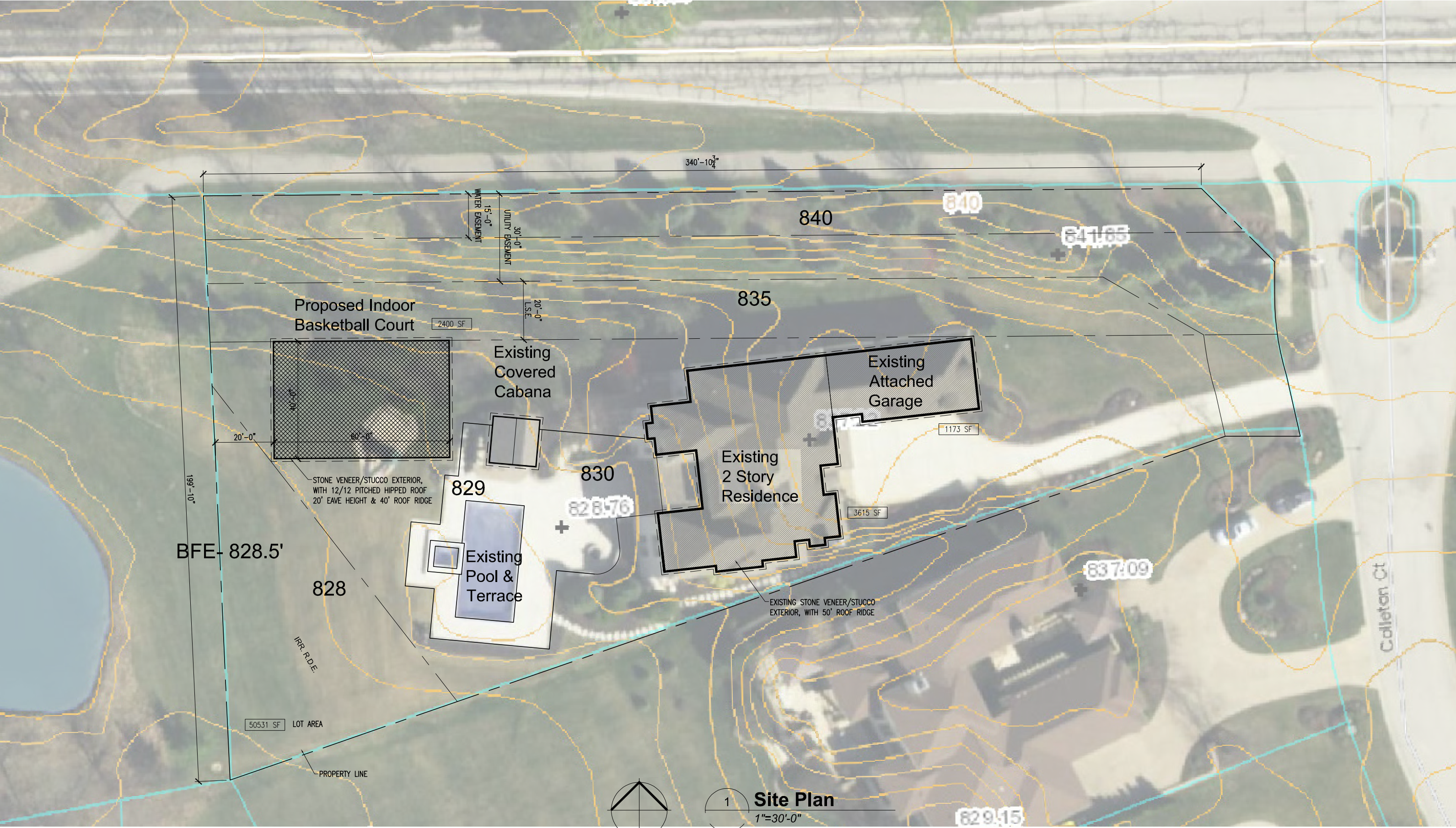
Aerial Location Map

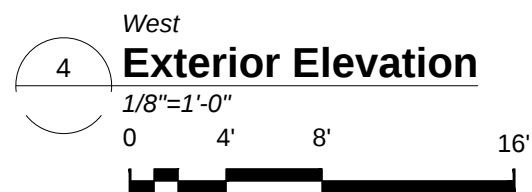


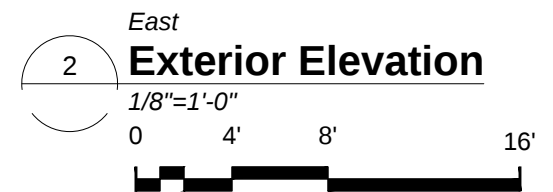
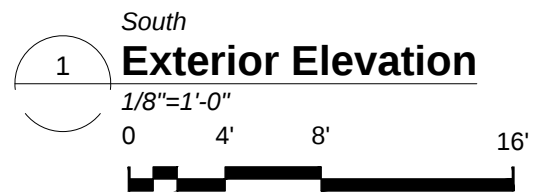
Zoning Map

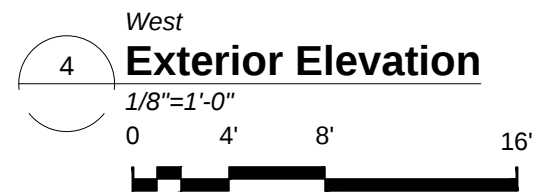
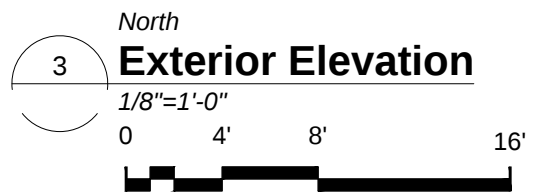
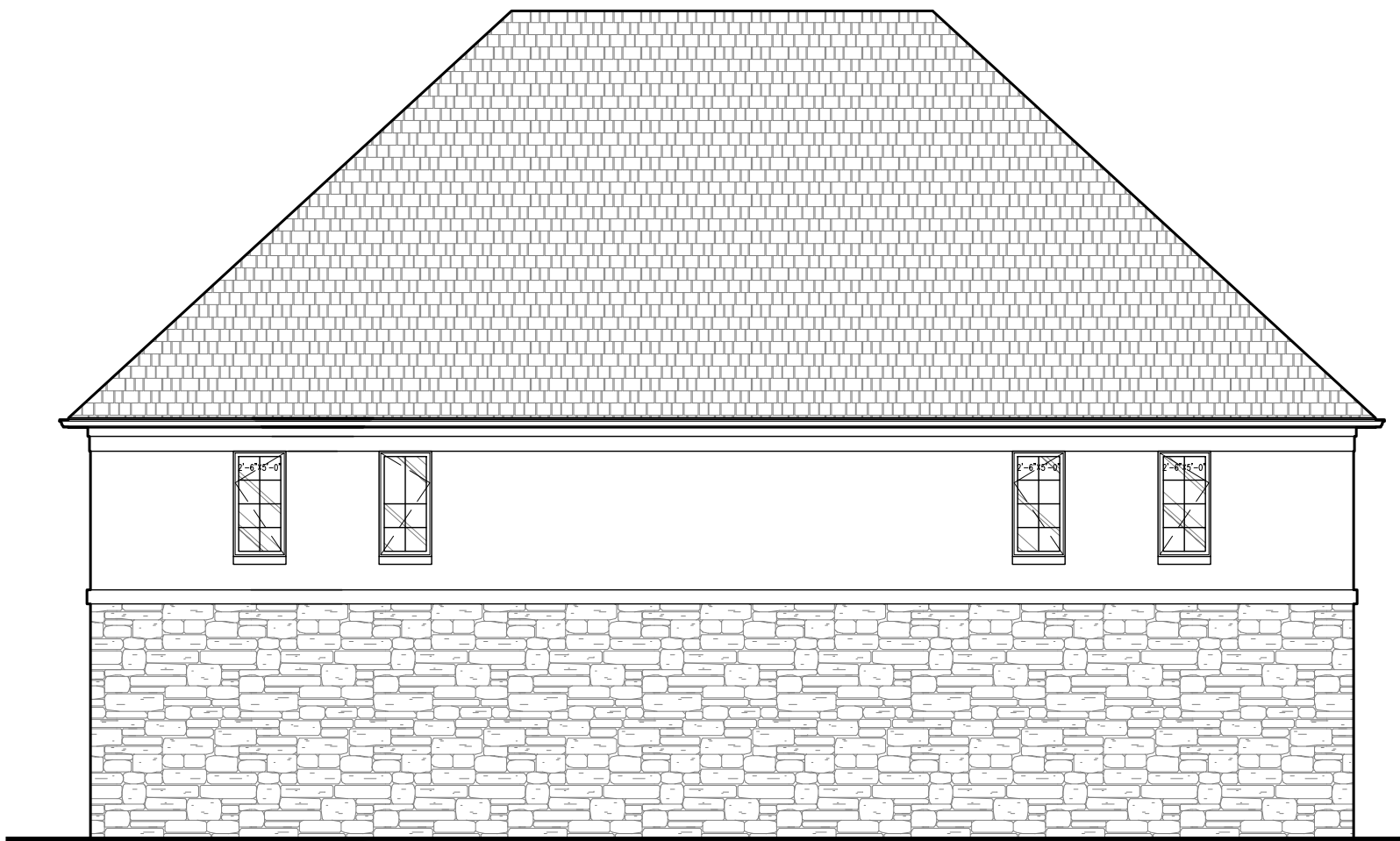


 AG-SF1 (Agriculture - Single Family - 1)  PUD (Planned Unit Development)  SF-2 (Single Family - 2)



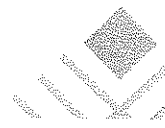








WESTFIELD-WASHINGTON TOWNSHIP APPLICATION FORM
VARIANCE APPLICATION



OFFICE
USE ONLY

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

PRE-FILING CONFERENCE

PRE-FILING CONFERENCE WITH: Pam Howard (STAFF NAME) DATE: 8-28-17

PRIOR OR RELATED DOCKET NUMBERS

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

APPLICANT INFORMATION

APPLICANT'S NAME: Mark E Wise TELEPHONE: (317) 847-4616

ADDRESS: 16062 Colleton Ct Carmel, IN 46033 EMAIL: Mark.Wise.timmy@gmail.com

PROPERTY OWNER'S NAME: Mark E Wise TELEPHONE: (317) 847-4616

ADDRESS: 16062 Colleton Ct Carmel, IN 46033 EMAIL: Mark.Wise.timmy@gmail.com

REPRESENTATIVE'S NAME: _____ TELEPHONE: _____

COMPANY: _____ EMAIL: _____

ADDRESS: _____

PROPERTY AND PROJECT INFORMATION

ADDRESS OR PROPERTY LOCATION: 16062 Colleton Ct Carmel, IN 46033

COUNTY PARCEL ID #(S): D13 The Bridgewater Club Section 02 Instrument # 200500110282

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

VARIANCE REQUEST

☐ VARIANCE OF LAND USE CODE CITATION: _____
☒ VARIANCE OF DEVELOPMENT STANDARD(S) CODE CITATION: 6.1(F)

FINDINGS OF FACT: (PLEASE SEE ATTACHED)

STATEMENT OF INTENT (EXPLANATION OF REQUEST - ATTACH SEPARATE SHEET IF NECESSARY):

I. Applicant Information

Applicant's Name: Mark E. Wise

Property Owner's Name: Mark E. Wise

Address: 16062 Colleton Ct, Carmel, IN 46033

Telephone: 317-847-4616 (cell)

Email: mark.wise.timmy@gmail.com

II. Property and Project Information

Address or Property Location: 16062 Colleton Ct, Carmel, IN 46033

County Parcel ID #(s): D13 The Bridgewater Club Section 02; Instromat #: 200300110282

III. Variance Request

Variance of Development Standard(s) Code Citation: 6.1(f)

Statement of Intent (Explanation of Request):

My intention is to build an accessory building on my property solely for personal use. The building will house an indoor basketball court and multifunctional entertainment area. It will be 2,400 square feet (40x60); the roof eave will be at 20 feet; the hip of the roof will extend up to 40 feet. The building will match the characteristic design (stone and stucco) of the primary residence.

IV. Findings of Fact (Variance of Development Standard)

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

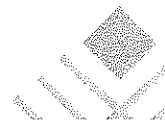
The building's personal recreational use and integrity will not be degraded or negatively affected by the approval of my variance request, and thus will pose no public health or safety risk; and its use as our family's designated play area paired with its aesthetic design and location on my property ensure it poses no moral or general welfare risk.

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:

I have worked with an architectural firm to ensure that the building is located in an area on my property that does not obstruct my neighbors of any notable views, and we have matched the aesthetic and height of the building to perfectly align with those of my home so that the building is not visually odd or otherwise distracting.

C. The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property because:

Because the building's primary use is as an indoor basketball court, it is critical that there be enough height to allow a natural basketball shot to be unaffected or unhindered. The height we have settled on is the minimum required height to ensure a normal jump shot on a regulation-size basketball hoop is unaffected.

**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.

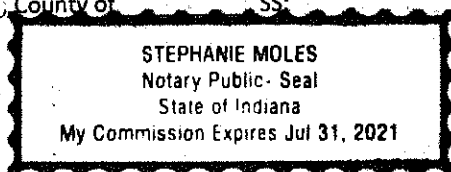
Mark E Wise Abby Wise
Applicant/Representative (signature)

Mark E Wise Abby Wise
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 30 day of August, 2017

State of _____ County of _____ SS:



Stephanie Moles
Notary Public Signature
Stephanie Moles
Notary Public (printed)

PROPERTY OWNER AFFIDAVIT

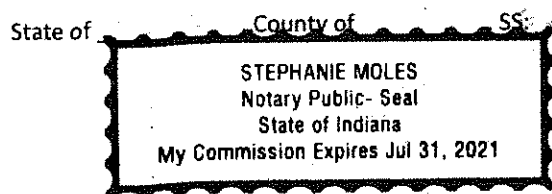
IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath says they are the owners of the property involved in this application and that they hereby acknowledge and consent to the foregoing Application.

Mark E Wise Abby Wise
Property Owner (signature)*

Mark E Wise Abby Wise
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 30 day of August, 2017



Stephanie Moles
Notary Public Signature
Stephanie Moles
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.



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

October 10, 2017

1707-VU-01

Exhibit 1

Petition Number: 1707-VU-01

Subject Site Address: 20125 Grassy Branch Rd. (The "Property")

Petitioner: Pamela & Brett Bontrager (The "Petitioner")

Request: The Petitioner by Faegre Baker Daniels, LLP is requesting a Variance of Use to allow for Office, Construction Trade use in the AG-SF1: Agriculture / Single-Family Rural District (Article 4.7(D)).

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

Current Land Use: Residential

Approximate Acreage: 3 acres+/-

Exhibits:

1. Staff Report
2. Location Map
3. Concept Plan
4. Petitioner's Presentation

Staff Reviewer: Matt Pleasant, Associate Planner

OVERVIEW

Location: The subject Property is 3 acres +/- and is located at 20125 Grassy Branch Road (see **Exhibit 2**). The Property is currently a residential use. The surrounding properties are zoned AG-SF1 with a church south of the Property, residential uses to the west, and agricultural uses to the north. Two (2) properties east of the Property is of industrial use with the business under the name "Brehob Nursery." The Property currently contains a single-family home (see **Exhibit 3**) which the Petitioner intends rent as well as temporarily store trucks for their landscape business.

Variance Request: The Petitioner is requesting a variance to allow an Office, Construction Trade use to store vehicles and trailers from their landscaping business as generally illustrated on the Concept Plan Exhibit (see **Exhibit 4**).

BACKGROUND

This petition was presented at the [July 12, 2017 Board of Zoning Appeals](#) meeting and held its required public hearing. The Board suggested the petitioner to expand the parking lot behind the building to allow more trucks to be nonvisible from the Right-of-Way. The Concept Plan (see **Exhibit 3**) has been updated to reflect the changes requested by the Board.



SUMMARY OF VARIANCES

The Petitioner is requesting the temporary use within the definition of an Office, Construction Trade¹ on the Property to allow the storage of vehicles used by their landscaping company. Chapter 13 of the Westfield-Washington Township Unified Development Ordinance (the “UDO”) Use Table only allows an Office, Construction Trade use to be in zoned Enclosed Industrial and Open Industrial by right and General Business with the approval of a Special Exception.

The Petitioner is requesting this variance to have a time limit of five (5) years and commits to the following:

- a) Storage of the company vehicles and trailers behind the current barn structure;
- b) Adequately screen with landscaping so that neighbors to the west will not see the vehicles;
- c) No storage of any materials such as rocks, mulch, gravel, or piping;
- d) Will not use the Property for any retail or wholesale business;
- e) Will add landscaping improvements along front of the Property facing Grassy Branch Road such as plantings, trees, and shrubs.

The Department recommends a limited Variance of Use to allow the storage of the landscaping business vehicles, to expire on December 31, 2020, up to six (6) company trucks and employee cars shall be held on the Property at any time, no dump trucks shall be allowed, and all of the conditions as presented above.

COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan contemplates the property of both a “Business Park”² (light blue) land use classification and/or a “New Suburban” (yellow) land use classification (see Figure 1). Since the Comprehensive Plan Land Use Concept Map³ is not bound to the parcel, the both classifications shall be analyzed for this request.

The Business Park classification is designed to: “accommodate manufacturing, research and development, processing activities, office and service uses that provide jobs and a tax base for

¹ Chapter 12 of the UDO defines “Office, Construction Trade” as: “electrical contractors, general contractors or construction offices, home remodeling companies, septic system contractors, heating and cooling contractors, painting contractors, **landscaping contractors**, and plumbing contractor offices, and the like, where such use is typically characterized to include some or all of the following aspects: storage of product for sale or for installation, storage of materials related to the business, storage of equipment or other implements, office space, **parking of company vehicles**, service areas for equipment and vehicles, warehouse space, showroom space, and/or retail sales.”

² Pages 56-58 of the Westfield and Washington Township Comprehensive Plan; Chapter 2; Land Use Plan: Business Parks.

³ Page 24 of the Westfield and Washington Township Comprehensive Plan; Chapter 2; Land Use Classifications and Development Policies.

the community.” The plan also contemplates business parks to be within a “campus atmosphere, attractive buildings, and extensive landscaping, or on large parcels, of at least 5 acres, with access to arterial streets only from frontage roads.” Business Parks encourages the following development policies:

- Industrial uses should be removed from residential neighborhoods,
- Storage to be indoors or not within sight of major roadways,
- Require parking areas to have interior landscaping and extra landscaping along street frontages
- Maintain attractive and appealing business and industrial areas,
- Require industrial sites to be designed so that truck maneuvering associated with an individual use will take place on-site and
- Require industrial uses to be located on paved roads with pavement design sufficient to handle the loads associated with the use.

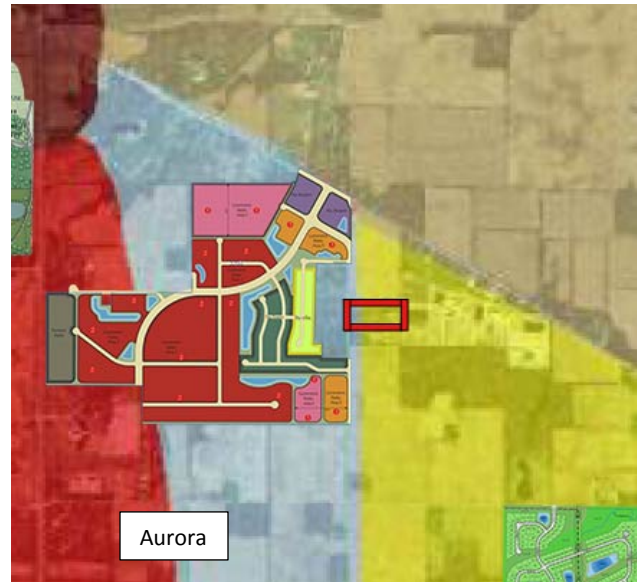


Figure 1: Future Land use Map

The New Suburban Northeast⁴ is contemplated to continue to have “rural uses with a rural feel that includes open spaces, trees, fields, and streams.” However, the New Suburban Northeast area is expected to develop with sanitary sewage lines and it is thought to build contiguous with the existing developments. These developments may have “single-family residences, open farmland, artisan farms and some businesses, especially agribusiness and rural-related businesses.”

Thoroughfare Plan: The plan identifies Grassy Branch Road as a Primary Arterial and expected widening of the street is not anticipated to begin in the immediate future. The plan also identifies this road as a future “Cycle Corridor.”⁵

PROCEDURAL

Public Notice: This petition held its public hearing at the July 12, 2017, 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.

⁴ Pages 40-44 of the Westfield and Washington Township Comprehensive Plan; Chapter 2; Land Use Plan: Suburban Residential.

⁵ Appendix B of the Westfield Thoroughfare Plan; Resolution 11-14.



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

October 10, 2017

1707-VU-01

Exhibit 1

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

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

Variances of Use: The Board of Zoning Appeals shall approve or deny variances from the terms of the UDO. A variance may be approved under Indiana Code § 36-7-4-918.4 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;
- 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 result in practical difficulties in the use of the subject property; and
- 5) The approval does not interfere substantially with the Comprehensive Plan.

DEPARTMENT COMMENTS

Approval: If the Board is inclined to approve the Variance of Use (1707-VU-01), then the Department recommends the Variance of Use (1707-VU-01) approval with the following conditions:

- 1) The Variance of Use shall expire on December 31, 2020;
- 2) Storage up to six (6) company and trailers/employee vehicles behind the current barn structure;
- 3) No dump trucks shall be stored on the Property;

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

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

- 4) Adequately screen with landscaping so that vehicles shall not be seen from the Right-of-Way to be approved by the Department;
- 5) No storage of any materials such as rocks, mulch, piping, or gravel. Any other materials shall only be kept in the trucks;
- 6) Shall not use the Property for any retail or wholesale business;
- 7) Shall require landscaping improvements along front of the Property facing Grassy Branch Road such as plantings, trees, and shrubs to be approved by the Department.

In addition, the Department recommends the following written findings of fact related to the Variance of Use:

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 allowing storage of landscape vehicles to locate on the Property for a temporary period will increase density or traffic, nor alter the current characteristics of the Property or the surrounding community. The Property will be primarily used as a single-family residence in the existing structure.

- 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. All such parking areas will be appropriately screened from view of the current residential homes west of the Property.

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

Finding: While in a rural residential area of Westfield but adjacent to Brehob Nursery's facility and the proposed Aurora development, the Property's three (3) acre size allows additional low impact accessory uses which will not alter or detract from the primary residential use of the property.

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

Finding: The 3 acre parcel has substantial space on it for this low impact and temporary use of only storing not more than six (6) commercial vehicles behind the existing buildings. This location is needed due to the growing number of Petitioner's Westfield lawn service customers.



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

October 10, 2017

1707-VU-01

Exhibit 1

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

Finding: This use does not substantially alter the characteristics of the property and will maintain the current rural and residential feel of the property.

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.



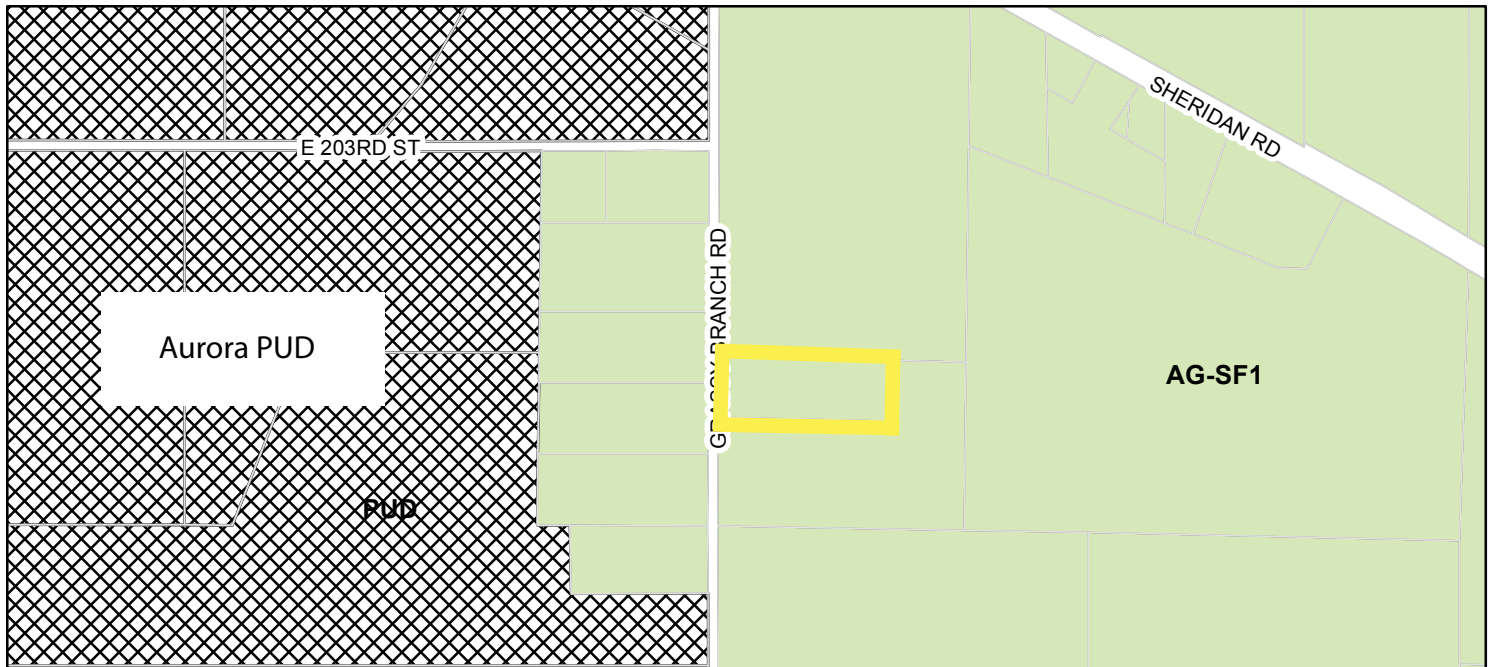
Property Location Map
1707-VU-01
20125 Grassy Branch Rd



Aerial Location Map



Zoning Map



Legend

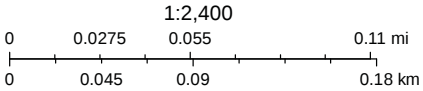
-  Parcel
-  AG-SF1 (Agriculture - Single Family - 1)
-  PUD (Planned Unit Development)



June 15, 2017

- Road Closures**
- Closed
 - Open
 - Restricted
 - Upcoming Closure
 - Upcoming Restriction

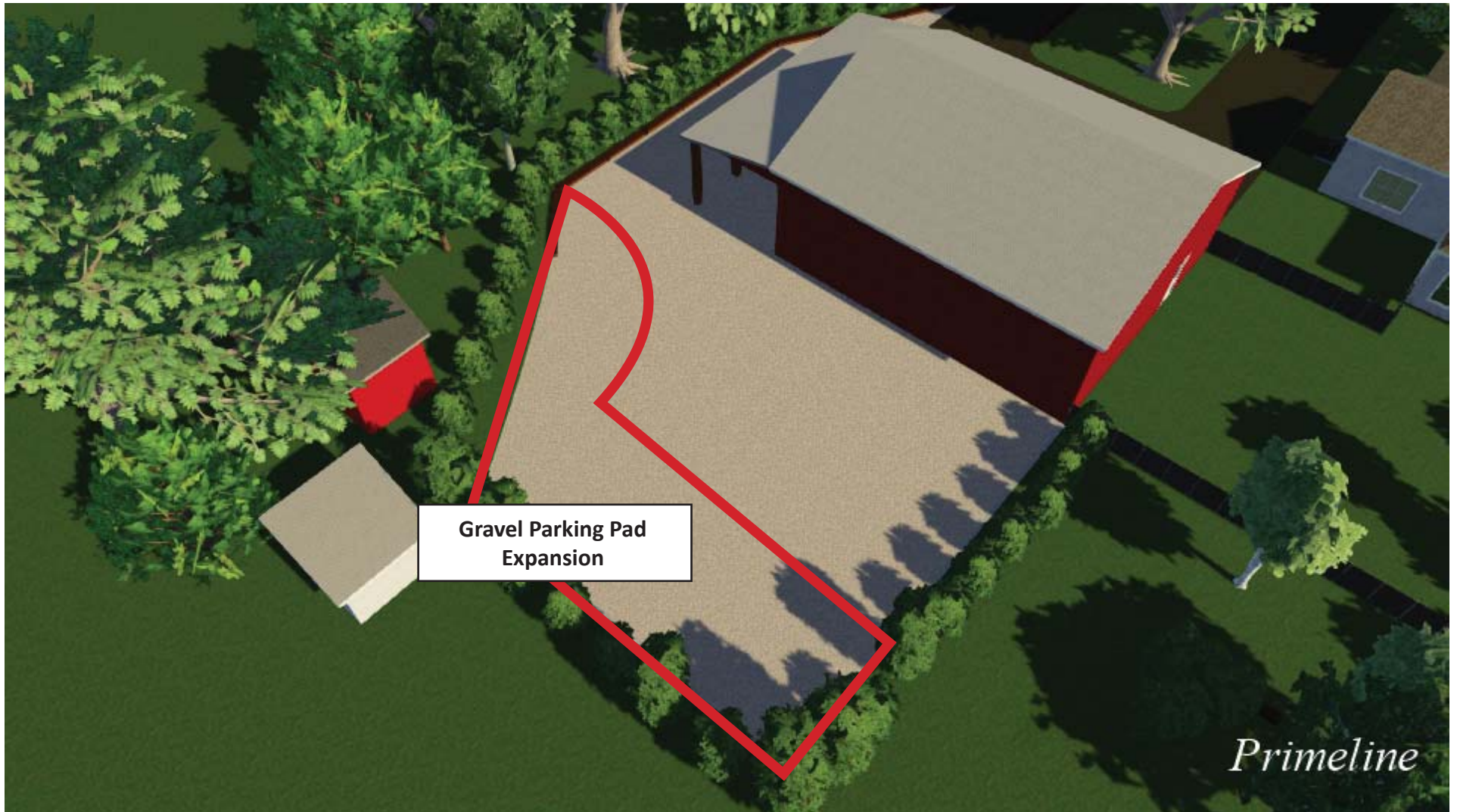
Parcels



Basemap information here

UPDATED CONCEPT PLAN

20125 GRASSY BRANCH ROAD

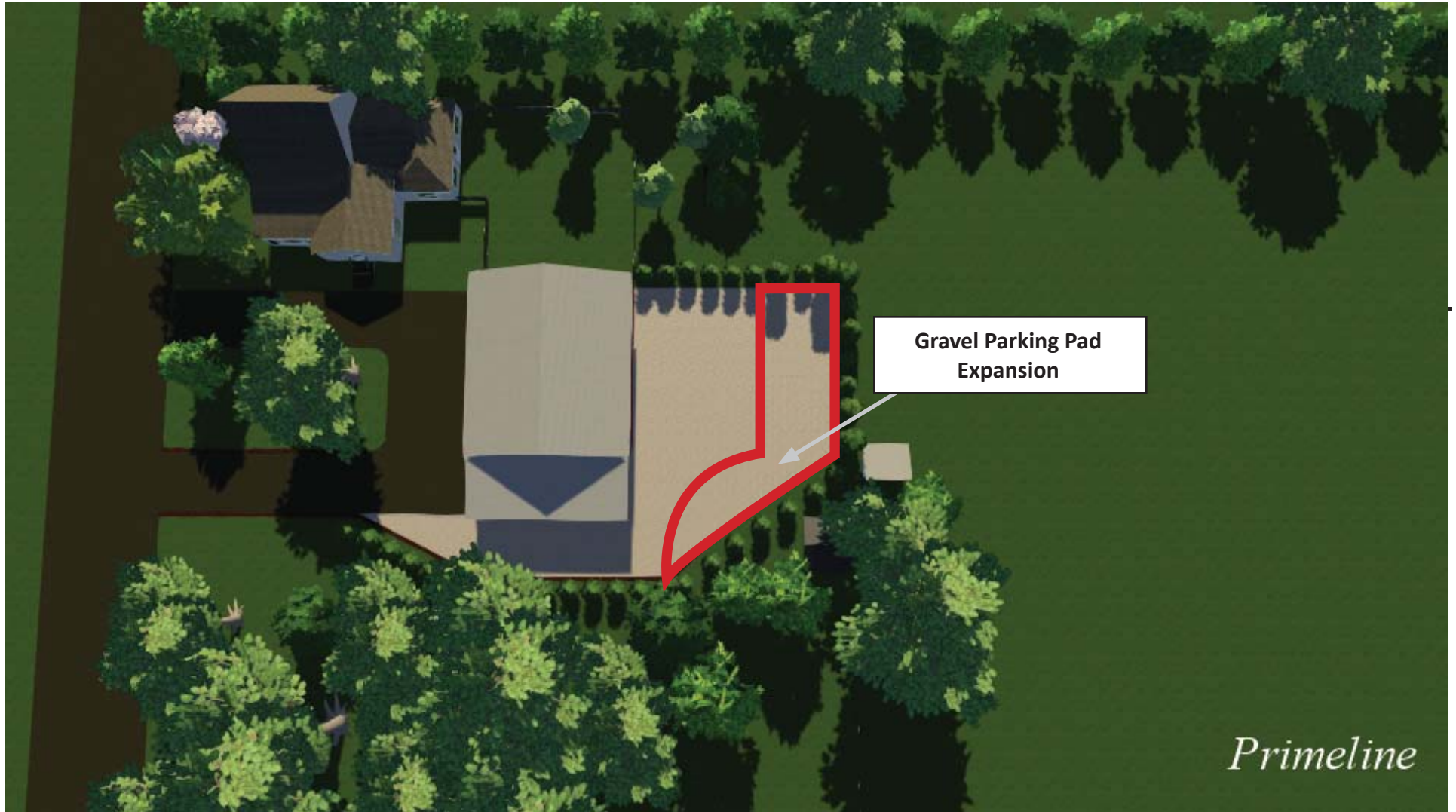


Gravel Parking Pad
Expansion

Primeline

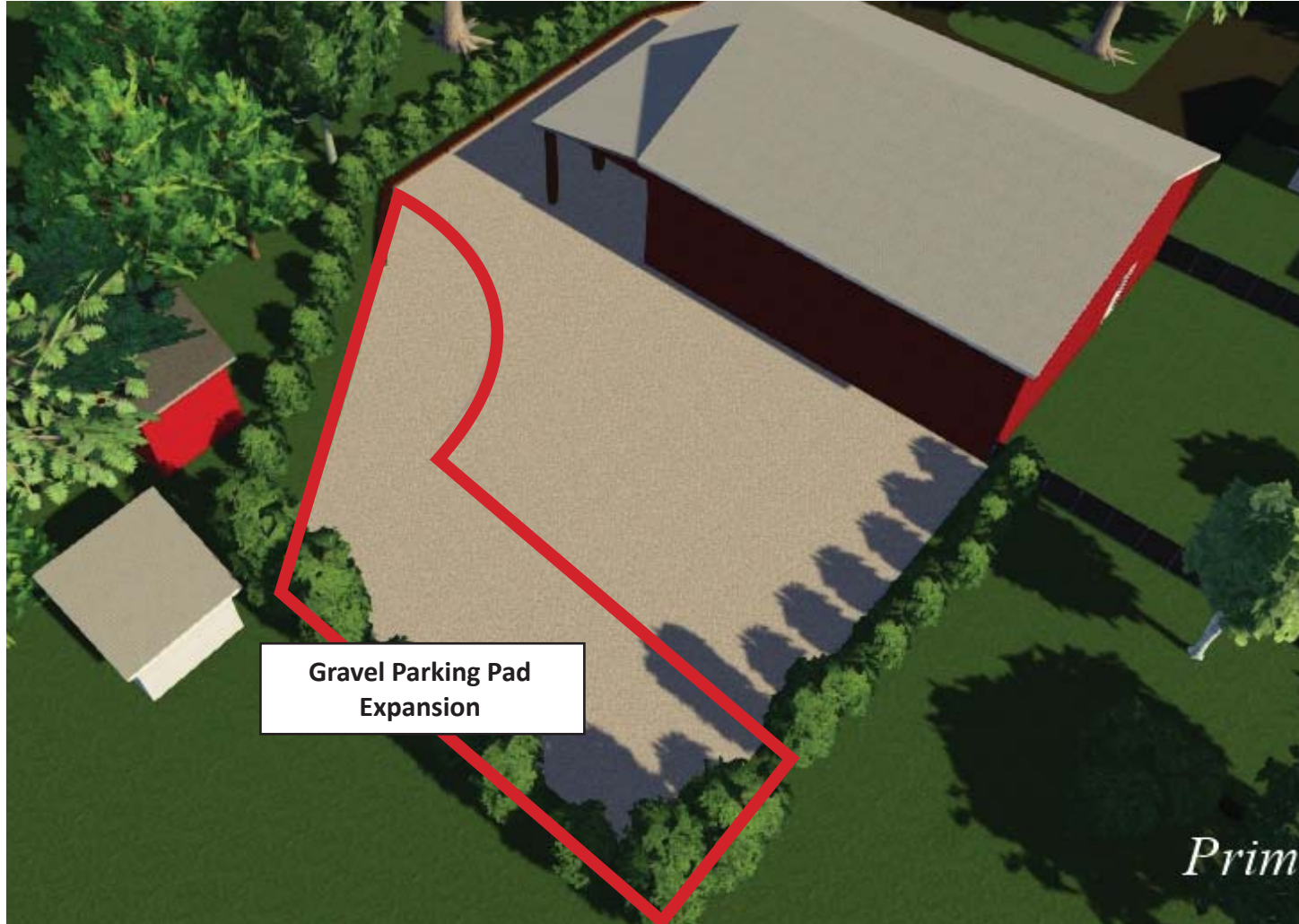
UPDATED CONCEPT PLAN

20125 GRASSY BRANCH ROAD



Gravel Parking Pad
Expansion

Primeline



20125 GRASSY BRANCH ROAD

Variance of Land Use Request to allow limited

“Office, Construction Trade” use

Board of Zoning Appeals

October 10, 2017



PRESENTED BY
ANDREW B. BUROKER, ESQ.

**FAEGRE BAKER
DANIELS**

Applicant:
Pamela S. Bontrager
1002 Springstone Road
McCordsville, IN 46055

Attorney:
Andrew B. Buroker, Esq.
India A.J.B.B. Olson, Land Use Planner

Faegre Baker Daniels LLP
600 E. 96th Street, Suite 600
Indianapolis, IN 46240

Telephone: 317.569.4825

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<u>Tab 2</u>	Aerial Location Map
<u>Tab 3</u>	Zoning Map
<u>Tab 4</u>	Original Concept Plan
<u>Tab 5</u>	Updated Concept Plan
<u>Tab 6</u>	Neighbor Informational Packet
<u>Tab 7</u>	Findings of Fact

TAB 1

EXECUTIVE SUMMARY

20125 GRASSY BRANCH ROAD



Pamela S. Bontrager (“Petitioner”) owns property located at 20125 Grassy Branch Road in Westfield. Located on the 3 +/- acre parcel is a home that was constructed in 1900 and a barn that was constructed in 1950. Petitioner currently rents the home to a resident. Petitioner and her husband, Brett Bontrager, own and operate a landscaping business located in Fishers, Indiana. Petitioner purchased the property at 20125 Grassy Branch Road in January 2017 as a way to better serve their Westfield and Carmel lawn customers and chose this specific property because of the home and barn and the proximity to Brehob Nursery which supplies materials to Petitioner’s business.

Petitioner is requesting a variance of land use to allow for Office, Construction Trade use, as defined in the Unified Development Ordinance, and is an allowed use in the Enclosed Industrial District (EI) and Open Industrial District (OI). Office, Construction Trade is allowed as a Special Exception in the General Business District (GB). The subject property is zoned AG-SF1.

As Petitioner is planning to locate and develop a permanent commercial space for their landscaping business in the Westfield community in the near future, Petitioner is requesting a temporary variance of land use on this property for a term of three and a half (3.5) years to find and develop a site. It will not be on this property. Petitioner has agreed to store only company vehicles and trailers on the property behind the current barn structure on a compacted stone parking pad. Petitioner will adequately screen with landscaping the vehicles and trailers from the residential neighbors to the west of the property with landscaping. Petitioner will not store any materials such as rocks, mulch, or gravel on the property and has committed to not use this location for any retail or wholesale business. In addition, Petitioner will make improvements to the property landscaping such as plantings, trees, and shrubs facing Grassy Branch Road.

Petitioner has reached out to neighbors to discuss the desired variance of land use on the property (see [Tab 6](#) for a copy of the informational packet left for neighbors).

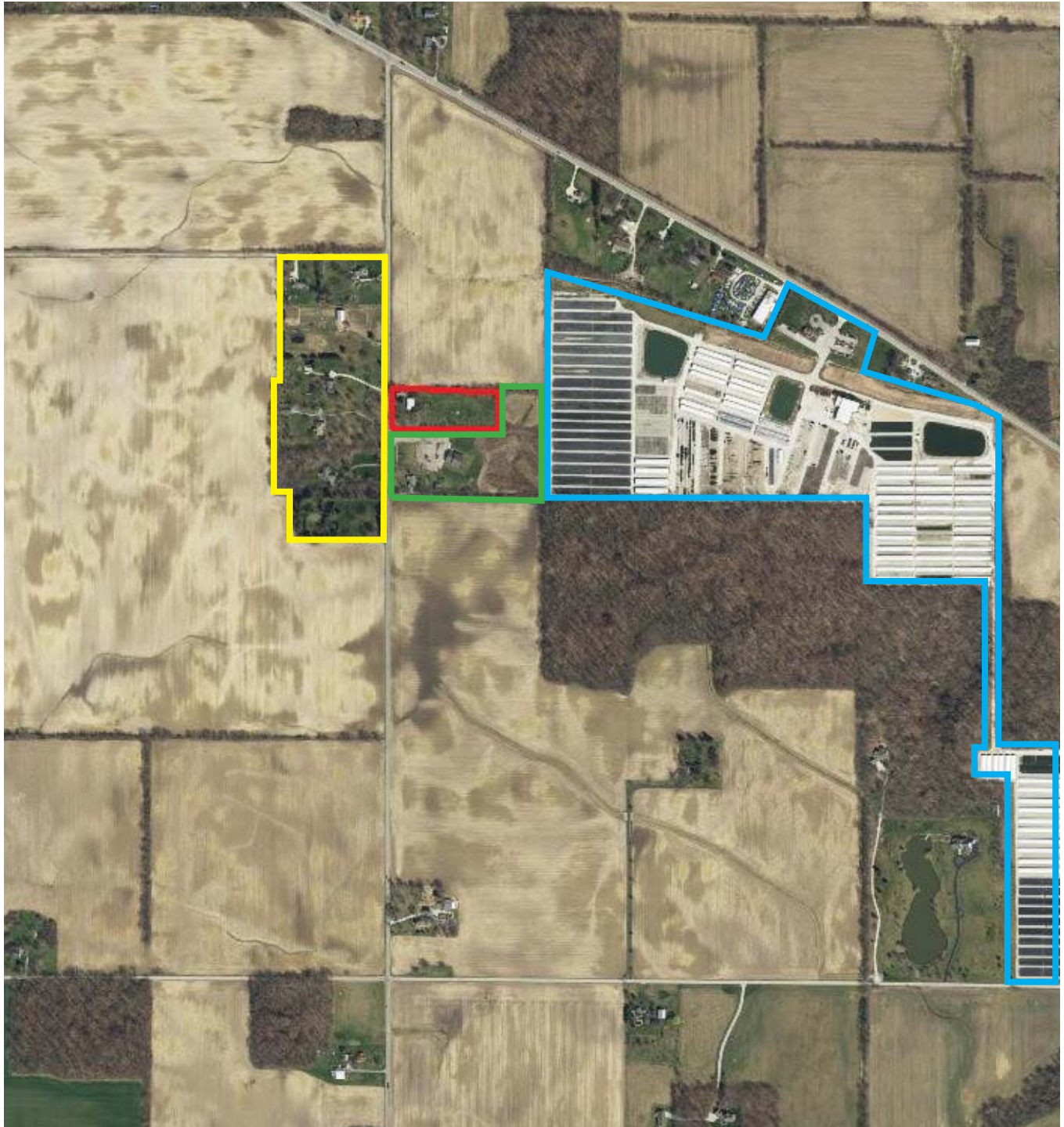
Update Since Initial BZA Hearing on July 12, 2017

At it’s July 12, 2017 meeting, the Board of Zoning Appeals held a public hearing on this proposal. Neighbors were not opposed to the project; however, they expressed concerns for this improvement on traffic, the hours of operation, and signage. The proposal was continued to consider an extension or expansion of the existing gravel area. After hearing concerns from the neighbors and BZA, Petitioner has expanded the existing proposed gravel area by an additional 20’ x 45’, which allows adequate room for vehicles to maneuver on and turn around on the property without backing into Grassy Branch Road (please see [Tab 5](#) for the Updated Concept Plan).

TAB 2

AERIAL LOCATION MAP

20125 GRASSY BRANCH ROAD

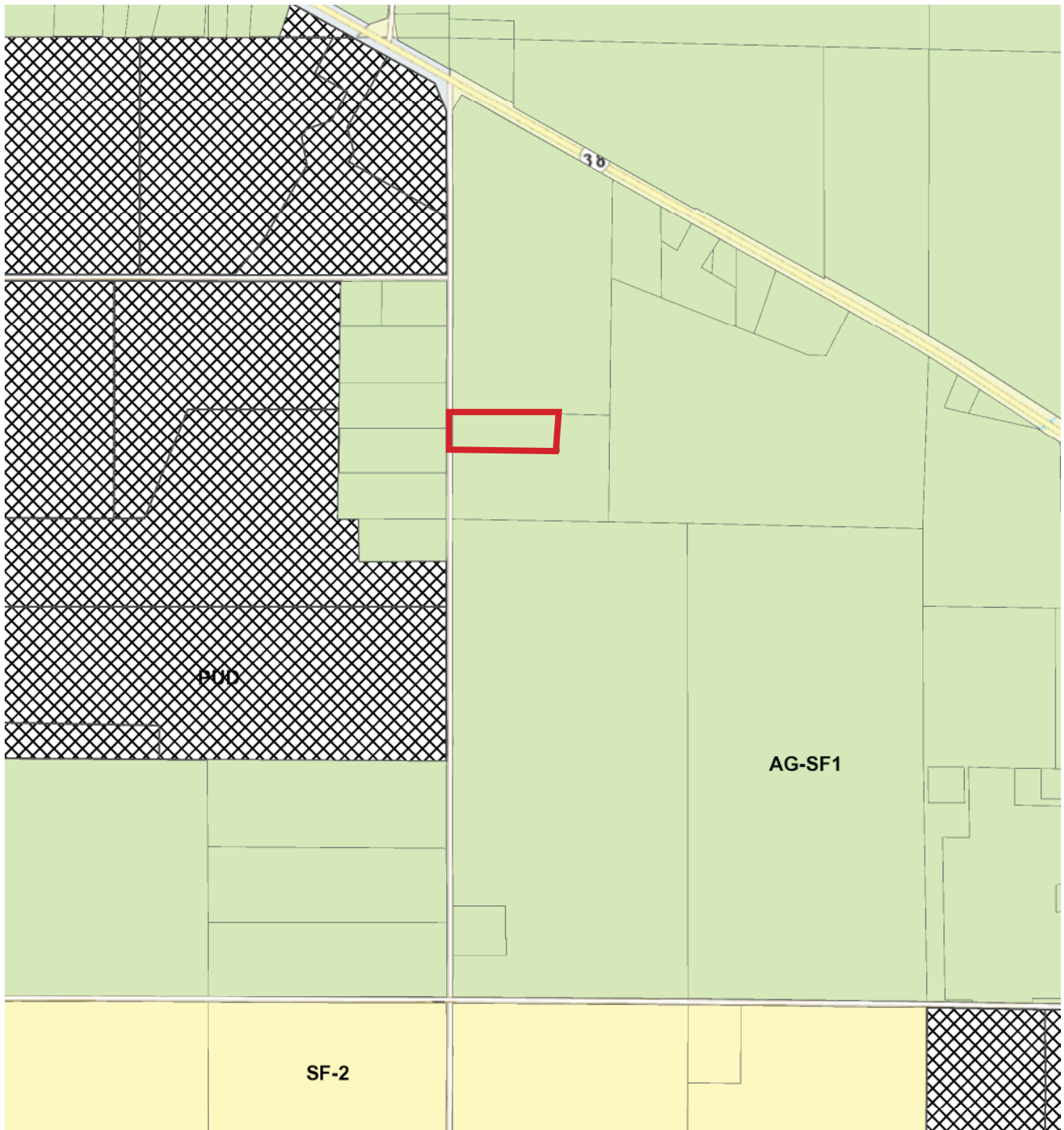


- Site
- Brehob Nursery
- First Baptist Church of Westfield
- Residential

TAB 3

ZONING MAP

20125 GRASSY BRANCH ROAD

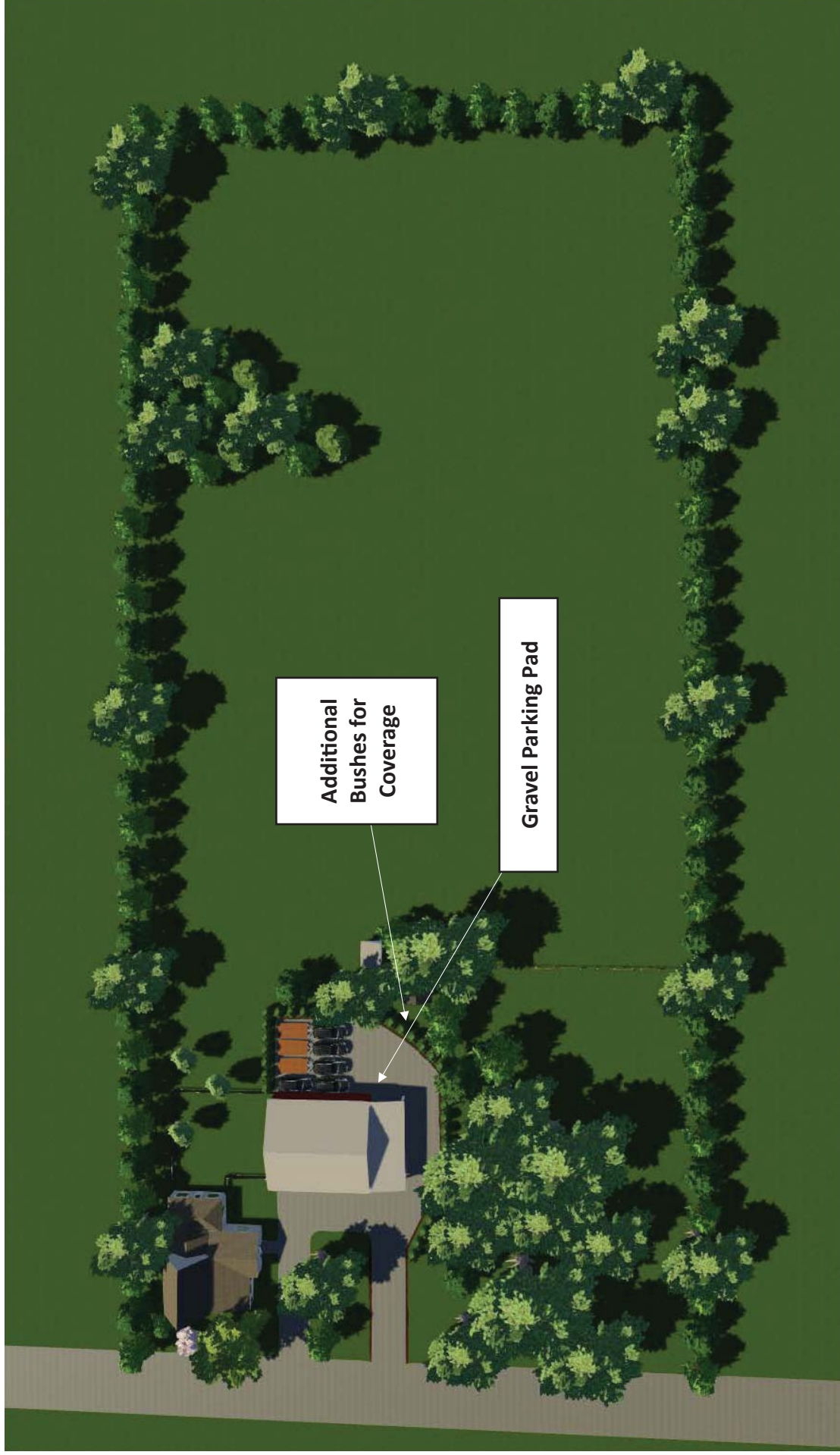


Site

TAB 4

ORIGINAL CONCEPT PLAN

20125 GRASSY BRANCH ROAD



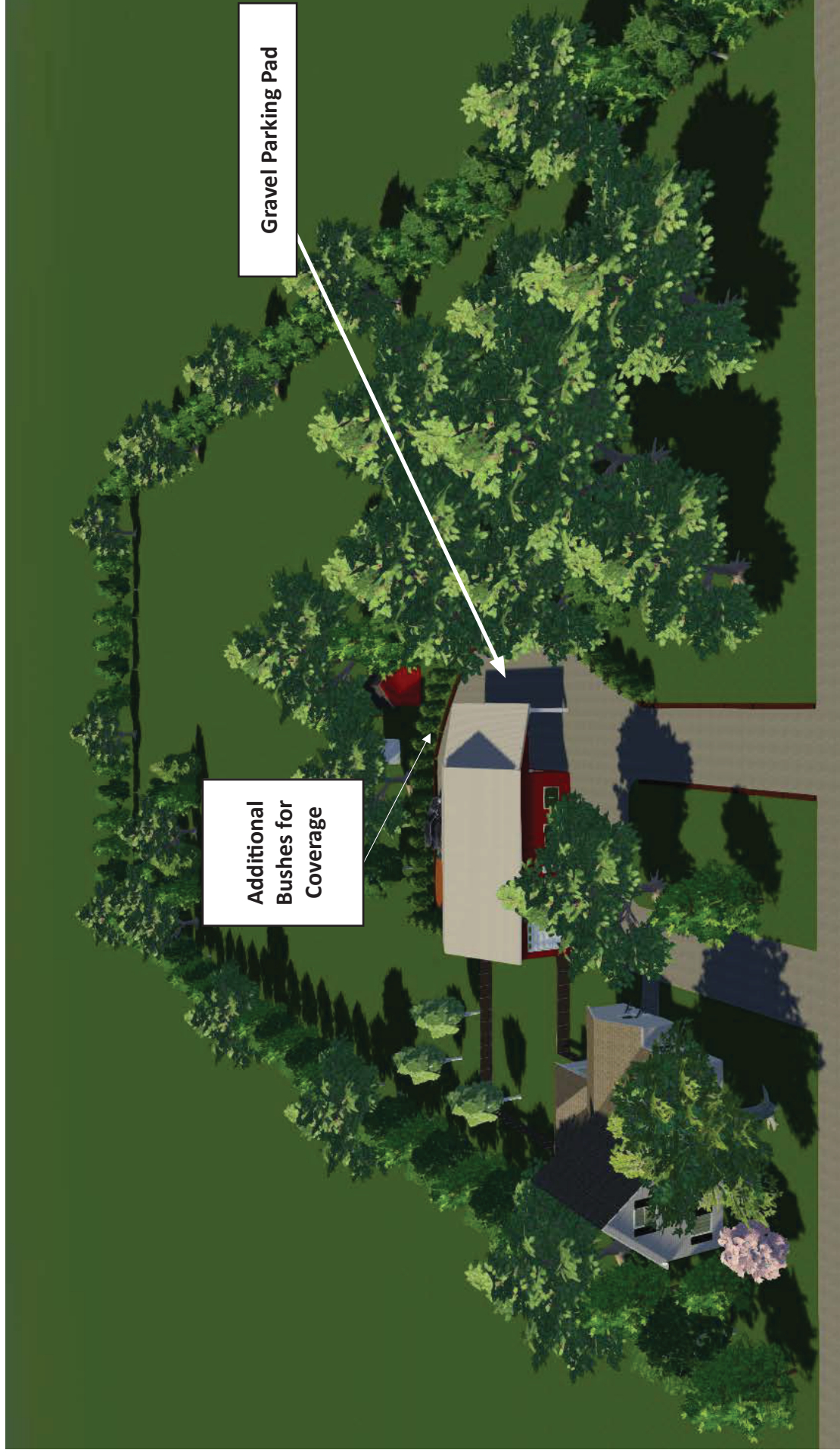
ORIGINAL CONCEPT PLAN

20125 GRASSY BRANCH ROAD



Gravel Parking Pad

Additional
Bushes for
Coverage



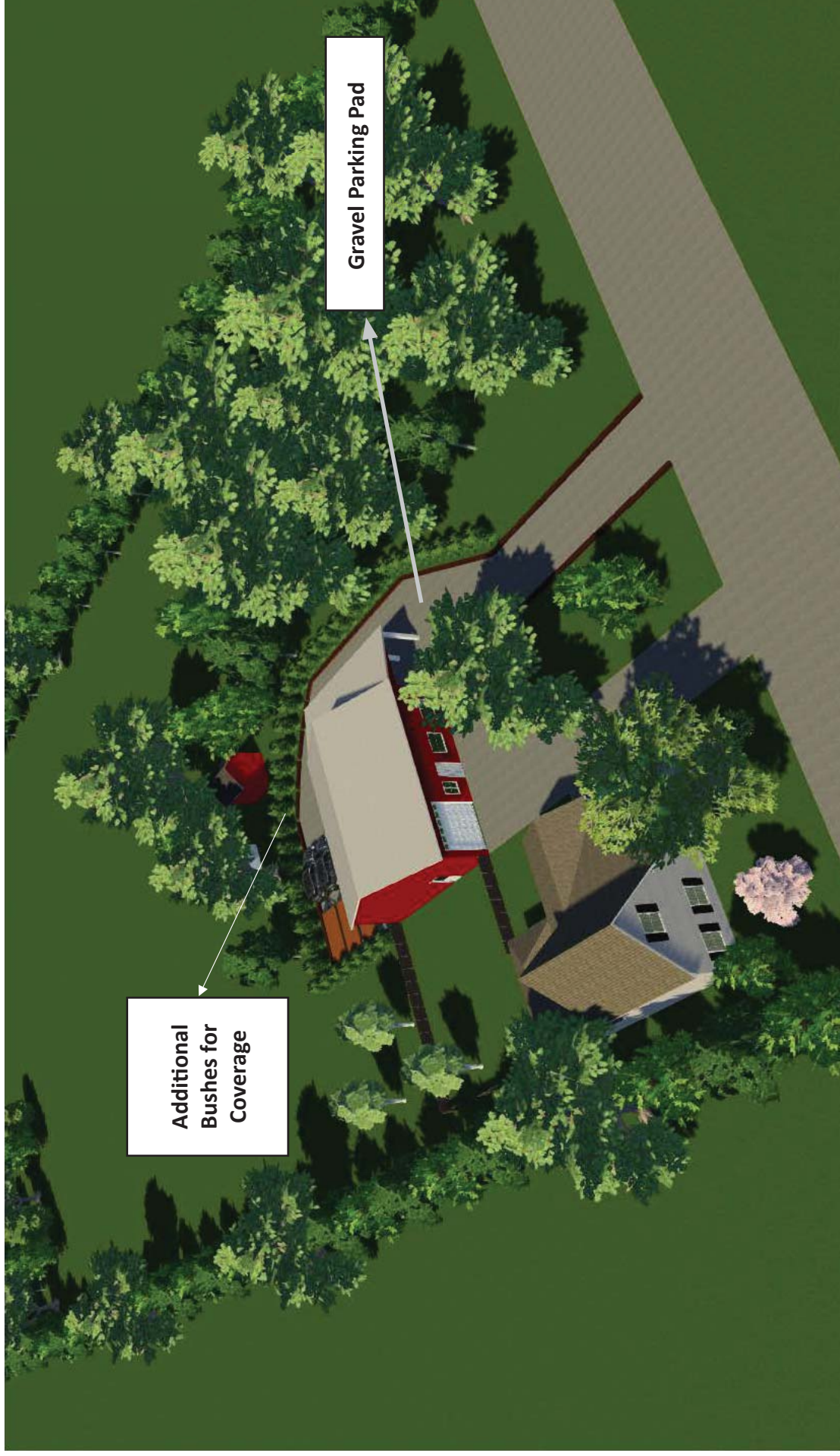
ORIGINAL CONCEPT PLAN

20125 GRASSY BRANCH ROAD



Additional
Bushes for
Coverage

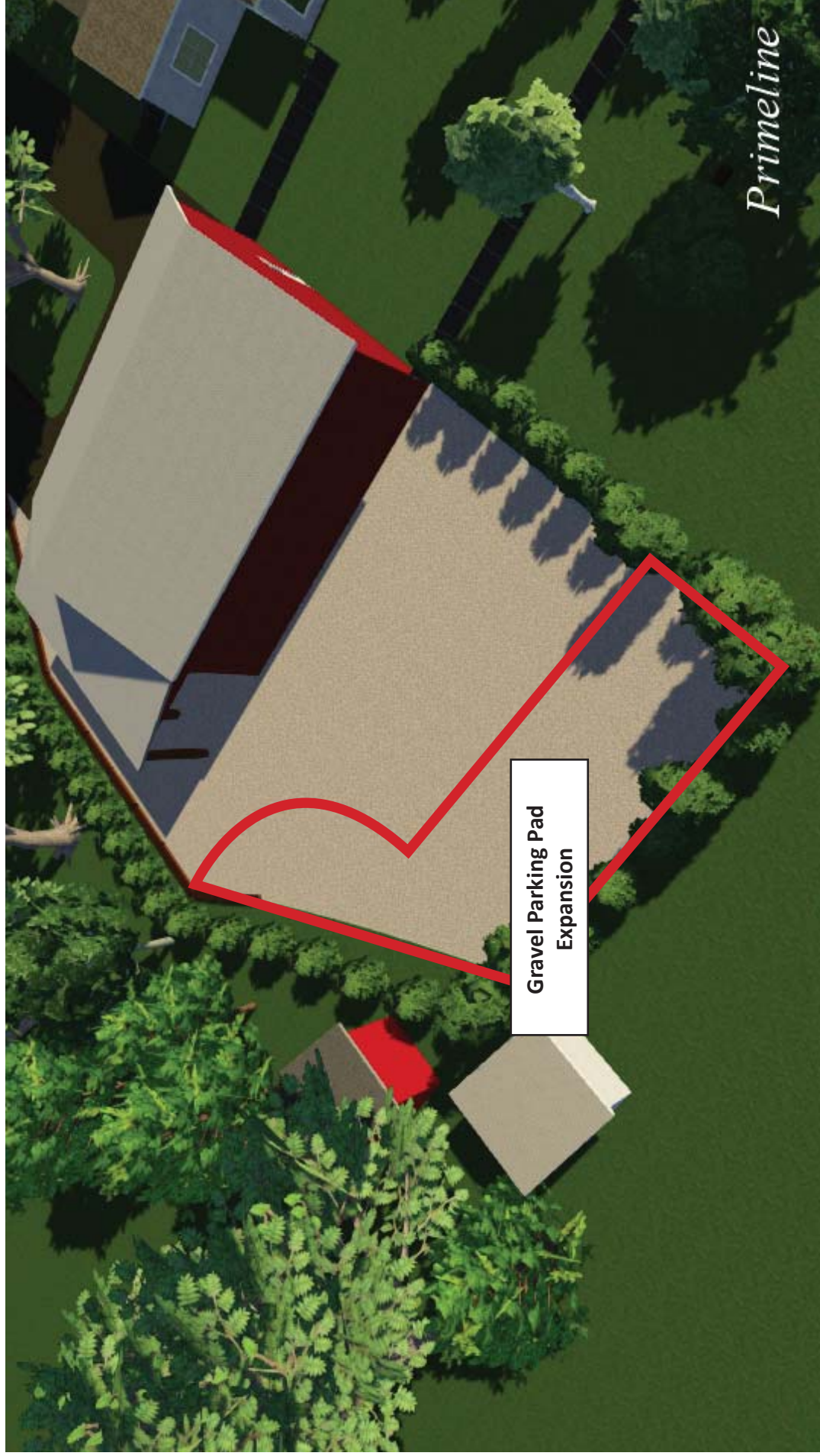
Gravel Parking Pad



TAB 5

UPDATED CONCEPT PLAN

20125 GRASSY BRANCH ROAD

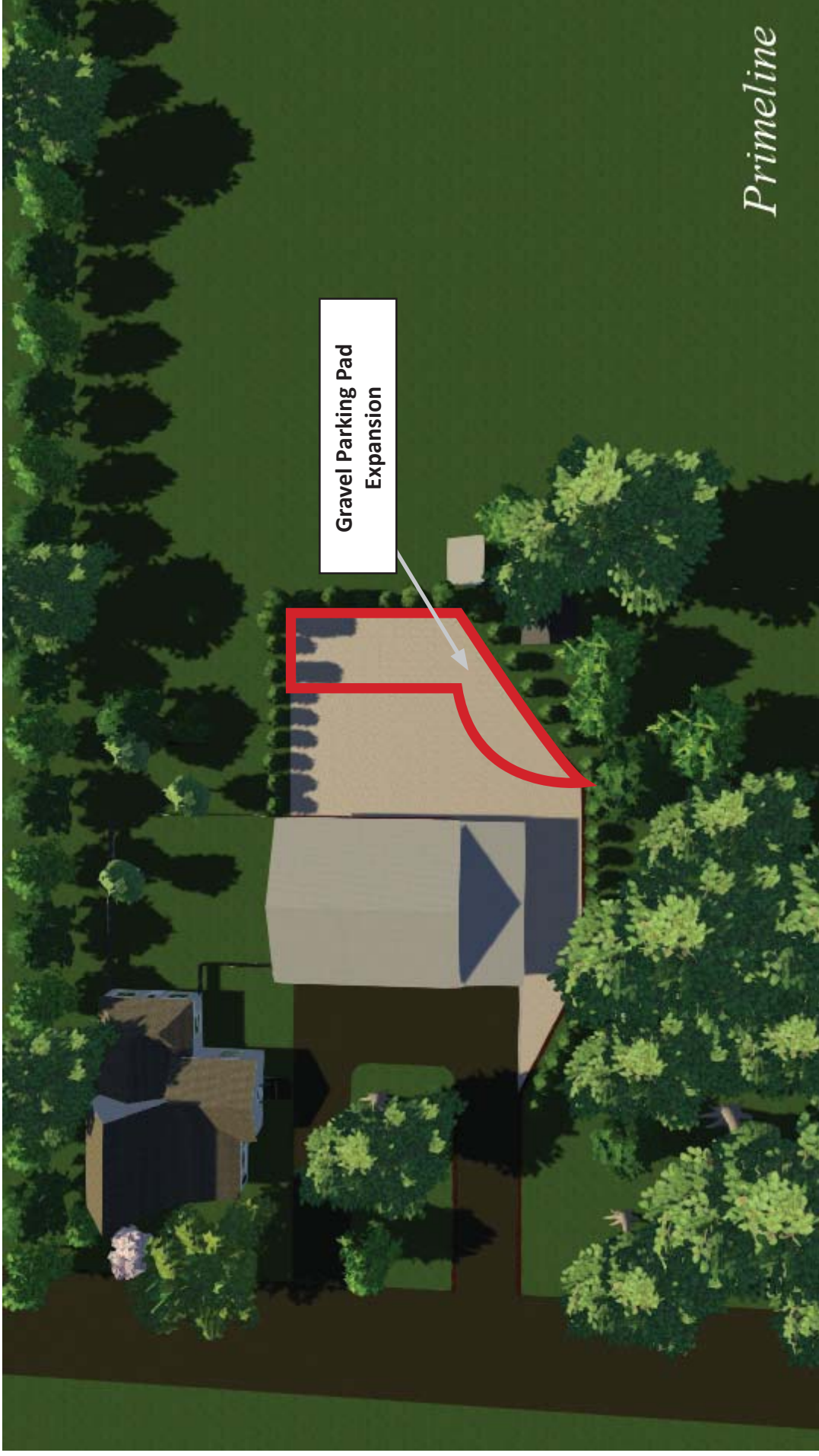


Gravel Parking Pad
Expansion

Primeline

UPDATED CONCEPT PLAN

20125 GRASSY BRANCH ROAD



Gravel Parking Pad
Expansion

Primeline

TAB 6

20125 Grassy Branch Road, Westfield, IN 46074-9902

Prop Sub/Trans: Single Fam/Date: 12/13/2015
 School Dist: Westfield-Washington
 Subdivision: NO SUBDIVISION
 Legal Desc: Pt of 820.7136, 84E
 Bldg/Plat/Cont: 1/1

Status: Active
 BCL# 78326220
 Loc/Mat# 5: 5279.000
 Year Built: 1900
 Section/Lot: 7B
 Map: W-201 6-20
 Est. Comp. Date:

Tax ID: 20052000021000014
 MultiTax ID: 2014
 Sold Water: No
 Sewer: No
 Fireplace: 0

Upper: 1500
 Main: 1500
 Appx Net TQ: 1,004
 Basement: 0
 Appx Net G & Bsm: 1,004
 % Fin Bsm: 100
 Source: Assess

Garage: Yes, Other
 Parking: No
 Foundation: Crawl/Block
 Wtd Lnk: http://20125grassybranchroadtop.info

Room Type	Dimensions	Floor	Windows	Notes
Master Bedroom	14x13	Main	Carpeting	No
2nd Bedroom	14x12	Upper	Carpeting	No
Kitchen	11x15	Main	Vinyl	No

SR 32 E of Westfield to Grassy Branch, North to house on East side of road.

Classic farm house on 3 Acres near fast-growing Westfield. Huge outbuilding combo garage, workshop, storage. Easy access to both SR 38 and SR 32. Close to schools, shopping, trails, etc. Partially fenced yard. Large kitchen, cozy floor plan. Great investment opportunity in exploding area.

Arch Style: Dutch Colonial
 Trad Amer
 Porch/Cover: Full
 Kitchen: Full
 Dining Room: Full
 Living Room: Full
 Bedrooms: 2
 Bathrooms: 2
 Appx Net TQ: 1,004
 Appx Net G & Bsm: 1,004
 % Fin Bsm: 100
 Source: Assess

Heating: Forced Air
 Cooling: Central Elec
 Water Heater: Electric
 Utility Option: Cable Avail

Financial/Association Information

Contract/Office Information

Team:
 Lead: 317-913-2800
 Cell: 317-201-5047
 Text: 317-201-5047
 Email: bobby@bobby.com

Requested By: Paula Smith. Information Deemed Reliable, but not Guaranteed © NISOR Friday, December 09, 2016 04:56 PM



On January 10, 207, Pam and Brett Bontrager Bought The Property At 20125 Grassy Branch Road, Westfield, Indiana



- Married For 26 Years
- We have 4 children and 3 grandchildren
- Pam is a native Hoosier
- Brett is retired from Stanley Black & Decker
- Committed to Bob to take good care of the property and not tear down the house



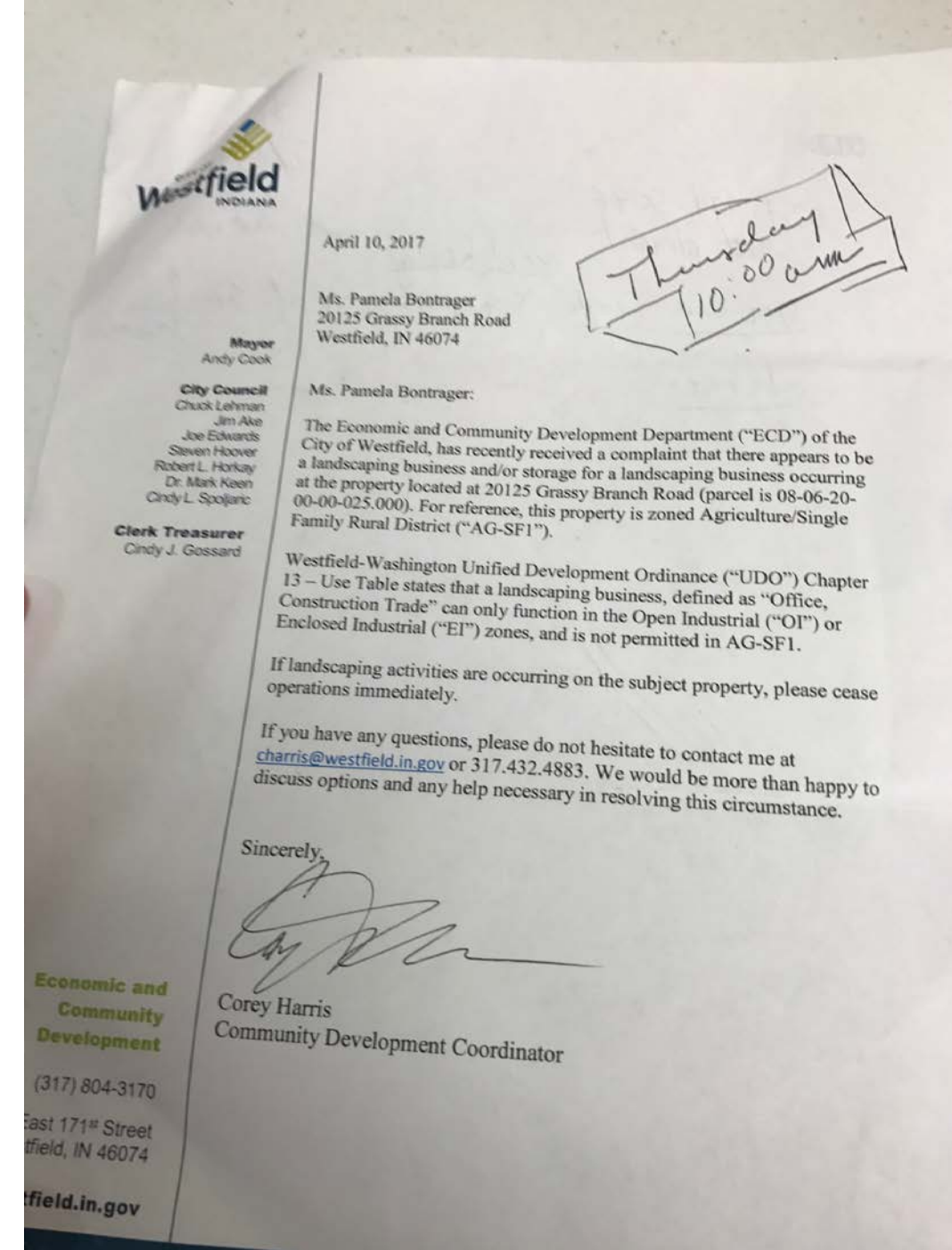
Tenants: Dave and Vanessa Gregor



- Dave and Vanessa Gregor are living in the house and planning on living there for the foreseeable future
- Dave and Vanessa have been married for 18 years
- We are partners with Dave and Vanessa in a Personal Training Studio in Fishers by the Name of Studio Fit'Nez
- Vanessa is the General Manager of the Studio



- On April 10, 2017, we received a letter from Corey Harris from the city of Westfield
- Letter stated that a complaint had been made stating that we are operating a business on the property
- Letter went on to state that we are in violation of use for a zoned Agriculture/Single Family Rural District and if we are running a business, we should cease operations immediately
- We met with representatives from the City of Westfield on April 27 to show them the property and explain that we are in fact storing trucks at the property and not running a business
- We leave our trucks at the property and they are picked up each morning for use during the day and then returned...we mow 80 yards in Carmel and Westfield
- The trucks are kept in a small lot behind the current barn
- We do not keep material, supplies or product on the property and do not have customers visit the property
- At the meeting, it was determined that we should officially ask for permission to be able to keep our trucks on our property



[ABOUT US](#)[SERVICES](#)[PRODUCTS](#)[PROJECT PROCESS](#)[CONTACT US](#)

ABOUT US

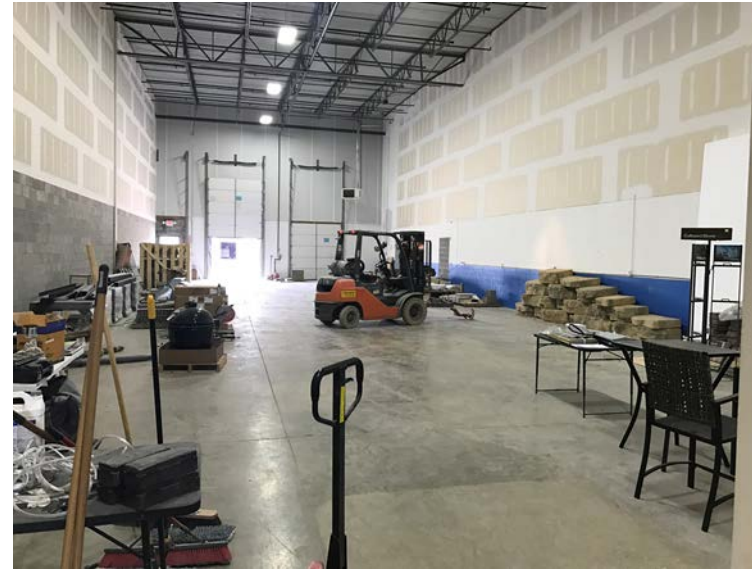
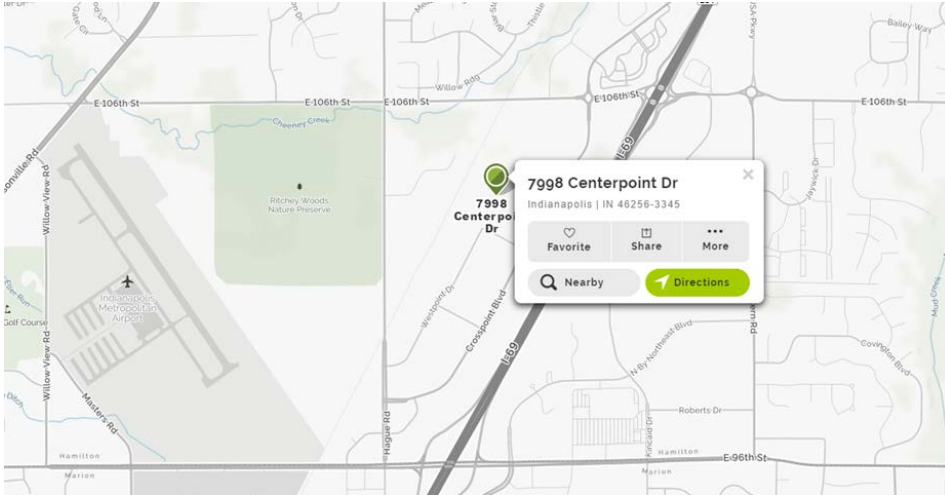
Primeline has a unique history. Primeline Landscape was started in 2005 as a "high end" landscape business focused on two priorities... the customer and the environment. New owners acquired the company in December 2016 and are focused on building on the historical foundation of Primeline while expanding the services to our valuable customers for the future.

In addition to first class lawn service, landscaping and hard scaping, Primeline now offers a comprehensive set of services to transform your backyard into a sophisticated outdoor living environment. Primeline can create your dream outdoor kitchen, deck, pergola or fireplace and for the golfer in your family, a world class "sand filled" golf green which will wow even the most discerning golfer. From design to install to service, Primeline's customer centric vision will create the elegant environment you have always dreamed of for your family.

We do own a
Landscape and
Outdoor Living
Business with the
Brand Name
Primeline...



...And, the Primeline Operations Are Run From 7998
Crosspoint Dr., Suite 750, Indianapolis Indiana



- All Material, Shipping and Manufacturing takes place at our facility at Crosspoint
- We have a showroom for our customers to see all of our capabilities
- We invite anyone to come visit
- Please call Brett at 317-341-1927 if you would like to visit the showroom



Our plans for the Grassy Branch property are to take good care of it and in the future, possibly build a house on the property. Until then, we simply want to be able to store our trucks behind the barn.

Current View Of 20125 Grassy Branch



We currently store Up to 5 trucks and 2 trailers behind the barn on weekends and evenings

Possible Future View Of 20125 Grassy Branch



In the future, we have contemplated building a home for ourselves with a custom golf hole and larger maintenance barn. Property would be expertly landscaped.

- We are going to ask the City of Westfield for formal approval to be able to keep the trucks on the property at this time...for the purpose previously described.
- We hope this information clears up any concerns and none of our neighbors contest our request with the city
 - Please call Pam or Brett Bontrager at 317-341-1927 with any questions or concerns
- Please stop by and see our showroom if you would like to see what the Primeline business is all about...or if you have any outdoor living needs
 - Our goal is to add beauty in the neighborhood; it never has or will be to run a business
 - Thanks for listening

TAB 7

FINDINGS OF FACT	
20125 GRASSY BRANCH ROAD	

Proposed Findings of Fact (Variance of Land Use to Allow for Office, Construction Trade use, as defined in the Unified Development Ordinance, for a property zoned AG-SF1)

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

The use will not increase density or traffic, nor alter the current characteristics of the property or the surrounding community. It will still be primarily used as a single-family residence in the existing structure.

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:

This storage and daily use of small landscaping service vehicles is a low impact use and complimentary to the nearby Brehob Nursery. All such parking areas will be appropriately screened from view of the current residential homes west of the property.

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

While in a rural residential area of Westfield but adjacent to Brehob Nursery’s facility, the property’s 3 acre size allows additional low impact accessory uses which will not alter or detract from the primary residential use of the property.

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:

This 3 acre parcel has substantial space on it for this low impact and temporary use of only storing not more than 6 small commercial vehicles behind existing buildings. This location is needed due to the growing number of Petitioner’s Westfield lawn service customers.

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

This use does not substantially alter the characteristics of the property and will maintain the current rural and residential feel of the property.



Petition Number: 1710-VS-13

Subject Site Address: 18881 IMMI Way (The "Property")

Petitioner: Anderson Properties, L.P. (The "Petitioner")

Representative: Brad Schoeff; Wiehe Engineers

Request: Anderson Properties, L.P. by Weihe Engineers requests Variance of Standards relief from the Landscaping requirement and the Maximum Building Height requirement for the construction of an 8,064sqft accessory building within the 25 acres +/- IMMI Campus in the EI: Enclosed Industrial District.

Current Zoning: EI: Enclosed Industrial

Current Land Use: Industrial

Approximate Acreage: 25 acres+/-

Exhibits:

1. Staff Report
2. Location Map
3. Site Plan
4. Elevations
5. Petitioner's Application

Staff Reviewer: Matt Pleasant, Associate Planner

OVERVIEW

Location: The subject Property is 25 acres +/- in size and is located at 18881 IMMI Way (see **Exhibit 2**). The Property is currently an industrial use. The surrounding properties are zoned SF3 to the east, EI to the north, LB to the south and US Highway 31 borders the west side of the Property. The Petitioner intends to build an 8,064sqft accessory structure within the IMMI Campus to store equipment.

Variance Request: The Petitioner is requesting Variances to allow the construction of a new accessory building, as generally illustrated on the Site Plan Exhibit (see **Exhibit 3**) and the Elevations Exhibit (see **Exhibit 4**) by receiving relief from the Foundations Plantings requirement and the Maximum Building Height requirement.

SUMMARY OF VARIANCES

The site where the proposed accessory structure would be built is located within the IMMI Campus along the main internal street (see **Exhibit 2** and **Exhibit 3**). The proposed structure is designed to be taller than what the Unified Development Ordinance (the "UDO") requires as well



as requested relief from the Foundations Planting requirement due to the lack of space and the drainage easement.

The UDO requires that an accessory structure cannot be taller than eighteen (18) feet tall¹. The proposed accessory structure is designed to be thirty (30) feet tall to hold larger storage items. The Landscaping Standards of the UDO require that Foundation Plantings² to be applied. This standard would require there to be 4 groups of plantings on the east and west façades of the building. Due to the size of the proposed building and the drainage easement located on the east side of the proposed building, there would be no room for plantings.

COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan identifies the property within the "Employment Corridor" land use classification of the "Highway Corridor" via the Land Use Concept Map³. This corridor contemplates uses that would encourage employment growth in Westfield, including but not limited to: "office and service uses, research and development, and retail and institutional uses that are subordinate to and supportive of the office and service uses." The plan also encourages building design, height, and scale and mass that is appropriate to the surrounding area with loading docks not visible from major thoroughfares⁴.

PROCEDURAL

Public Notice: The Board of Zoning Appeals is required to hold a public hearing on its consideration of a Variance of Development Standard. This petition is scheduled to receive its public hearing at the October 12, 2017, 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 UDO⁵ 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 6.1(F) Accessory Use and Building Standards; Maximum Accessory Building Height of the UDO.

² Article 6.8(L) Foundation Requirement states: "Plant materials shall be required intermittently (approximately every forty (40) feet) against long expanses (over eighty (80) feet) of Building Facades, fences, and other barriers to create a softening effect."

³ Page 24 of the Westfield and Washington Township Comprehensive Plan.

⁴ Pages 53-55 of the Westfield and Washington Township Comprehensive Plan.

⁵ 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 UDO⁶ 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

Recommended Findings for Approval: If the Board is inclined to approve the variance, then the Department recommends the findings as set forth below, for the variance:

- 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: (i) the proposed improvement will enhance the value of the subject property; (ii) the improvements will otherwise comply with or exceed the applicable

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



WESTFIELD-WASHINGTON
BOARD OF ZONING APPEALS

October 10, 2017

1710-VS-13

Exhibit 1

standards of the EI District; and (iv) the approval of the variance will allow for the 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) **Criteria:** *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 drainage easement would not allow for landscaping to be located against the building. The use is permitted by the Unified Development Ordinance and the proposed improvements would otherwise be permitted and comply with the Unified Development Ordinance.

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
1710-VS-13
IMMI Accessory Building



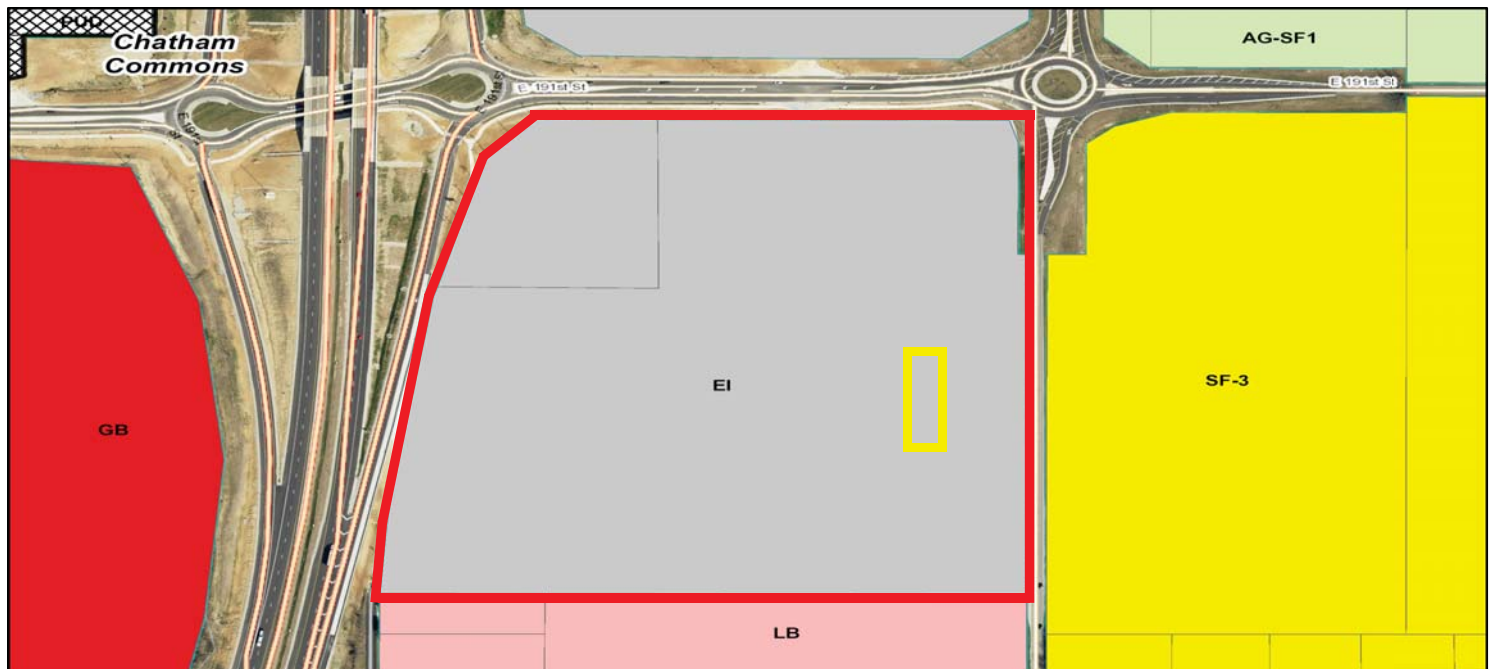
Aerial Location Map

 IMMI Campus

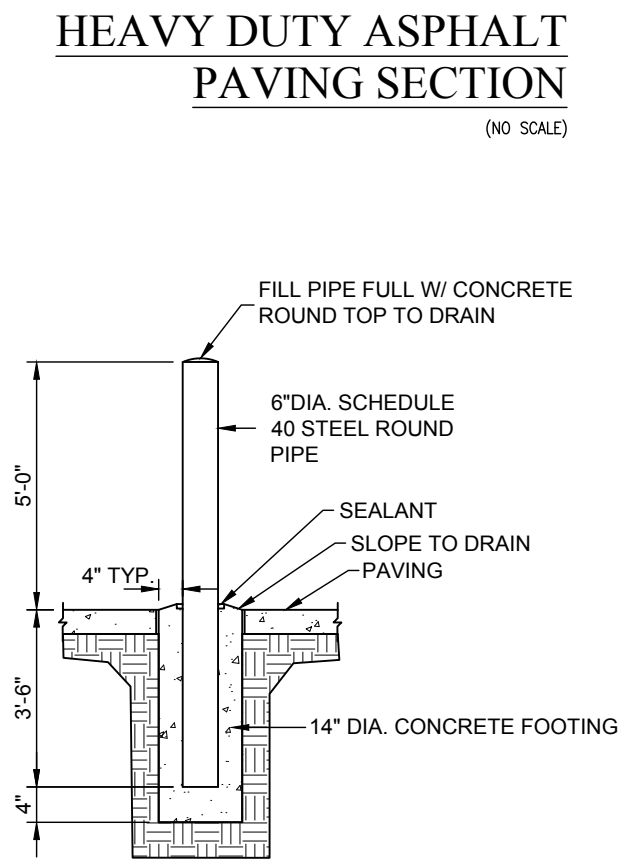
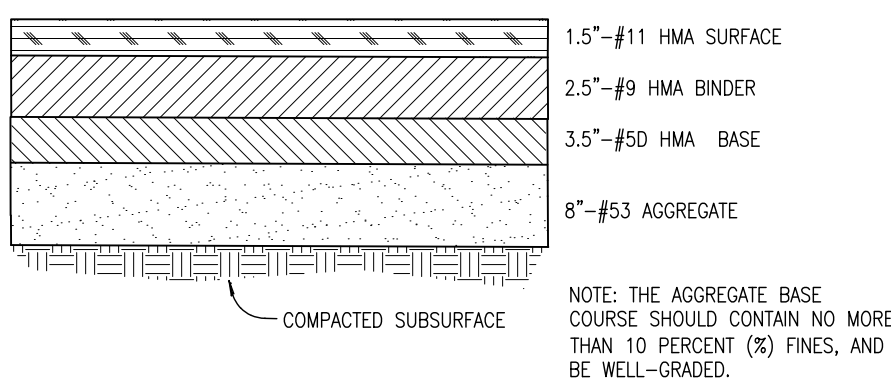
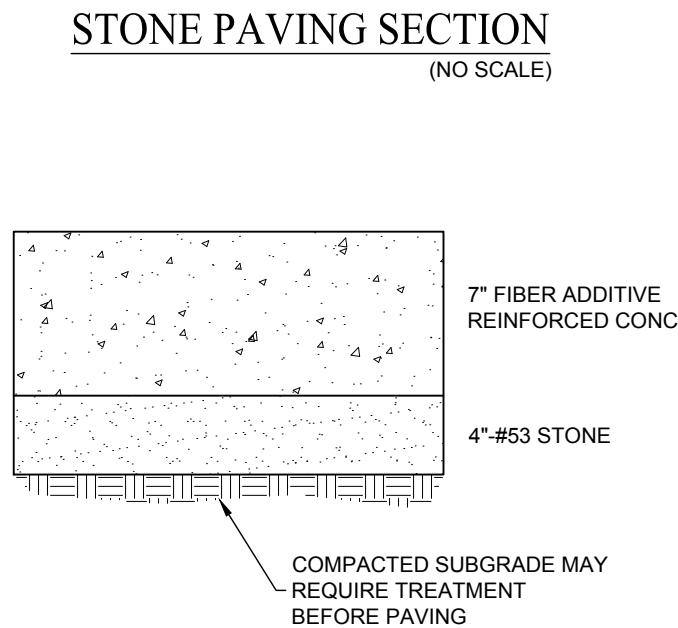
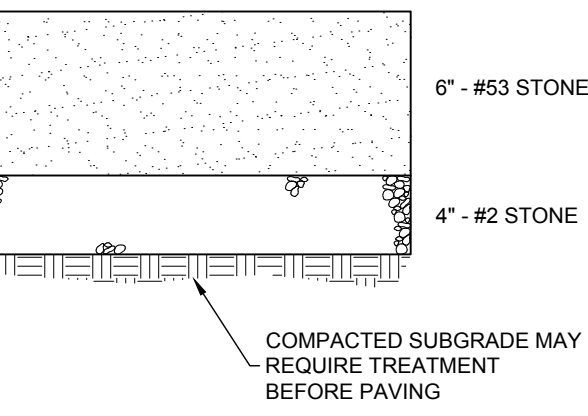
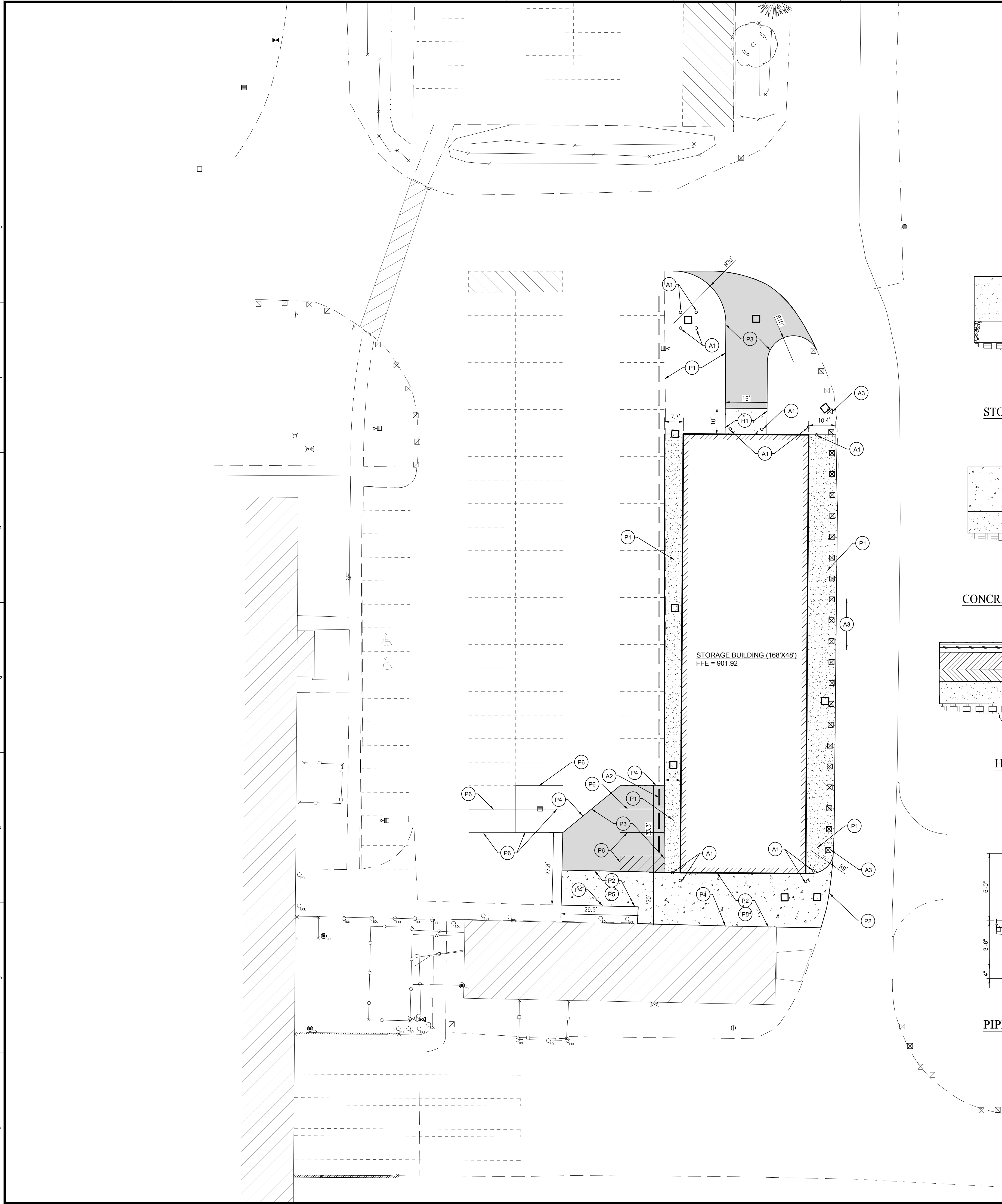
 Site



Zoning Map



LOCATION: H:\2017\W170183\Engineering\design\coronet\W170183-C200 site.dwg
DATE/PLT: August 31, 2017 - 12:35pm
PLOTED BY: schorff



SITE PLAN NOTES

PAVEMENT

- (P1) STONE PAVING
- (P2) STANDARD DUTY CONCRETE PAVEMENT
- (P3) HEAVY DUTY ASPHALT PAVING
- (P4) MATCH EXISTING PAVEMENT
- (P5) SEALED EXPANSION JOINT
- (P6) PAINTED PARKING STRIPING TO MATCH EXISTING COLOR AND STRIPE WIDTH

HARDSCAPE

- (H1) CONCRETE STOOP - SEE BUILDING PLANS

ACCESSORIES

- (A1) TWO (2) 12\"/>
- (A2) CONCRETE PARKING STOPS TO MATCH EXISTING
- (A3) 6\"/>

SITE PLAN GENERAL NOTES

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING, OR VERIFYING THAT ALL PERMITS AND APPROVALS ARE OBTAINED FROM THE RESPECTIVE CITY, COUNTY, AND STATE AGENCIES PRIOR TO STARTING CONSTRUCTION.
2. ALL QUANTITIES GIVEN ON THESE PRINTS, VERBALLY OR IN THE SCOPE OF WORK SECTION ARE ESTIMATES AND SHALL BE CONFIRMED BY THE BIDDING CONTRACTORS.
3. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) STANDARDS FOR EXCAVATIONS: FINAL RULE 29 CFR PART 1926, SUBPART 17\"/>
4. IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER AND CONTRACTOR TO MAINTAIN QUALITY CONTROL THROUGHOUT THIS PROJECT.
5. TEMPORARY TRAFFIC CONTROL DURING CONSTRUCTION TO CONFORM TO APPLICABLE LOCAL STANDARDS.
6. BEARINGS, DIMENSIONS, AND EASEMENTS ARE SHOWN FOR REFERENCE ONLY. SEE RECORD SURVEYS AND PLATS FOR EXACT INFORMATION.
7. THE ENGINEER AND/OR OWNER DISCLAIM ANY ROLE IN THE CONSTRUCTION MEANS AND METHODS ASSOCIATED WITH THE PROJECT.
8. ALL DIMENSIONS ARE BASED ON FACE OF CURB OR BACK OF ROLL CURB OR FACE OF BUILDING.
9. SEE ARCHITECTURAL PLANS FOR DETAILS OF BUILDING, BUILDING DIMENSIONS AND SIGNAGE SPECIFICATIONS. DO NOT STAKE BUILDING FROM THESE PLANS.
10. COORDINATE CONSTRUCTION ACTIVITIES WITH ADJOINING WORK IF APPLICABLE. VERIFY EXTENT OF ADJOINING WORK AND COORDINATE AS REQUIRED.
11. FIELD VERIFY EXISTING CURBS AND TAPER PROPOSED VERTICAL CURBS TO MATCH WITHIN A MIN. OF THREE (3) FEET.
12. ± DIMENSIONS INDICATE FIELD DIMENSION ADJUSTMENT AREA BASED ON ACTUAL FIELD LAYOUT COORDINATES.
13. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN THE FIELD PRIOR TO START OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL FIELD DIMENSIONS. IF ANY DISCREPANCIES ARE FOUND IN THESE PLANS FROM ACTUAL FIELD CONDITIONS, THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY.
14. PROVIDE SMOOTH TRANSITION FROM NEWLY PAVED AREAS TO EXISTING AREAS AS NECESSARY. ALL AREAS WHERE PROPOSED PAVEMENT MEETS EXISTING PAVEMENT, THE EXISTING EDGE OF PAVEMENT SHALL BE FREE OF ALL LOOSE DEBRIS. THE EDGE OF EXISTING ASPHALT PAVEMENT SHALL BE PROPERLY SEALED WITH A TACK COAT MATERIAL IN ALL AREAS WHERE NEW ASPHALT PAVEMENT IS INDICATED TO JOIN EXISTING.
15. RESURFACE OR RECONSTRUCT AT LEAST TO ORIGINAL CONDITIONS ALL AREAS WHERE THE EXISTING PAVEMENT OR LAWNS ARE DAMAGED DURING CONSTRUCTION FROM TRAFFIC BY CONTRACTORS, SUBCONTRACTORS, OR SUPPLIERS AFTER CONSTRUCTION WORK IS COMPLETE.
16. THE CONTRACTOR SHALL PROTECT AND NOT DESTROY THE PROPERTY CORNER MONUMENTS DURING CONSTRUCTION.
17. REFER TO ARCHITECTURAL PLANS FOR BUILDING ACCESSORY DETAILS.

SITE PLAN LEGEND

UTILITIES

- FIRE DEPT HOOKUP
- FIRE HYDRANT
- CHILLED WATER MANHOLE
- WATER MANHOLE
- SPRINKLER CONTROL BOX
- SPRINKLER CONTROL VALVE
- SPRINKLER
- SPIGOT
- WELL HEAD
- WATER METER
- WATER VALVE
- GAS METER
- GAS VALVE
- ELECTRIC MANHOLE
- ELECTRIC OUTLET
- ELECTRIC METER
- ELECTRIC RISER
- TRANSFORMER
- GUY ANCHOR
- ELECTRIC JUNCTION BOX
- GENERATOR
- UTILITY POLE
- UTILITY POLE W/ TRANSFORMER
- ORNAMENTAL LIGHT
- STREET LIGHT
- PARKING LOT LIGHT (1 HEAD)
- PARKING LOT LIGHT (2 HEAD)
- PARKING LOT LIGHT (3 HEAD)
- COMMUNICATIONS JUNCTION BOX
- COMMUNICATIONS MANHOLE
- COMMUNICATIONS PEDESTAL
- COMMUNICATIONS RISER
- TRAFFIC SIGNAL POLE
- TRAFFIC SIGNAL
- STORM CLEANOUT
- BEEHIVE INLET
- CURB INLET
- FLOOR DRAIN
- ROUND INLET
- SQUARE INLET
- STORM MANHOLE
- DOWN SPOUT
- SANITARY SEWER CLEANOUT
- LIFT STATION
- SANITARY SEWER MANHOLE
- SANITARY STUB MARKER

OTHER

- FLAG POLE
- SIGN
- POST
- GATE POST
- BOLLARD
- PARKING METER
- PARKING WHEEL STOP
- ACCESSIBLE SPACE
- PARKING COUNT

PAVEMENT

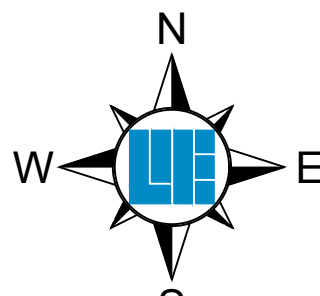
- STANDARD DUTY ASPHALT
- CONCRETE PAVEMENT
- STONE

LINE TYPES

- RIGHT OF WAY LINE
- FENCE
- BUILDING SETBACK LINE
- BOUNDARY LINE
- SECTION LINE

ABBREVIATIONS

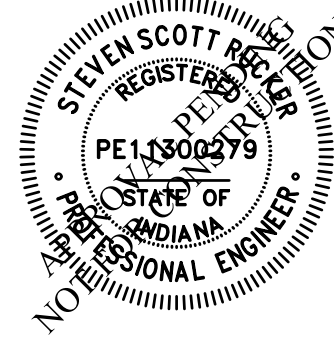
- ROW RIGHT OF WAY
- BSL BUILDING SETBACK LINE
- ESMT EASEMENT
- D.&U.E. DRAINAGE AND UTILITY EASEMENT
- FFE FINISH FLOOR ELEVATION



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REVISIONS AND ISSUES	DATE	BY	PROJECT NO.
ISSUED FOR CITY REVIEW AND APPROVAL	08.31.2017	BS	W17.0183
			DWG NAME:
			W170183-C200-Bldg
			DRAWN BY:
			RAM
			CHECKED BY:
			RAM
			DATE:
			08.31.2017

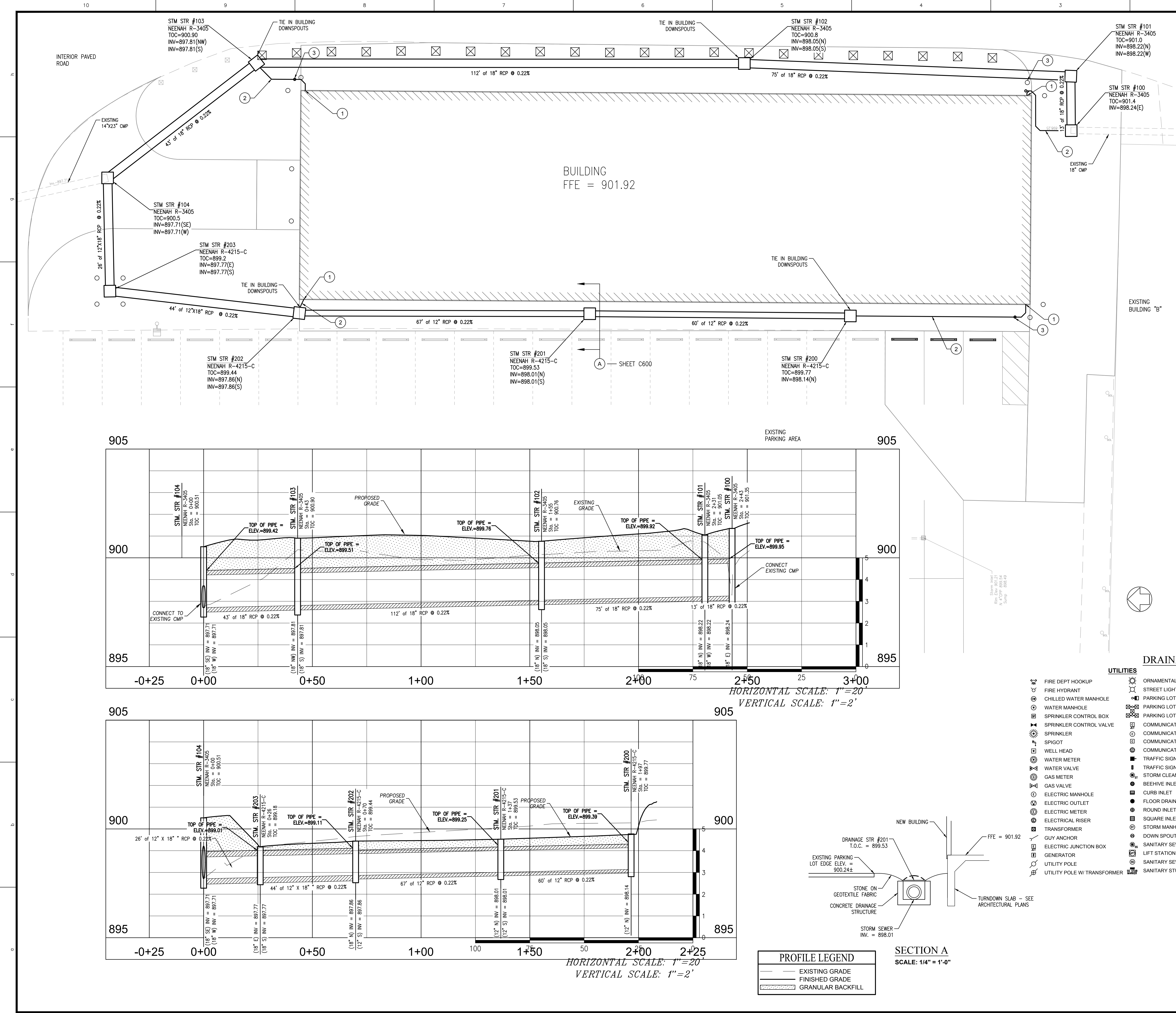


STEVEN SCOTT RUCKER P.E. 11300279

PREPARED FOR:
IMMIE
BRINGING SAFETY TO PEOPLE™
18881 IMMIE WAY WESTFIELD, IN 46074
SITE PLAN
Part of Section 30, Township 19 North, Range 4 East, Washington Township, Hamilton County, Indiana

SHEET NO.
C201
PROJECT NO.
W17.0183

LOCATION: H:\2017\W170183\Engineering\design\consect\W170183-C600 drainage plan.dwg
DATE/TIME: August 31, 2017 12:35pm
PLOTTER: b7i_eohofm



- ### GENERAL DRAINAGE NOTES
- THE CONTRACTOR SHALL ADHERE TO ALL TERMS AND CONDITIONS AS OUTLINED IN THE EPA OR APPLICABLE STATE GENERAL N.P.D.E.S. PERMIT FOR STORMWATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITIES AND STORMWATER POLLUTION PREVENTION PLAN.
 - REFER TO THE INDIANA DEPARTMENT OF TRANSPORTATION (INDOT) STANDARD SPECIFICATIONS, LATEST EDITION, FOR BASIC MATERIALS AND CONSTRUCTION METHODS. THE SECTIONS BELOW FOR VARIOUS ITEMS ARE TO CLARIFY THE INTENT OF THE REQUIREMENTS FOR THIS PROJECT. PLEASE NOTE THAT OTHER SECTIONS OF THE INDOT STANDARD SPECIFICATIONS MAY ALSO BE APPLICABLE.
 - THE CONTRACTOR SHALL CONTACT APPLICABLE STATE UNDERGROUND LOCATION SERVICE AT LEAST 72 HOURS PRIOR TO ANY WORK AND SHALL CONTACT THE OWNER AND/OR ENGINEER SHOULD UTILITIES APPEAR TO BE IN CONFLICT WITH THE PROPOSED IMPROVEMENTS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
 - THE PLANS SHOW THE LOCATION OF ALL KNOWN UTILITIES LOCATED WITHIN THE LIMITS OF CONSTRUCTION ACCORDING TO INFORMATION PROVIDED BY THE VARIOUS UTILITY COMPANIES, PREVIOUS CONSTRUCTION PLANS AND AS EVIDENCED BY OBSERVATION OF ABOVE GROUND CONDITIONS BY THE SURVEYOR. THE ACCURACY OF THIS INFORMATION IS NOT GUARANTEED.
 - THE CONTRACTOR SHALL CONTACT ALL UTILITY COMPANIES TO LOCATE MAINS, CONDUITS, SERVICE LINES, ETC. WITHIN THE CONSTRUCTION LIMITS. THE LOCATION AND PROTECTION OF UTILITY STRUCTURES, THEIR SUPPORT AND MAINTENANCE DURING CONSTRUCTION (IN COOPERATION WITH APPLICABLE UTILITY COMPANY) IS THE EXPRESSED RESPONSIBILITY OF THE CONTRACTOR.
 - THE CONTRACTOR SHALL CONTACT ALL APPLICABLE UTILITIES AND VERIFY ANY AND ALL FEES ASSOCIATED WITH THE INSTALLATION OF ALL UTILITIES.
 - ALL CONSTRUCTION ON THIS SITE TO BE PERFORMED IN COMPLIANCE WITH O.S.H.A. STANDARDS FOR WORKER SAFETY.
 - ANY PART OF STORM SEWER TRENCHES RUNNING UNDER OR WITHIN 5' OF PAVEMENT TO BE BACKFILLED WITH GRANULAR MATERIAL.
 - IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY LOCATION, SIZE, AND ELEVATION OF EXISTING UTILITIES, STRUCTURES, PIPES, PAVEMENTS, ETC. AS RELATED TO THEIR WORK. NOTIFY ENGINEER OF ANY CONFLICT AND/OR DISCREPANCIES IN THE CONSTRUCTION DOCUMENTS.
 - MAINTAIN 10' HORIZONTAL AND 18" VERTICAL CLEARANCE BETWEEN STORM / SANITARY SEWER SYSTEMS AND DOMESTIC/FIRE LINE SERVICE. SANITARY SEWER LINE IN PROXIMITY OF WATER LINE SHALL BE C900 WATER MAIN GRADE PVC.
 - CONTRACTOR TO INSTALL CONCRETE CRADLES WHEN THE VERTICAL SEPARATION (AS MEASURED FROM THE EXTERIOR OF THE PIPES) BETWEEN SANITARY SEWERS, WATER MAINS AND STORM SEWERS IS 18" OR LESS.
 - IF ANY EXISTING STRUCTURES TO REMAIN ARE DAMAGED DURING CONSTRUCTION, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO REPAIR AND/OR REPLACE THE EXISTING STRUCTURE AS NECESSARY TO RETURN IT TO EXISTING CONDITIONS OR BETTER.
 - WHEN PERFORMING EXCAVATIONS DURING PERIODS OF WET WEATHER, PROVIDE ADEQUATE DEWATERING, DRAINAGE AND GROUND WATER MANAGEMENT TO CONTROL MOISTURE OF SOILS.
 - COMPACTED "B" BORROW BACK FILL REQUIRED OVER ALL UTILITIES IN PAVED AREAS.
 - ALL UTILITY STRUCTURES IN PAVED AREAS SHALL BE FLUSH WITH PAVEMENT AND SHALL HAVE TRAFFIC BEARING RING AND COVERS.
 - COORDINATE LOCATIONS AND CONNECTIONS OF BUILDING STORM LINES WITH PLUMBING DRAWINGS.
 - FOLLOW ALL LOCAL AND STATE CODES IN REFERENCE TO STORM SEWER INSTALLATION.
 - ALL EXISTING MANHOLE AND CATCH BASIN GRATES SHALL BE ADJUSTED TO NEW FINISH GRADE ELEVATIONS.
 - EXISTING PIPES WITHIN CONSTRUCTION LIMITS ARE TO BE CLEANED OUT TO REMOVE ALL SILT AND DEBRIS.
 - ALL STORM PIPE CONNECTIONS AT STRUCTURES SHALL BE GROUTED TO ASSURE CONNECTION AT STRUCTURE IS WATERTIGHT.
 - ALL STORM SEWER STRUCTURES IN PAVED AREAS SHALL BE FLUSH WITH PAVEMENT AND SHALL HAVE TRAFFIC BEARING RING AND COVERS.
 - ALL STORM SEWER STRUCTURES SHALL HAVE A SMOOTH UNIFORM POURED MORTAR CHANNEL FROM INVERT IN TO INVERT OUT.
 - NEW PIPES AND STRUCTURES WITHIN CONSTRUCTION LIMITS ARE TO BE CLEANED OUT TO REMOVE ALL SILT AND DEBRIS PRIOR TO FINAL TURNOVER TO THE OWNER.
 - ALL HOPE PIPE SHALL BE DUAL WALLED, HANCOR HQ, ADS N-12 PIPE OR APPROVED EQUAL.
 - ALL FITTINGS AND ACCESSORIES INCLUDING BUT NOT LIMITED TO END CAPS, CLEANOUTS, REDUCERS, ETC., SHALL BE OF HOPE MATERIAL COMPARABLE WITH STORAGE PIPES.
 - PROVIDE BACKFILL WITH A MINIMUM OF 4" BEDDING MATERIAL OF #8 AGGREGATE COMPACTED IN 8" LIFTS TO 95% MAXIMUM DRY DENSITY.
 - VERIFY EXISTING STORM INVERT ELEVATIONS PRIOR TO STARTING NEW STORM SEWER CONNECTION.

- ### DRAINAGE PLAN NOTES
- DOWNSPOUT/ROOF DRAIN POINT OF CONNECTION WITH DOWNSPOUT BOOT. COORDINATE WITH ARCHITECTURAL PLANS.
 - 6" HDPE DUAL WALLED HANCOR HQ OR EQUIVALENT ROOF DRAIN @ 1.0% MINIMUM
 - CLEANOUT

DRAINAGE PLAN LEGEND

UTILITIES	OTHER
FIRE DEPT HOOKUP	ORNAMENTAL LIGHT
FIRE HYDRANT	STREET LIGHT
CHILLED WATER MANHOLE	PARKING LOT LIGHT (1 HEAD)
WATER MANHOLE	PARKING LOT LIGHT (2 HEAD)
SPRINKLER CONTROL BOX	PARKING LOT LIGHT (3 HEAD)
SPRINKLER CONTROL VALVE	COMMUNICATIONS JUNCTION BOX
SPRINKLER	COMMUNICATIONS MANHOLE
SPIGOT	COMMUNICATIONS PEDESTAL
WELL HEAD	COMMUNICATIONS RISER
WATER METER	TRAFFIC SIGNAL POLE
WATER VALVE	TRAFFIC SIGNAL
GAS METER	STORM CLEANOUT
GAS VALVE	BEEHIVE INLET
ELECTRIC MANHOLE	CURB INLET
ELECTRIC OUTLET	FLOOR DRAIN
ELECTRIC METER	ROUND INLET
ELECTRIC RISER	SQUARE INLET
TRANSFORMER	STORM MANHOLE
GUY ANCHOR	DOWN SPOUT
ELECTRIC JUNCTION BOX	SANITARY SEWER CLEANOUT
GENERATOR	LIFT STATION
UTILITY POLE	SANITARY SEWER MANHOLE
UTILITY POLE W/ TRANSFORMER	SANITARY STUB MARKER

LINE TYPES	RIGHT OF WAY LINE
—	—
—	—
—	—
—	—
—	—

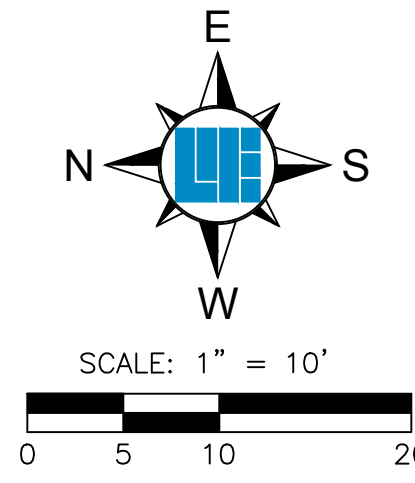
ABBREVIATIONS	RIGHT OF WAY
ROW	RIGHT OF WAY
BSL	BUILDING SETBACK LINE
ESMT	EASEMENT
D & U E.	DRAINAGE AND UTILITY EASEMENT
FFE	FINISH FLOOR ELEVATION

PROFILE LEGEND

—	EXISTING GRADE
—	FINISHED GRADE
—	GRANULAR BACKFILL

SECTION A

SCALE: 1/4" = 1'-0"



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REGISTERED PROFESSIONAL ENGINEER
STATE OF INDIANA

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COLD STORAGE BUILDING
18881 IMMIE WAY WESTFIELD, IN 46074

DRAINAGE PLAN

Part of Section 30, Township 18 North, Range 4 East, Washington Township, Hamilton County, Indiana

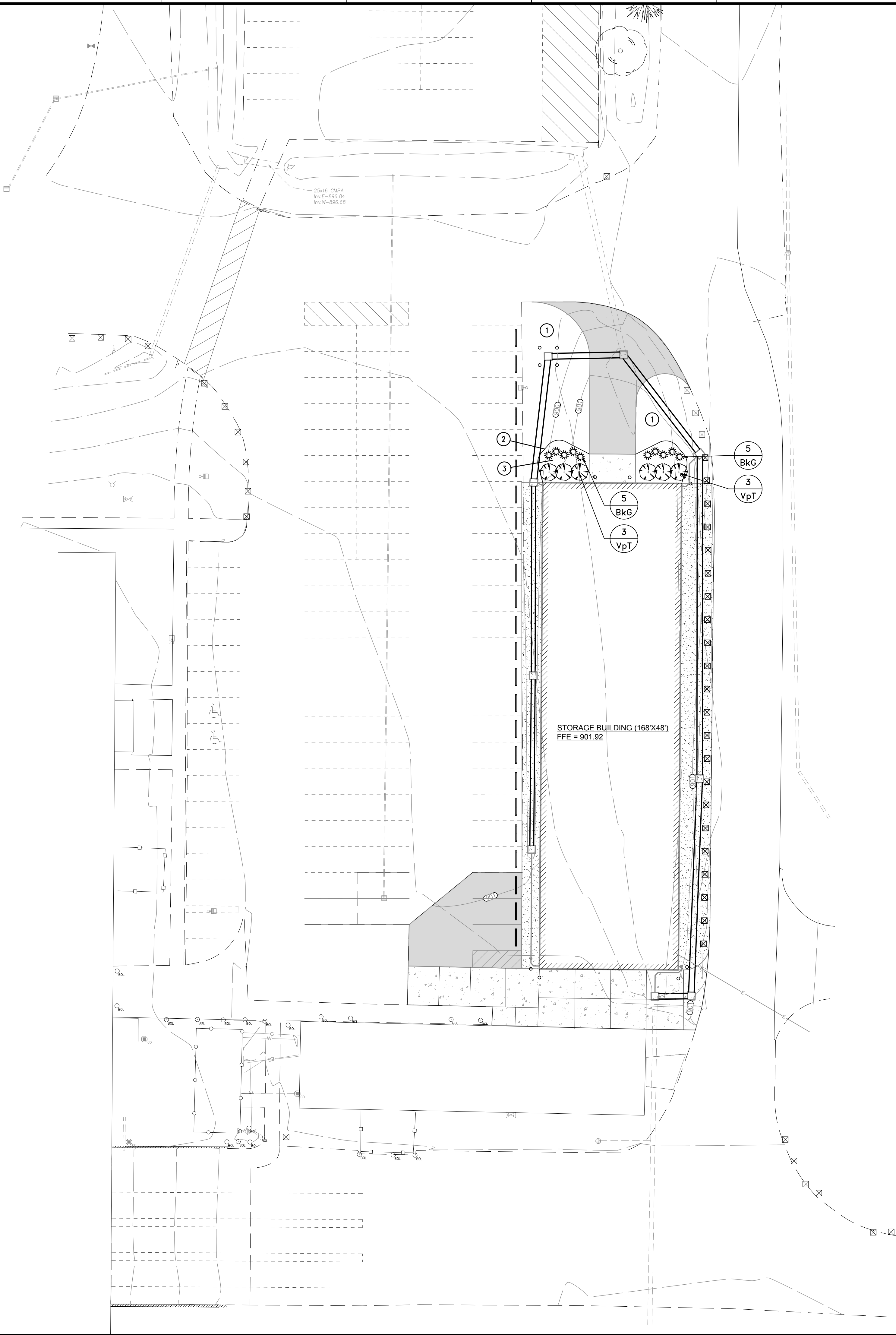
SHEET NO.

C600

PROJECT NO.

W17.0183

LOCATION: H:\2017\W170183\Engineering\design\coronet\W170183-L100.dwg
DATE/TIME: August 31, 2017 -- 12:36pm
PLOTTER: ehoff



GENERAL NOTES

1. IN CASE OF DISCREPANCIES BETWEEN THE PLAN AND THE PLANT LIST, THE PLAN SHALL DICTATE. IF IN QUESTION, CONTACT THE LANDSCAPE DESIGNER.
2. ANY EXISTING TREE(S) THAT MAY REQUIRE REMOVAL BUT ARE NOT SHOWN ON THE PLAN AS BEING REMOVED SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT. TREE(S) MAY BE RELOCATED (OR REPLACED) TO AN APPROVED ALTERNATE LOCATION ON SITE FOLLOWING LANDSCAPE ARCHITECT APPROVAL.
3. ALL SHRUBS PLANTING AREAS TO BE COVERED WITH 3" THICK LAYER OF SHREDDED HARDWOOD BARK MULCH. ALL GROUND COVER BEDS SHALL BE COVERED WITH 1" SHREDDED HARDWOOD BARK MULCH. BARK MULCH SHALL BE APPROVED BY LANDSCAPE DESIGNER AND SHALL BE UNIFORM IN TEXTURE AND COLOR AND SHALL BE OBTAINED FROM SAWMILL OR LUMBERING OPERATIONS. NO UTILITY MULCH OR PROCESSED TREE TRIMMINGS WILL BE ALLOWED.
4. AN APPROVED PRE-EMERGENT HERBICIDE SHALL BE APPLIED IN ALL PLANTING AND GROUND COVER BEDS AT RATES SPECIFIED BY MANUFACTURER FOR EACH VARIETY OF PLANT.
5. FINAL PLACEMENT OF PLANT MATERIALS, ETC. SHALL BE APPROVED BY LANDSCAPE DESIGNER BEFORE PLANTING OPERATIONS ARE TO PROCEED. ALL TREE LOCATIONS SHALL BE MARKED WITH A WOODED STAKE INDICATING VARIETY AND SIZE OF TREE. ALL GROUND COVER AND MULCH BED LINES SHALL BE MARKED BY A HIGHLY VISIBLE PAINT LINE WITH OCCASIONAL WOOD STAKES FOR REFERENCE. ALL STAKES SHALL BE REMOVED FOLLOWING PLANTINGS OPERATIONS. LANDSCAPE DESIGNER RESERVES THE RIGHT TO ADJUST PLANT LOCATIONS ON SITE.
6. NO SUBSTITUTIONS OF PLANT MATERIAL WILL BE ALLOWED. IF PLANTS ARE SHOWN TO BE UNAVAILABLE, THE CONTRACTOR SHALL NOTIFY LANDSCAPE DESIGNER PRIOR TO BID DATE IN WRITING. ALL PLANTS SHALL BE INSPECTED AND TAGGED WITH PROJECT IDENTIFICATION AT NURSERY OR CONTRACTORS OPERATION PRIOR TO MOVING TO JOB SITE. PLANTS MAY ALSO BE INSPECTED AND APPROVED OR REJECTED ON THE JOB SITE.
7. ALL PLANTS ARE TO MEET OR EXCEED AMERICAN STANDARDS FOR NURSERY STOCK, LATEST EDITION, AS SET FORTH BY AMERICAN ASSOCIATION OF NURSERYMEN.
8. PLANTS AND ALL OTHER MATERIALS TO BE STORED ON SITE WILL BE PLACED WHERE THEY WILL NOT CONFLICT WITH CONSTRUCTION OPERATIONS AND AS DIRECTED BY OWNER.
9. ALL NEW LANDSCAPE PLANTINGS SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR FOLLOWING FINAL INSPECTION BY LANDSCAPE DESIGNER. AT THE END OF THIS PERIOD, PLANT MATERIAL TERMED DEAD OR UNSATISFACTORY BY LANDSCAPE DESIGNER SHALL BE REPLACED AT NO ADDITIONAL CHARGE BY THE LANDSCAPE CONTRACTOR.
10. THE LANDSCAPE CONTRACTOR SHALL OBTAIN AND PAY FOR ALL PERMITS AND FEES THAT MAY BE REQUIRED FOR HIS PORTION OF WORK.
11. PEAT MOSS TO BE USED ON PROJECT SHALL BE A DOMESTIC OR IMPORTED MATERIAL, CHOCOLATE BROWN IN COLOR AND COMPOSED OF PARTIALLY DECOMPOSED VEGETABLE MATERIAL. PEAT MOSS TO ALSO BE MILDLY ACIDIC IN CHARACTER AND SHALL MEET APPROVAL OF LANDSCAPE DESIGNER.
12. LANDSCAPE CONTRACTOR SHALL NOTIFY LANDSCAPE DESIGNER IN WRITING PRIOR TO BID DATE OF ANY PLANTS THAT HE FEELS MAY NOT SURVIVE IN LOCATIONS NOTED.
13. ALL LANDSCAPING PLANTINGS TO BE MAINTAINED FOR 1 YEAR FOLLOWING TURNOVER. MAINTENANCE TO INCLUDE WATERING, WEEDING, CULTIVATION, MULCHING, MOWING AND ALL OTHER NECESSARY OPERATIONS REQUIRED FOR PROPER ESTABLISHMENT OF PLANTINGS. NOTE: AT END OF MAINTENANCE PERIOD, CONTRACTOR TO REMOVE GUYING AND STAKING FROM TREES.
14. CONTRACTOR TO SUBMIT UNIT PRICES ON EVERY TYPE OF WORK AS REQUESTED BY LANDSCAPE DESIGNER.
15. BACKFILL FOR TREE AND SHRUB PLANTING SHALL BE 75% APPROVED TOPSOIL AND 25% APPROVED PEAT MOSS. TOP LAYER OF BACKFILL SHALL BE 100% EXISTING TOPSOIL. A 5-10-5 ANALYSIS SLOW RELEASE FERTILIZER SHALL BE INCORPORATED INTO BACKFILL AT APPROVED RATES.
16. PROVIDE MINIMUM 4" PLANTING SOIL IN ALL GROUND COVER AND FLOWER AREAS WITH MIXTURE COMPRISING OF ONE PART COMMERCIAL GRADE "POTTING SOIL", 5 PARTS TOPSOIL AND 4 PARTS PEAT MOSS. A FULL 4" LAYER OF APPROVED SHREDDED FIBROUS PEAT MOSS MAY BE USED IN LIEU OF PLANTING MIX.
17. PLANTS SHALL BEAR A TAG SHOWING GENUS, SPECIES AND VARIETY. REMOVE AT TIME OF FINAL ACCEPTANCE.
18. PLANTS SHALL BE CERTIFIED BY THE STATE OF INDIANA DEPARTMENT OF NATURAL RESOURCES AND FREE FROM DISEASE OR HAZARDOUS INSECTS.
19. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ALL EXISTING UTILITIES PERTAINING TO THEIR PHASE OF WORK. UTILITIES ARE SHOWN TO BE APPROXIMATE. CALL UTILITY LOCATE PRIOR TO ANY PLACEMENT OF PLANT MATERIAL OR OTHER LANDSCAPE MATERIAL.
20. CONTRACTOR TO REVIEW THE SWPPP SERIES PLANS FOR STABILIZATION (SEEDING/SOD/MULCH) REQUIREMENTS.

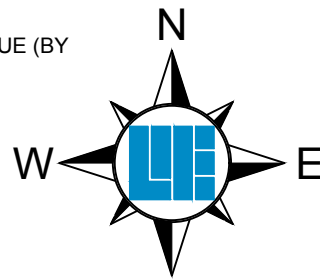
PLANT SCHEDULE										
PLAN KEY	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY	ROOT CONDITION (B & B (BARE ROOT))	ON CENTER SPACING	SPECIAL INSTRUCTIONS	MATURE SIZE		
	DECIDUOUS SHRUBS									
VpT	VIBURNUM PLICATUM TOMENTOSUM NEWZAM	NEWPORT VIBURNUM	18"	X	X		SEE PLAN	MIN 18"	4' T x 4' W	
	EVERGREEN SHRUBS									
BkG	BUXUS X KOREANA 'GREEN GEM'	GREEN GEM BOXWOOD	18"	X	X		SEE PLAN	MIN 18"	3' T x 3' W	

LANDSCAPE PLAN NOTES

1. SEED / SOD (ALTERNATE) - FOR SEED, REFER TO PERMANENT SEEDING CHART ON SHEET L103 SWPPP SPEC SHEET. SOD SHALL BE CERTIFIED GRADE CULTIVATED GRASS SOD OF "ADVENTURE BLEND" TURF TYPE TALL FESCUE (BY GENERAL CONTRACTOR).
2. LANDSCAPE BED EDGE (TYP.)
3. MULCH

LEGEND

SITE TRIANGLE



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REVISIONS AND ISSUES	DATE	BY	PROJECT NO.
ISSUED FOR CITY REVIEW AND APPROVAL	08.31.2017	BJS	W17.0183
			DWG NAME: W170183-L100
			DESIGNED BY: BJS
			RAM
			DRAWN BY: BJS
			RAM
			CHECKED BY: BJS
			DATE: 08.31.2017



ROBERT A. MEZYKOWSKI 80050080

IMMIE
BRINGING SAFETY TO PEOPLE™
COLD STORAGE BUILDING
18881 IMMIE WAY WESTFIELD, IN 46074
LANDSCAPE PLAN
Part of Section 30, Township 18 North, Range 4 East, Washington Township, Hamilton County, Indiana

PREPARED FOR:
SHEET NO.
L100
PROJECT NO.
W17.0183

IMMI Storage Building - **PENDING MATERIAL SAMPLES**

Material color specification

Lower exterior	Upper exterior	Roof Middle Horizontal/Trim Accent
		
White	Silver	Charcoal

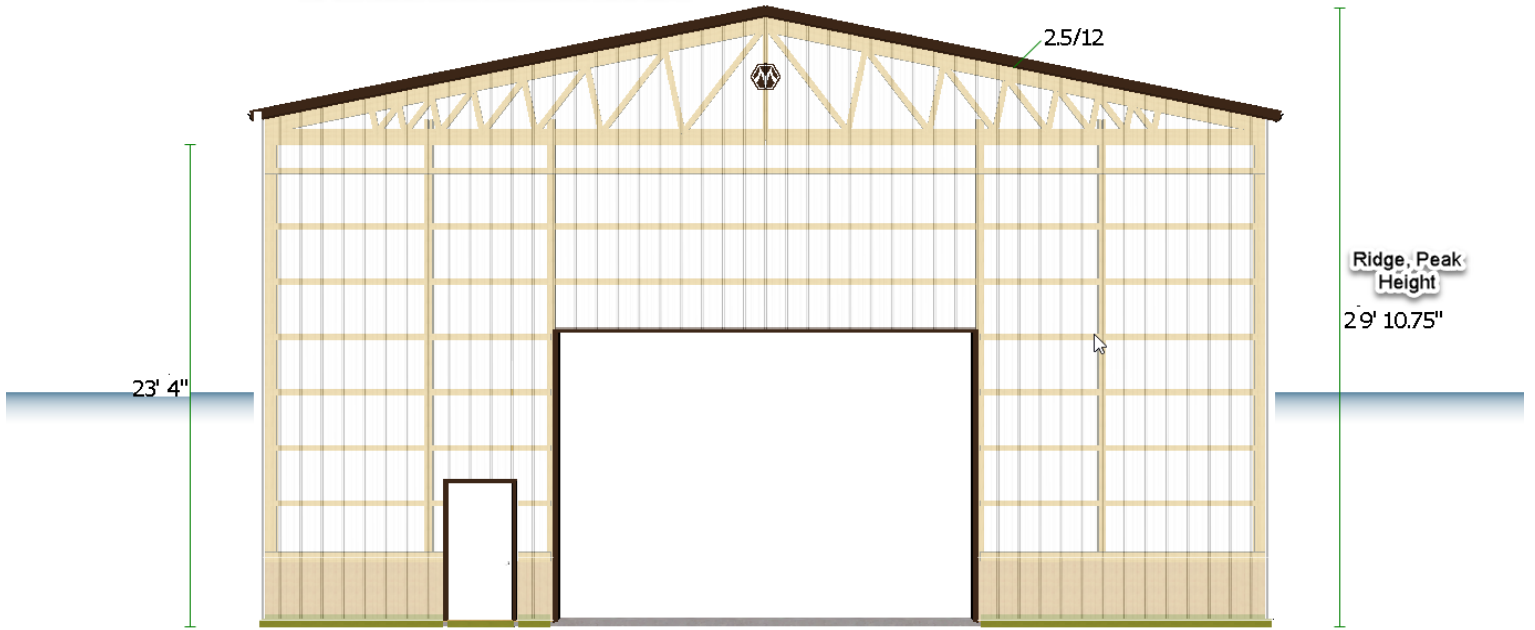


Objective:

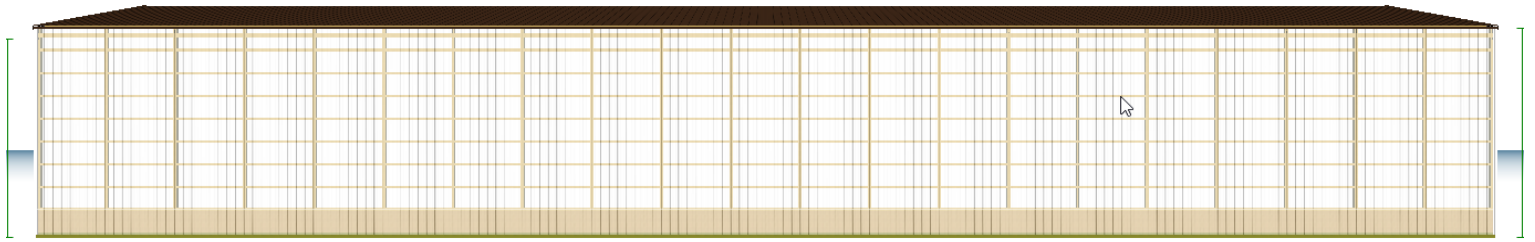
Match/blend into the surrounding building.



26 G. Floura Flex Brown Exterior Roof Steel



26 G. Floura Flex White Exterior Steel



RECEIVED

WESTFIELD-WASHINGTON TOWNSHIP APPLICATION FORM

VARIANCE APPLICATION

OFFICE
USE ONLY

DOCKET #: 1710-VS-13

FILING DATE: _____

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

PRE-FILING CONFERENCE

PRE-FILING CONFERENCE WITH: Kevin Todd (STAFF NAME) DATE: 8/18/2017

PRIOR OR RELATED DOCKET NUMBERS

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

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

APPLICANT INFORMATION

APPLICANT'S NAME: Brad Schoeff - Weihe Engineers TELEPHONE: 317-846-6611

ADDRESS: 10505 N. College Ave., Indianapolis, IN 46280 EMAIL: schoeffb@weihe.net

PROPERTY OWNER'S NAME: Anthony Properties, L.P. TELEPHONE: 317-867-8293

ADDRESS: 18881 IMMI Way, Westfield, IN 46074 EMAIL: BSHEPPARD@IMMIGNET.CO

REPRESENTATIVE'S NAME: Brad Schoeff TELEPHONE: 317-846-6611

COMPANY: Weihe Engineers EMAIL: schoeffb@weihe.net

ADDRESS: 10505 N. College Ave., Indianapolis, IN 46280

PROPERTY AND PROJECT INFORMATION

ADDRESS OR PROPERTY LOCATION: 18881 IMMI Way, Westfield, IN 46074

COUNTY PARCEL ID #(S): 09-06-30-00-00-027.000, 09-06-30-00-00-027.001

EXISTING ZONING DISTRICT(S): _____ EXISTING LAND USE(S): Light mfg & assembly

VARIANCE REQUEST

☐ VARIANCE OF LAND USE CODE CITATION: _____

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

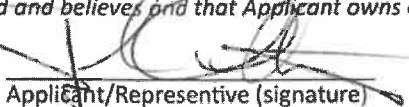
FINDINGS OF FACT: (PLEASE SEE ATTACHED)

STATEMENT OF INTENT (EXPLANATION OF REQUEST - ATTACH SEPARATE SHEET IF NECESSARY): _____

IMMI is planning an expansion to their corporate campus by constructing a storage building along the internal east side of the campus. The new building will be screened from the major roads by the existing buildings, berms, and landscaping. The building needs to exceed the maximum height to function for the needs of the IMMI operation. Due to constraints bound at the building location, there is limited room to place landscaping around the building. The foundation plantings can only be placed along the north facade. It is an unmanned building to be used for product (inbound and outbound) storage.

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.

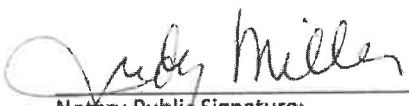

Applicant/Representative (signature)

Anthony Properties L.P., James R. Anthony G.P.
Applicant/Representative (printed)

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

Witness my hand and Notarial Seal this 29 day of August, 2017.

State of Indiana, County of Hamilton, ss:

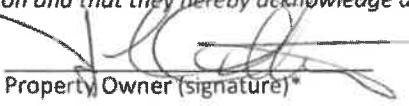

Notary Public Signature

Gudy Miller
Notary Public (printed)

Expires: March 15, 2023

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)*

Anthony Properties L.P., James R. Anthony G.P.
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 29 day of August, 2017.

State of Indiana, County of Hamilton, ss:


Notary Public Signature

Gudy Miller
Notary Public (printed)

Expires: March 15, 2023

*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.

VARIANCE APPLICATIONS**GENERAL INSTRUCTIONS**

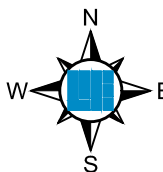
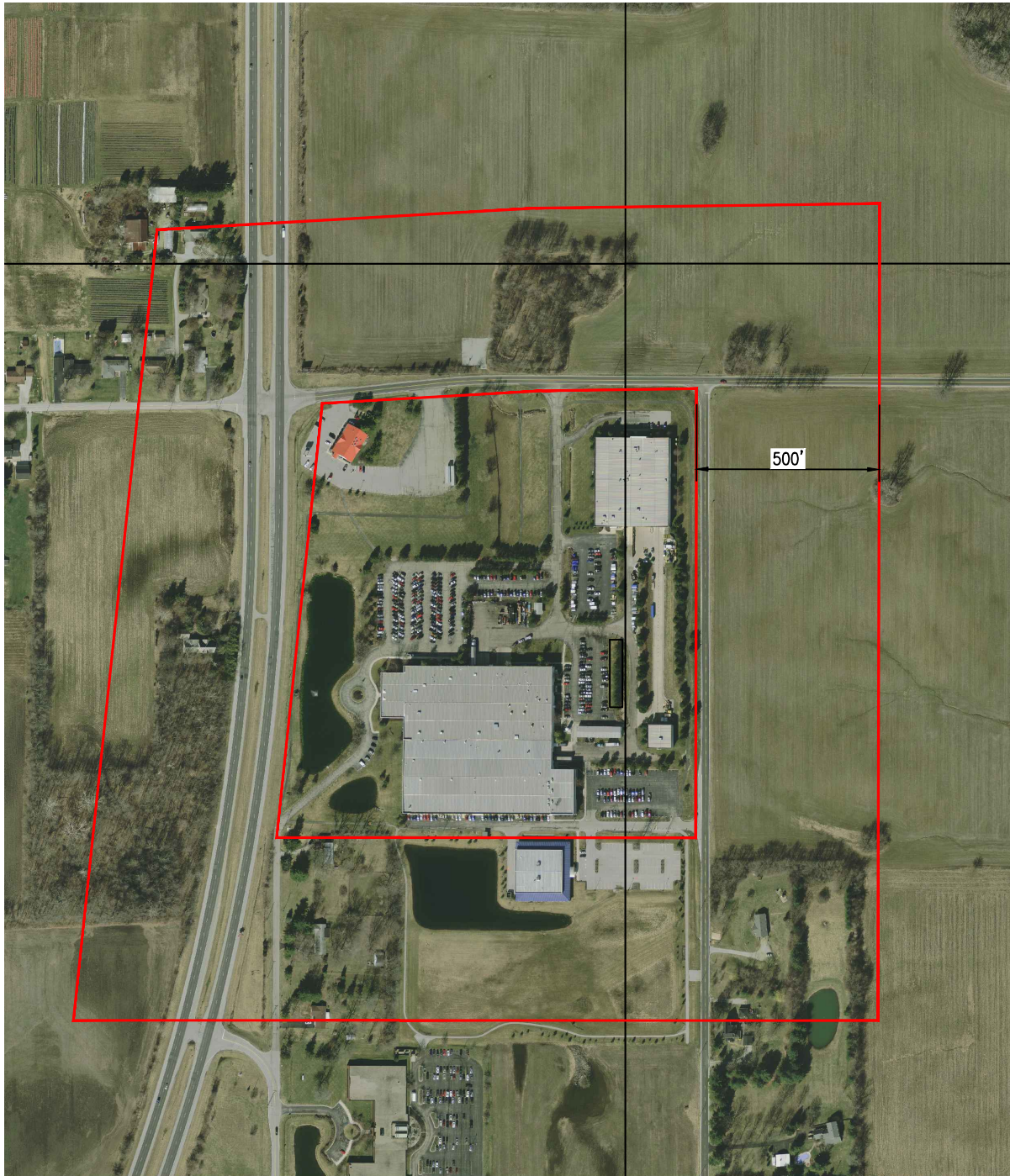
- A. **Pre-Filing Conference:** A pre-filing conference is required for all petitions. An appointment must be made with the Economic and Community Development Department (the "Department") to discuss a petition prior to filing. An application will not be considered filed until a pre-filing conference 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.

FINDINGS OF FACT (VARIANCE OF DEVELOPMENT STANDARD)APPLICANT: Brad Schoeff ~ Weihe Engineers

DOCKET #: _____

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

- A. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because: _____
The proposed height of the storage building is in line with the surrounding building roof heights. The request to omit the east, west, and south foundation plantings due to the lack of proper planting area considering the parking spaces onsite are all in use.
- 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 new building is placed internally in between the main corporate building and the large test track drive. The drive is currently screened by tall berms and landscaping. The new building is mainly noticed from within the corporate campus rather than the surrounding streets and highway.
- C. The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property because: _____
The proposed increase to the building height will allow IMMI to grow and expand using 1 building. One concern is that a lower building height may require an additional storage building. 1 new building is proposed to limit the buildings on the campus. As for the landscaping, there is no to accommodate the foundation plantings along the west, east and south sides due to the storm sewer relocation required by the project.



Michael Crussel

From: INTERNETGUEST
Sent: Tuesday, August 22, 2017 6:54 AM
To: Plat Auditor
Subject: Online Adjoiner Request

POSSE Job #: AR-2017-0111
Zoning Authority: Westfield
Parcel # of Property: 0906300000027000
Additional Parcel #: 0906300000027001, 0906300000020101, , , , , , , , ,

Owner: IMMI
Petitioner: Brad Schoeff
Contact: Brad Schoeff
Contact Phone: 3178466611
Contact Email: schoeffb@weihe.net

HAMILTON COUNTY AUDITOR

I, ROBIN M. MILLS, AUDITOR OF HAMILTON COUNTY, INDIANA, CERTIFY MY OFFICE HAS SEARCHED OUR RECORDS AND BASED ON THAT SEARCH, IT APPEARS THAT THE PROPERTY OWNERS MARKED AS NEIGHBORS ARE THE PROPERTY OWNERS THAT ARE TWO PROPERTIES OR 660' FEET FROM THE REAL ESTATE MARKED AS SUBJECT PROPERTY.

THIS DOCUMENT DOES NOT CERTIFY THAT THE ATTACHED LIST OF PROPERTY OWNERS IS ACCURATE OR INCLUDES ALL PROPERTY OWNERS ENTITLED TO NOTICE PURSUANT TO LOCAL ORDINANCE. ANY PERSON SEEKING A MORE ACCURATE SEARCH OF THE REAL ESTATE RECORDS OF THE COUNTY SHOULD SEEK THE OPINION OF A TITLE INSURANCE COMPANY.

ROBIN M. MILLS, HAMILTON COUNTY AUDITOR

DATED: *Michael R. Crussel* 08/23/2017

SUBJECT PROPERTY:

09-06-30-00-00-020.000	Subject
-------------------------------	----------------

Anthony Properties L P

1919 E 191ST ST

Westfield	IN	46074
-----------	----	-------

09-06-30-00-00-020.101	Subject
-------------------------------	----------------

Anthony Properties LP

1919 E 191ST ST

Westfield	IN	46074
-----------	----	-------

09-06-30-00-00-022.000	Subject
-------------------------------	----------------

Anthony Properties LP

1919 E 191ST ST

Westfield	IN	46074
-----------	----	-------

09-06-30-00-00-024.000	Subject
-------------------------------	----------------

Anthony Properties LP

1919 E 191st St

Westfield	IN	46074
-----------	----	-------

09-06-30-00-00-025.000	Subject
-------------------------------	----------------

Anthony Properties LP

1919 E 191st St

Westfield	IN	46074
-----------	----	-------

Pursuant to the provisions of Indiana Code 5-14-3-3-(e), no person other than those authorized by the County may reproduce, grant access, deliver, or sell any information obtained from any department or office of the County to any other person, partnership, or corporation. In addition any person who receives information from the County shall not be permitted to use any mailing list, addresses, or databases for the purpose of selling, advertising, or soliciting the purchase of merchandise, goods, services, or to sell, loan, give away, or otherwise deliver the information obtained by the request to any other person.

09-06-30-00-00-027.000

Subject

Anthony Properties LP

1919 E 191ST ST

Westfield

IN

46074

09-06-30-00-00-027.001

Subject

Anthony Properties LP

1919 E 191ST ST

Westfield

IN

46074

Pursuant to the provisions of Indiana Code 5-14-3-3-(e), no person other than those authorized by the County may reproduce, grant access, deliver, or sell any information obtained from any department or office of the County to any other person, partnership, or corporation. In addition any person who receives information from the County shall not be permitted to use any mailing list, addresses, or databases for the purpose of selling, advertising, or soliciting the purchase of merchandise, goods, services, or to sell, loan, give away, or otherwise deliver the information obtained by the request to any other person.

HAMILTON COUNTY NOTIFICATION LIST

PLEASE NOTIFY THE FOLLOWING PERSONS

08-05-25-00-00-027.001

Neighbor

Chatham Hills LLP
20298 Tomlinson Rd
Westfield IN

46074

08-05-25-00-00-043.000

Neighbor

Patel, Ajaykumar C & Amit J Nathu & Yashpal B Modi & Puneet Bhatia & Manishkumar P Patel & Rashmiben N Patel & Rajeshkumar R Patel tc
2930 Husband Rd
Paducah KY

42003

08-05-25-00-00-046.000

Neighbor

Tsiampas, Amily Birch
7867 Juniper Ln
Avon IN

46123

08-06-30-00-00-004.001

Neighbor

North Westfield Developments LLC
1919 E 191st St
Westfield IN

46074

08-06-30-00-00-004.002

Neighbor

North Westfield Developments LLC
1919 E 191st St
Westfield IN

46074

08-06-30-00-00-014.001

Neighbor

North Westfield Developments LLC
1919 E 191st St
Westfield IN

46074

08-06-30-00-00-015.001

Neighbor

Clark, Mervin L & Wanda C
2222 186th St E
Westfield IN

46074

08-06-30-00-00-015.002

Neighbor

Clark, Mervin L & Wanda C

2222 186th St E

Westfield IN 46074

08-06-30-00-00-017.000

Neighbor

Baker, Paul R & Malinda Sue

2102 186th St E

Westfield IN 46074

08-06-30-00-00-018.000

Neighbor

Ripley, Stephen L & Janet L Trustees of Stephen L & Janet L Ripley Rev Trust

18711 East St N

Westfield IN 46074

08-06-30-00-00-019.000

Neighbor

Sebastian, Billie J

18749 East St N

Westfield IN 46074

08-06-30-00-00-019.001

Neighbor

Ralph, William C & Lynne E

18739 East St

Westfield IN 46074

08-06-30-00-00-019.003

Neighbor

Ralph, William C & Lynne E

18739 East St

Westfield IN 46074

09-05-25-00-00-050.000

Neighbor

Westfield Washington School Corp

1143 E 181st St

Westfield IN 46074 8926

09-05-36-00-00-009.000

Neighbor

Westfield High School 1995 Building Corporation

1143 E 181st St

Westfield IN 46074 8926

09-06-30-00-00-003.000

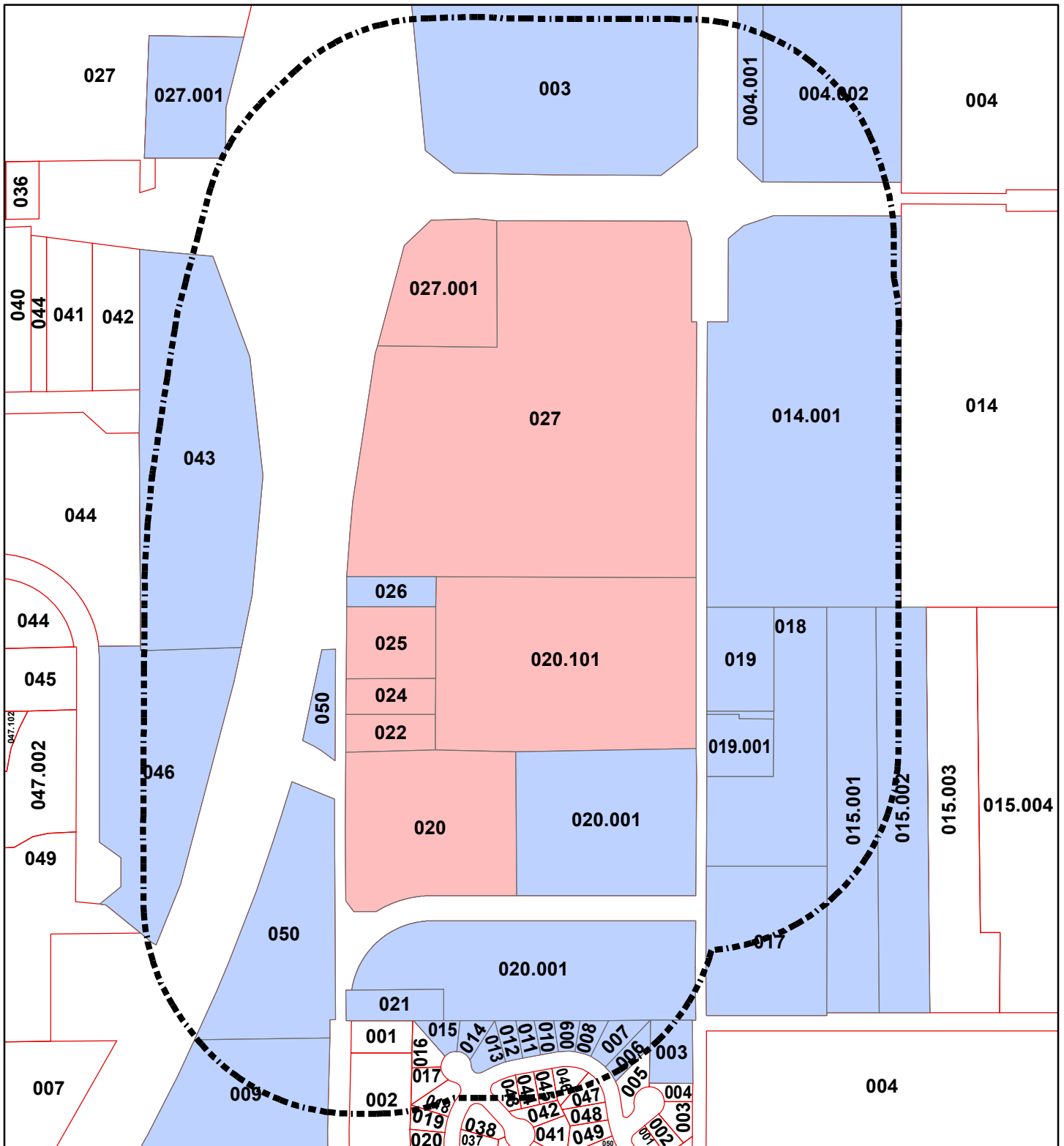
Neighbor

North Westfield Developments LLC

1919 E 191st St		
Westfield	IN	46074
09-06-30-00-00-020.001		Neighbor
North Westfield Developments LLC		
1919 E 191st St		
Westfield	IN	46074
09-06-30-00-00-021.000		Neighbor
Stone, Billy W & Annetta M h&w		
18603 N Union St		
Westfield	IN	46074
09-06-30-00-00-026.000		Neighbor
18837 Union Trust		
PO BOX 33345		
Indianapolis	IN	46203
09-06-31-00-00-003.000		Neighbor
Thompson, John M & Linda C		
989 East St		
Westfield	IN	46074
09-06-31-01-06-006.000		Neighbor
Maldonado, Henry M		
18525 Harvest Meadows Dr E		
Westfield	IN	46074
09-06-31-01-06-007.000		Neighbor
Herron, Rebekah R		
18533 Harvest Meadows Dr E		
Westfield	IN	46074
09-06-31-01-06-008.000		Neighbor
Hulse, Brandon G		
18539 Harvest Meadows E		
Westfield	IN	46074
09-06-31-01-06-009.000		Neighbor
King, Fred D		

901 Pavalion Dr		
Kokomo	IN	46901
09-06-31-01-06-010.000		Neighbor
Jennings, Micolea		
7959 Campbell Ave		
Indianapolis	IN	46250
09-06-31-01-06-011.000		Neighbor
Smith, Edward A		
5725 Park Plaza Ct		
Indianapolis	IN	46220
09-06-31-01-06-012.000		Neighbor
Simpson, Deborah E		
18569 Harvest Meadows Dr		
Westfield	IN	46074
09-06-31-01-06-013.000		Neighbor
Endres, Christina M		
18577 Harvest Meadows Dr E		
Westfield	IN	46074
09-06-31-01-06-014.000		Neighbor
Spack, Laura J		
1810 Riverstone Ct		
Westfield	IN	46074
09-06-31-01-06-015.000		Neighbor
McKinney, Mark & Rebecca L Hohlier		
1802 Riverstone Ct		
Westfield	IN	46074

Adjoiner Notification Map



Legend



Subject Parcel(s)



Notification Parcel(s)



Buffer

001 Parcel Number



Parcel Boundary

N





WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

October 10, 2017

1710-VU-03

Exhibit 1

Petition Number: 1710-VU-03

Subject Site Address: 17828 Joliet Rd. (The "Property")

Petitioner: Cecilia Hollingsworth (The "Petitioner")

Representative: Brent Hollingsworth

Request: The Petitioner by Brent Hollingsworth is requesting a Variance of Use to allow the construction of an Accessory Building prior to the construction of the Principal Building on 1.41 acres +/- in the SF5: Single Family High Density (Village) District.

Current Zoning: SF5: Single-Family High Density (Village) District

Current Land Use: Residential

Approximate Acreage: 1.41 acres+/-

Exhibits:

1. Staff Report
2. Location Map
3. Existing Lot
4. Site Plan
5. Petitioner's Application

Staff Reviewer: Matt Pleasant, Associate Planner

OVERVIEW

Location: The subject Property is 1.41 acres +/- in size and is located at 17828 Joliet Road (see **Exhibit 2**) within the Jolietville Subdivision. The Property is currently a residential use. The surrounding properties are zoned SF5 to the north, east, and south, with AG-SF1 zoning bordering the west and are residentially used properties. The Property currently contains a single shed (see **Exhibit 3**).

The Petitioner intends to build an 864sqft Accessory Building¹ to store household items while the Primary Building² is constructed, as generally illustrated on the Site Plan Exhibit (see **Exhibit 4**).

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

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



Variance Request: The Petitioner is requesting a Variance to allow the construction of an Accessory Building prior to the construction of a Principal Building by relieving the Accessory Use and Building Standards' timing requirements³ of the Westfield-Washington Township Unified Development Ordinance (the "UDO").

SUMMARY OF VARIANCES

The Petitioner is requesting relief from Article 6.1(E) of the UDO. Article 6.1(E) of the UDO states:

- "1. No Accessory Building shall be constructed until the construction of the Principal Building on the same Lot has been commenced.
2. No Accessory Building shall be occupied/utilized unless the Principal Building on the same Lot is first legally occupied for a permitted use within the applicable Zoning District.
3. The construction of an Accessory Building shall be completed:
...Within one (1) year of the completion of construction of the Principal Building, in the event that the Accessory Building's Building Permit is obtained at the same time that the Building Permit for the construction of the Principal Building is obtained."

The Department recommends a limited Variance of Use to allow the Accessory Building be constructed prior to the construction of the Principal Building with the condition that the Petitioner must file a Building Permit for the Principal Building before December 31, 2021.

COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan identifies the property within the "villages" land use classification⁴. The vision for the village classification is contemplated to be nodes of mixed-use activity with transitions from multifamily, single-family, single-family detached and rural environments. Villages will require greater density to allow the development of shops, restaurants, office and other commercial space⁵.

Development policies contemplated for Jolietville should consider the following uses: food and entertainment, attached and detached dwellings, warehousing, commercial uses, offices, and institutional uses. Other policies include promoting employment via airport related businesses, transitional land uses as buffers between the village and rural residential development, build on historic street patterns, and uphold the small-scale village character envisioned⁶.

³ Article 6.1(E) Accessory Use and Building Standards; Timing of the UDO.

⁴ Page 24 of the Westfield and Washington Township Comprehensive Plan; Chapter 2; Land Use Plan: Land Use Classifications and Development Policies.

⁵ Page 59 of the Westfield and Washington Township Comprehensive Plan; Chapter 2; Land Use Plan: Villages.

⁶ Pages 62-64 of the Westfield and Washington Township Comprehensive Plan; Land Use Plan: Villages; Jolietville.



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 February 15, 2017, 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 UDO⁷ 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 UDO⁸ 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 Use: The Board of Zoning Appeals shall approve or deny variances from the terms of the UDO. A variance may be approved under Indiana Code § 36-7-4-918.4 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;
- 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 result in practical difficulties in the use of the subject property; and
- 5) The approval does not interfere substantially with the Comprehensive Plan.

⁷ Article 10.14(I) Processes and Permits; Variances; Conditions of the UDO.

⁸ Article 10.14(K) Processes and Permits; Variances; Acknowledgement of Variance of the UDO.

DEPARTMENT COMMENTS

Approval: If the Board is inclined to approve the Variance of Use (1710-VU-03), then the Department recommends the Variance of Use (1710-VU-03) approval with the following condition:

- **The Variance of Use shall require an Improvement Location Permit for the Principal Building no later than December 31, 2021.**

In addition, the Department recommends the following written findings of fact related to the Variance of Use:

Recommended Findings for Approval: If the Board is inclined to approve the variance, then the Department recommends the findings as set forth below, for the variance:

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

Finding: It is unlikely that allowing an Accessory Building to locate on the Property prior to the construction of a Principal Building for a temporary period will alter the current characteristics of the Property or the surrounding community. The Accessory Building will be used as storage such as furniture, clothing, and other household items until such Principal Building is constructed.

- 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.

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

Finding: Before the construction of the Principal Building, a place to store the household items from the original house in Arizona is needed. An Accessory Building would temporarily remedy this dilemma.

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

Finding: The proposed Accessory Building use is not changed but the timing hinders the Petitioner's plan to hold all of the household items on the property of where the new home will be built. The Accessory Building will still be utilized as such after the house is constructed.

- 5) *The approval does not interfere substantially with the comprehensive plan:*



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

October 10, 2017

1710-VU-03

Exhibit 1

Finding: This use does not substantially alter the characteristics of the property and will maintain the current residential feel of the property.

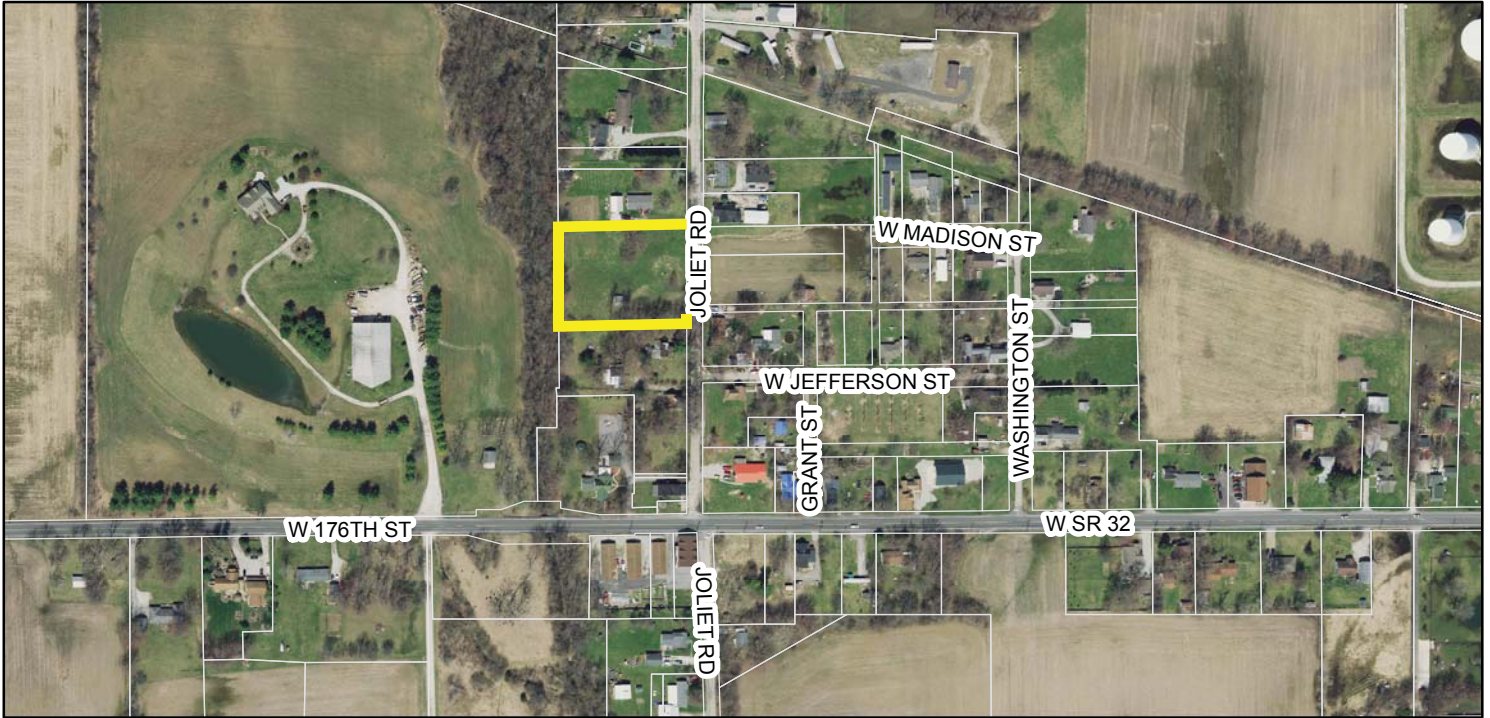
Denial: If the Board is inclined to deny the requested variance, then the Department recommends denying the variance, and then tabling the adoption of findings until the Board's next meeting with direction to the Department to prepare the findings pursuant to the public hearing evidence and Board discussion.



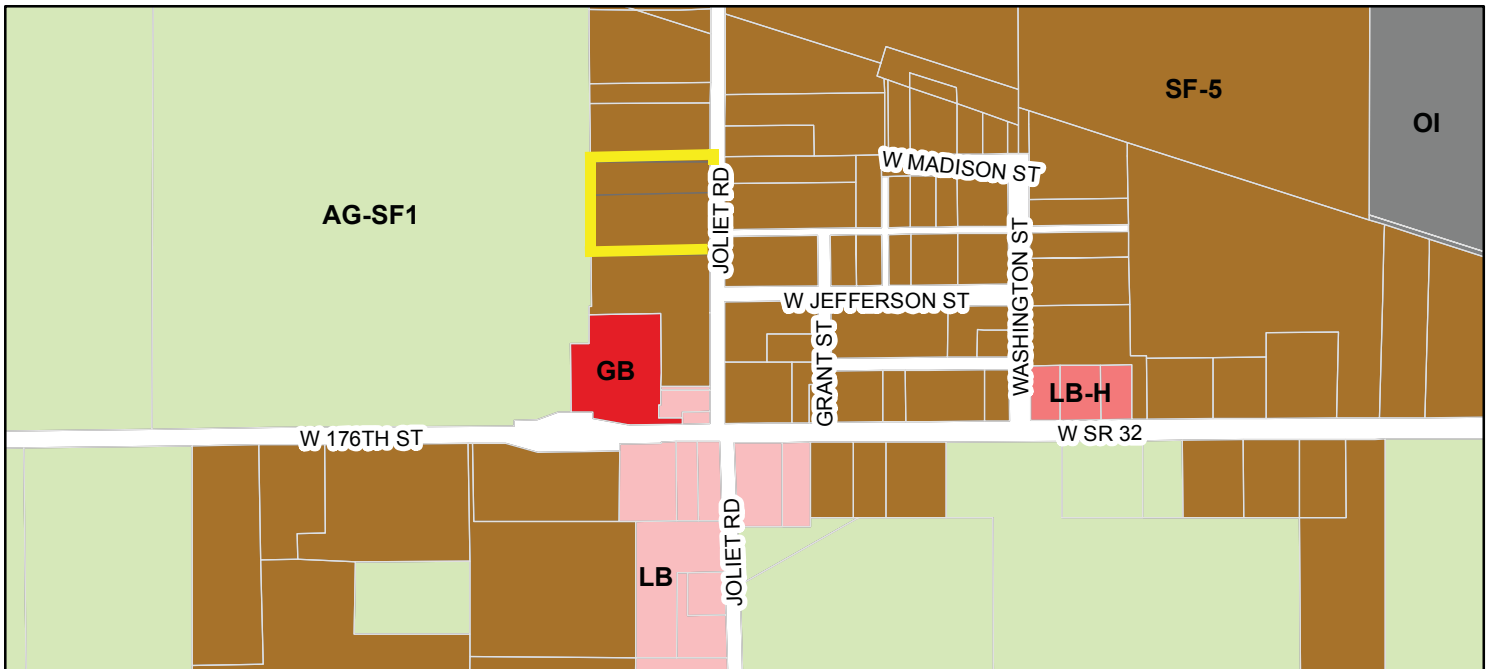
Property Location Map
1710-VU-03
Hollingsworth Barn Variance



Aerial Location Map

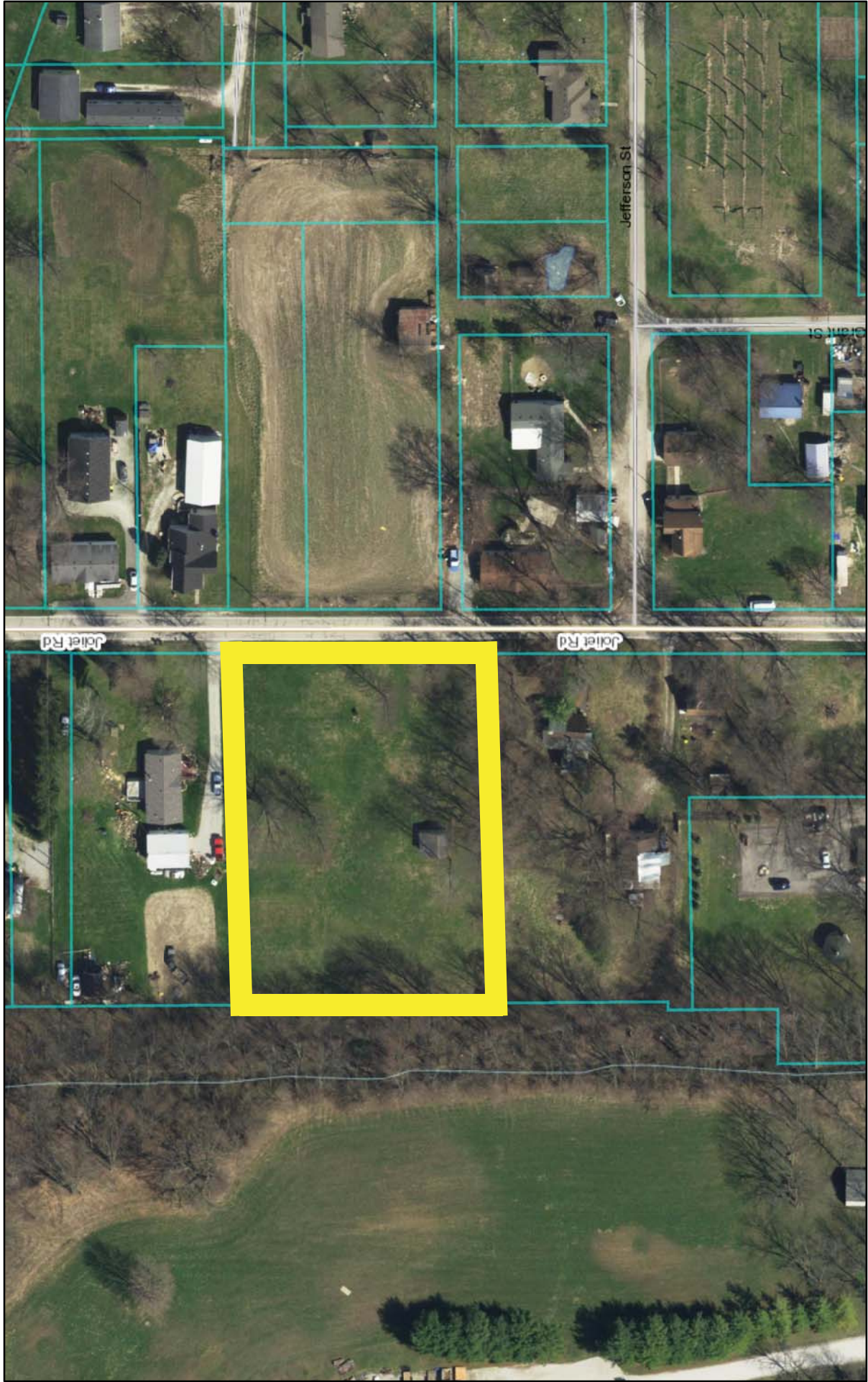


Zoning Map



Legend

Parcel	AG-SF1 (Agriculture - Single Family - 1)	LB (Local Business)	OI (Open Industrial)
GB (General Business)	LB-H (Local Business - Historical)	SF-5 (Single Family - 5)	



September 20, 2017

Parcels

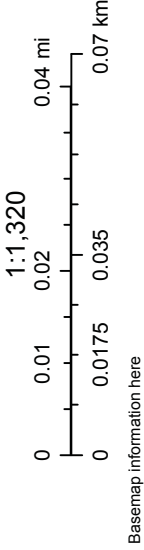


Exhibit 3 Existing Lot











October 2, 2017

- Addresses
- Parcels

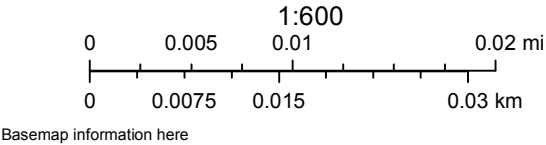
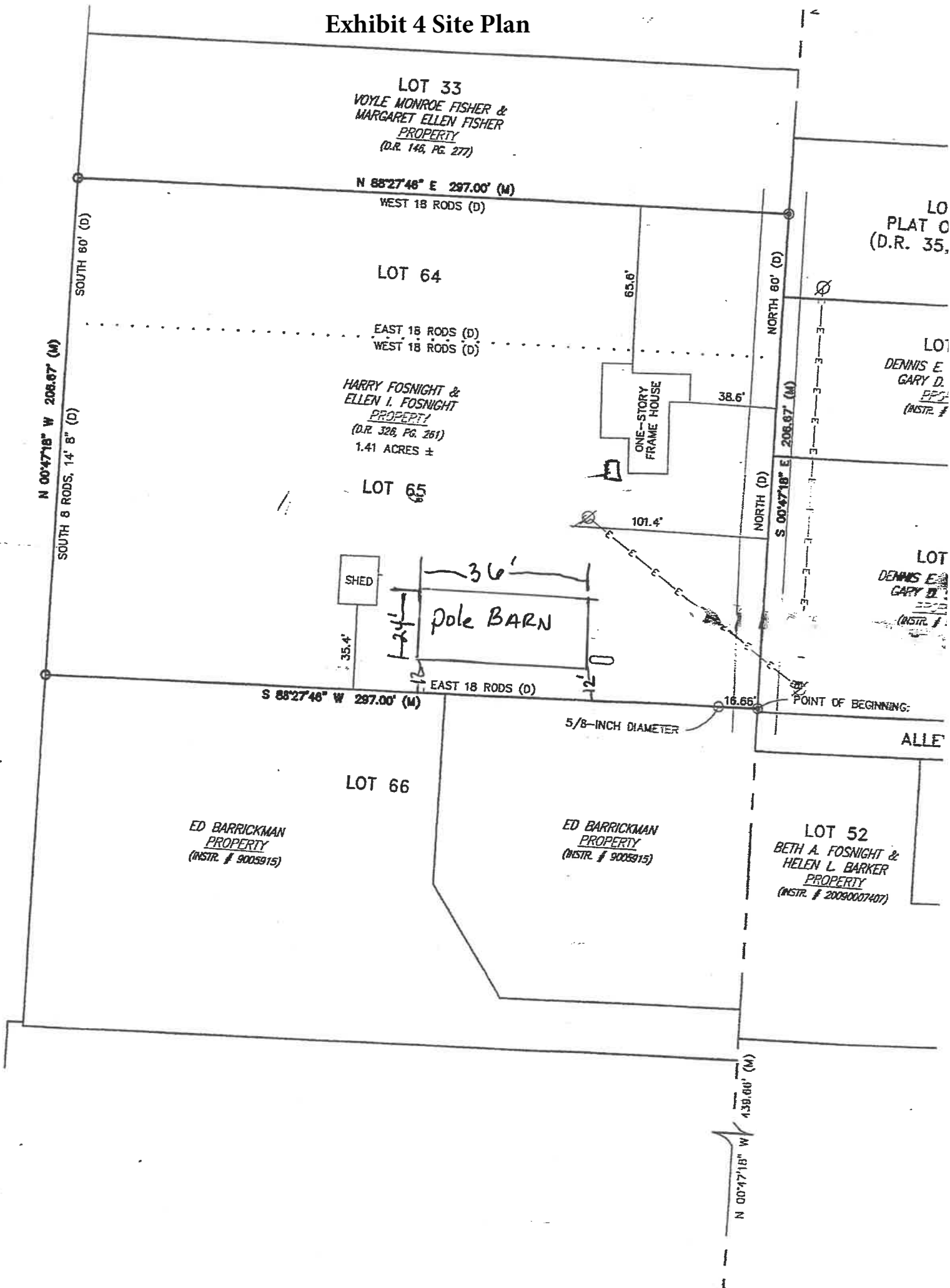


Exhibit 4 Site Plan



WESTFIELD-WASHINGTON TOWNSHIP APPLICATION FORM

VARIANCE APPLICATION

OFFICE
USE ONLY

DOCKET #: 1710-VU-03

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: Brent Hollingsworth TELEPHONE: 317-418-5525

ADDRESS: 17828 Joliet Rd Sheridan IN EMAIL: bholly09@gmail.com

PROPERTY OWNER'S NAME: Cecilia Hollingsworth TELEPHONE: 317-418-5525

ADDRESS: 17828 Joliet Rd Sheridan, IN 46069 EMAIL: bholly09@gmail.com

REPRESENTATIVE'S NAME: _____ TELEPHONE: _____

COMPANY: _____ EMAIL: _____

ADDRESS: _____

PROPERTY AND PROJECT INFORMATION

ADDRESS OR PROPERTY LOCATION: 17828 Joliet Rd Sheridan, IN 46069

COUNTY PARCEL ID #(S): 08-05-31-03-01-009.00

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):

Asking For this VARIANCE OF LAND USE to build 24x36Able Building to store Furniture and personal belongings till New 5,000 Squm Foot house to be built within 3-5 years IF house sells in Phoenix Arizona House will be completed within Two years. Thank Brent



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.

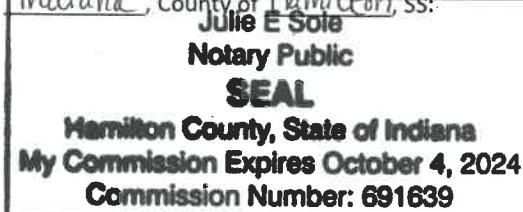
Brent T. Hollingsworth
Applicant/Representative (signature)

Brent T. Hollingsworth
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 15 day of September, 2017.

State of Indiana, County of Hamilton, SS:



Julie E. Sole
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.

Property Owner (signature)*

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 ____ day of _____, 20____.

State of _____, County of _____, SS:

Notary Public Signature

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.*

FINDINGS OF FACT (VARIANCE OF USE)

APPLICANT: Brent Hollingsworth

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: _____

the Pole Barn 24x36 will be used for
personal use of Furniture, Clothing Items stored
till house is completely Built, Lawn Mower.

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: _____

will not affect the neighbors cause its
a well Build great looking design Pole Barn
DARK Grey with Light Grey siding.

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

^{Furniture, clothing}
the storage till the house is completely
Built.

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: _____

I can't build house till it sells
in Phoenix Arizona, when it sells Pole Building
will be for Furniture & personal clothing Items.

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

the PLAN is for storage During time house
is being Built.

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 | ☐ Filing Fee Check (made out to "City of Westfield") |
| ☒ Legal Description | ☒ Copy of Property Deed |
| ☐ 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) | ☐ Vicinity Map (including property within 500 feet) |
| ☐ Statement of Intent | ☐ Elevations, photographs or other supporting information necessary to explain the nature of the requested variance(s) |
- C. **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.
- D. **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 Indy Star and The Times. The Department will handle the newspaper publication requirement.
 2. **Mailed Public Notice:** The applicant is responsible to send public notice by mail to all interested parties by certified mail with return receipt requested (green card), 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.
- E. **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.
- F. **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.
- G. **Board's Consideration:** Following the public hearing, the Board may either approve, approve with conditions, deny or continue the petition.
- H. **Resource:** Please see the Board's [Rules of Procedure](#) for more detailed procedural information.

WARRANTY DEED

THIS INDENTURE WITNESSETH That **DENNIS M. ELLS** and **TAMARA K. ELLS**, husband and wife, (Grantor), of Hamilton County, in the State of Indiana, CONVEY(S) AND WARRANT(S) to **CECILIA HOLLINGSWORTH**, an adult, (Grantee), of Hamilton County, in the State of Indiana, for the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate in Hamilton County, State of Indiana:

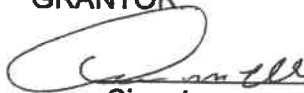
As per the legal description on Exhibit A attached hereto and made a part hereof by this reference.

Subject to real estate property taxes for 2016, due and payable in 2017, and subject to real estate property taxes due and payable thereafter. Taxing Unit: Westfield
Parcel No.: 08-05-31-03-01-009.000/29-05-31-301-009.000-015 (Lot 65)
Parcel No.: 08-05-31-03-01-008.000/29-05-31-301-008.000-015 (Lot 64)

Subject to any and all easements, agreements and restrictions of record.
The address of such real estate is commonly known as 17828 Joliet Road, Sheridan, Indiana 46069.

IN WITNESS WHEREOF, Grantor has executed this deed this 24th day of March, 2017.

GRANTOR:



Signature

DENNIS M. ELLS

Printed



Signature

TAMARA K. ELLS

Printed

STATE OF INDIANA

COUNTY OF Marion

)
) SS:
)

Before me, a Notary Public in and for said County and State, personally appeared **DENNIS M. ELLS** and **TAMARA K. ELLS**, husband and wife, who acknowledged the execution of the

foregoing Warranty Deed, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 24th day of March, 2017.

My Commission Expires:

Signature

AmcBeel

Printed

Notary Public

Residing in

County, State of Indiana.



Grantees Post Office mailing address is: _____

Send tax bills to: _____

Prepared from Attorneys Title Agency of Indiana, LLC File No.: 17521803-IND

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Name: Jeffrey R. Slaughter, Attorney at Law, Declarant.

This instrument was prepared by **JEFFREY R. SLAUGHTER**, Attorney at Law #362-39, 8310 Allison Pointe Boulevard, Suite 204, Indianapolis, Indiana 46250 / Telephone 317-579-0816.

VENDORS AFFIDAVIT

STATE OF INDIANA

COUNTY OF

Marion

)
) SS:
)

DENNIS M. ELLS and TAMARA K. ELLS, husband and wife, being first duly sworn, state(s) that he/she/they (hereinafter referred to as Vendor) is/are this day conveying to **CECILIA HOLLINGSWORTH**, an adult, (hereinafter referred to as Purchaser), by Warranty Deed, the following described Real Estate located in Hamilton County, Indiana:

As per the legal description on Exhibit A attached hereto and made a part hereof by this reference.

and commonly known as 17828 Joliet Road, Sheridan, Indiana (hereinafter referred to as Real Estate).

In connection with this sale of the Real Estate, Vendor has furnished Purchaser with a commitment (the Title Commitment) for an owner's policy of title insurance for the Real Estate under date of March 2, 2017, issued by Attorneys Title Agency of Indiana, LLC commitment #17521803-IND.

Vendor has an indefeasible estate in fee simple in the Real Estate; and the Real Estate is free and clear of every kind or description of lien, lease or encumbrance except the following:

1. Easements, agreements and restrictions of record disclosed in said Title Commitment.
2. Current taxes not delinquent.
3. Whatever matters affecting the Real Estate, if any, are disclosed in the above deed.

Vendor has not executed, or permitted anyone in Vendor's behalf to execute, any conveyance, mortgage, lien, lease, security, agreement, financing statement or encumbrance of or enforceable against the Real Estate, Vendor has made no contract to sell all or a part of the Real Estate to any person other than the Purchaser, and Vendor has not given to any person an option to purchase all or any part of the Real Estate, which is enforceable or exercisable now or at any time in the future. There are no unpaid claims for labor done upon or materials furnished for the Real Estate in respect of which liens have been or may be filed. The improvements upon the Real Estate are all located entirely within the bounds of the Real Estate, and there are no encroachments thereon (encroachments disclosed in said Title Commitment or an applicable survey are exceptions hereto). There are no existing violations of zoning ordinances or other restrictions applicable to the Real Estate.

There is no judgment of any court of the State of Indiana or of any court of the United States that is or may become a lien on the Real Estate. No petition for bankruptcy has been filed by or against Vendor within the last six months, nor is any petition now pending with respect to Vendor for bankruptcy, insolvency or incompetency. Vendor is neither principal nor surety on any bond payable to the State of Indiana.

The Real Estate is now in possession of Vendor, as titleholder, and no other person has a right to possession or claims possession of all or any part of the Real Estate. Vendor will deliver possession of the Real Estate to Purchaser on or before _____, free and clear

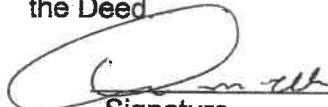
of any right or claim of any person to the possession of the Real Estate except -- no exceptions--.

Vendor is not acting, directly or indirectly, in any capacity whatsoever for any foreign country or national thereof, and

1. Vendor is more than eighteen (18) years of age and a citizen of the United States.

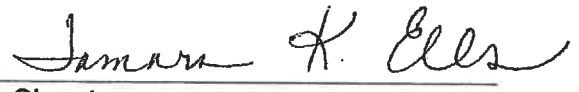
Vendor intends that each of the statements made herein shall be construed as a representation; each of the representations is made for the purpose of inducing Purchaser to purchase the Real Estate; and each of the representations, whether construed jointly or severally, is true. Vendor expressly authorizes Purchaser and all other persons to rely on such representations.

The representations and statements made herein shall survive the execution and delivery of the Deed


Signature

DENNIS M. ELLS

Printed


Signature

TAMARA K. ELLS

Printed

Subscribed and sworn to before me, a Notary Public in and for said County and State, this 24th day of March, 2017.

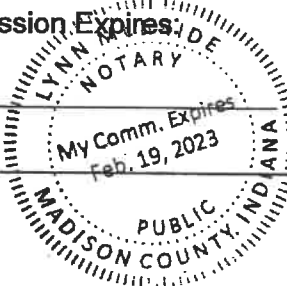
My Commission Expires

Signature



Printed

Residing in



County, State of Indiana.

Notary Public

This instrument was prepared by **JEFFREY R. SLAUGHTER**, Attorney at Law #362-49, 8310 Allison Pointe Boulevard, Suite 204, Indianapolis, Indiana 46250 / Telephone 317-579-0816.



Hamilton County

Parcel Information Report

08-05-31-03-01-009.000

Tax Year: 2017 pay 2018
Generation Date: Sep 14, 2017
User: TMU2
Includes Certified Charges

Parcel Number:	08-05-31-03-01-009.000	Legal Description:	Acreage .92
Property Type:	Real Estate		Section 31, Township 19, Range 3
Taxing District:	Westfield (09)		JOLIETVILLE
State Parcel Number:	29-05-31-301-009.000-015		Lot 65
Duplicate Number:	0322580		
Parent Parcel(s):	08-05-31-03-01-009.000 08-05-31-03-01-008.000		
Deeded Owner (Billing):	Hollingsworth, Cecilia 945 Adena Ln Westfield, IN 46074	Primary Location:	17828 Joliet Rd Sheridan, IN 46069
		Recorded Document:	Dimensions: 148.0 X 297.0 Warranty Deed 2017-13601 03/29/2017

DEDUCTIONS APPLIED	
(none)	
CALCULATED DEDUCTIONS	
(none)	
RATES	
Tax Rate:	0.0000

CHARGES			
Type	Item Description	Charge Amount	Balance Due
2016 pay 2017 Inst 2			
Property Tax		\$353.37	\$353.37
Drain	5355 - M355-Johnson &	\$17.50	\$17.50
Maintenance	Gardner (Un-Regulated Subd)		
Total 1st Installment:		\$370.87	\$370.87
Grand Total		\$370.87	\$370.87
Advance Payment:		\$0.00	
Surplus Payment:		\$0.00	



DRAFT WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS
2018 SCHEDULE OF MEETINGS AND FILING DATES

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

** Dates are scheduled for a different day due to a Holiday conflict.*

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