



CITY OF WESTFIELD, IN
BZA Meeting - April 10, 2012 Agenda

Tuesday, April 10, 2012 at 07:00 PM

BOARD OR COMMISSION: Board of Zoning Appeals (BZA)

MEETING DATE: Tuesday, April 10, 2012 at 07:00 PM

MEETING PLACE: Westfield City Hall, 130 Penn Street, Westfield, IN 46074

1. OPENING OF REGULAR MEETING

- a. Note the presence of a quorum
- b. Approval of minutes

Documents: [March 13, 2012](#)

2. ITEMS OF BUSINESS

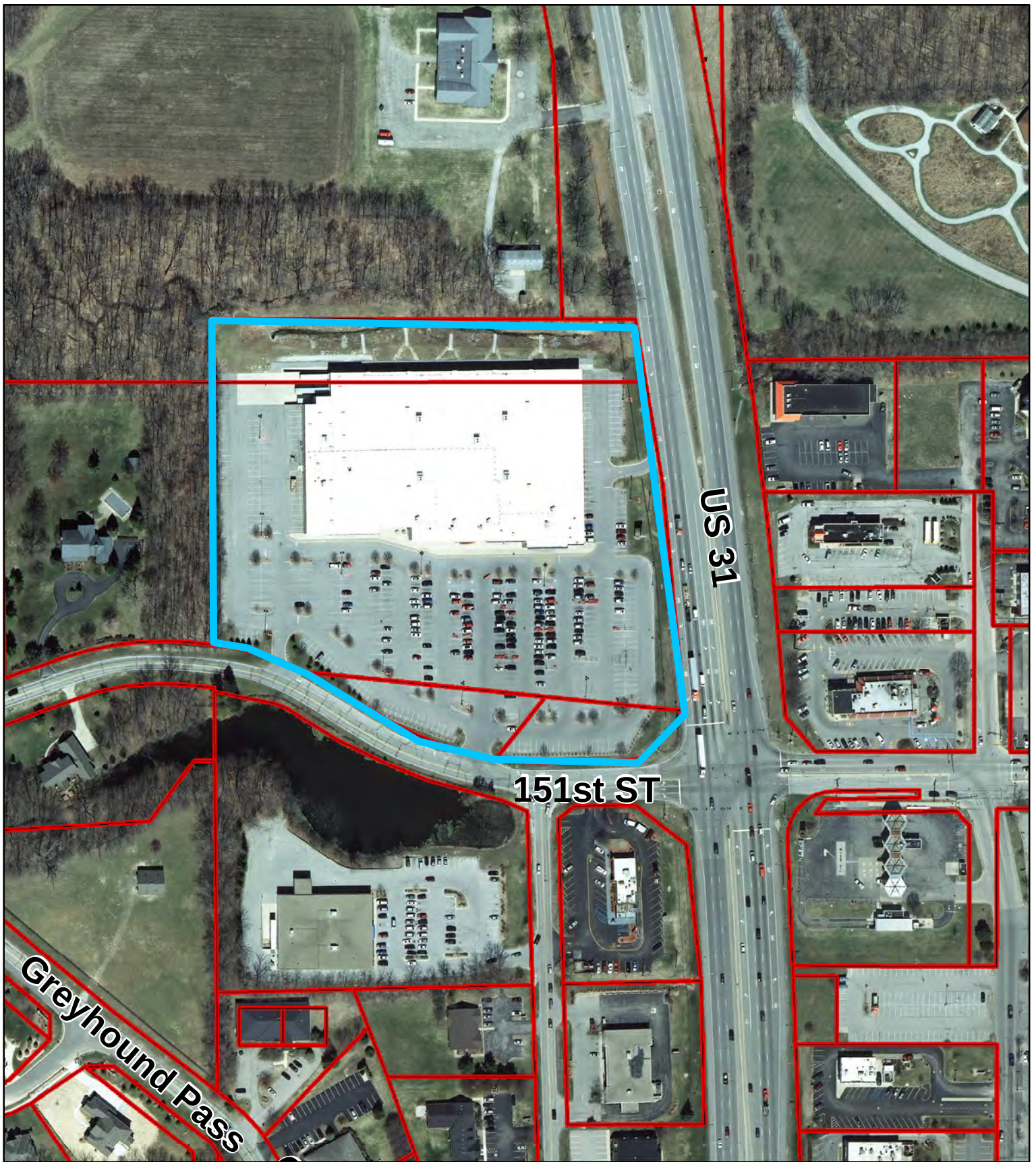
- a. **1204-VS-05**; 15160 N. Meridian St., *Target Corporation*, [Public Hearing] The petitioner is requesting a Variance of Standard from the Westfield-Washington Zoning Ordinance (WC 16.08.010.D.8) to allow a wall sign to extend above the parapet of a building wall by sixteen (16) inches.

Documents: [Exhibit 1 - Staff Report](#) | [Exhibit 2 - Aerial Location Map](#) | [Exhibit 3: Petitioner's Application](#)

3. Reports/Comments

- a. APC Liaison
- b. ECD Staff

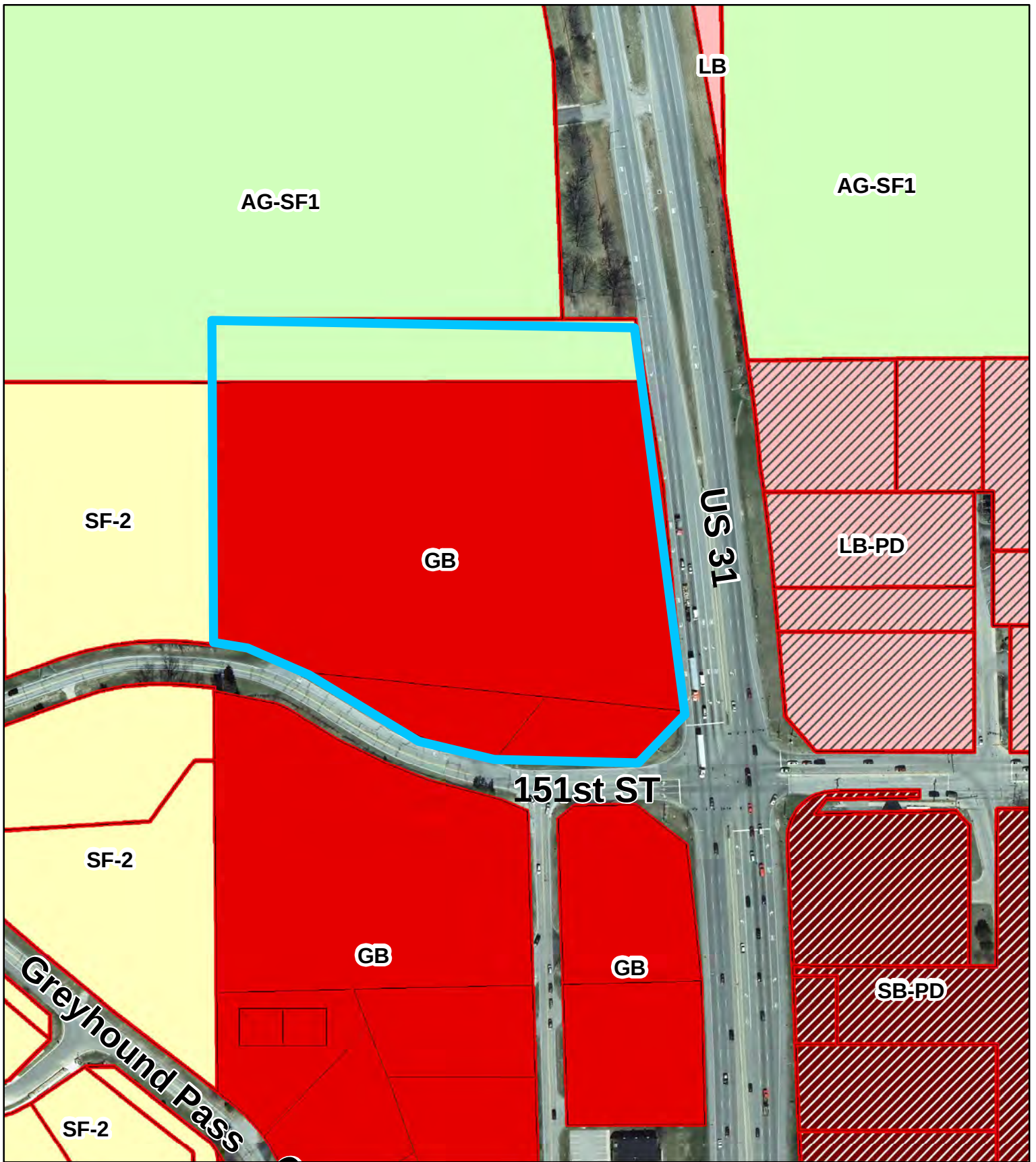
4. ADJOURNMENT



1 in = 208 feet

Aerial Location Map
15160 N. Meridian St.





Zoning Map
15160 N. Meridian St.



WESTFIELD-WASHINGTON
BOARD OF ZONING APPEALS

April 10, 2012

1204-VS-05

Exhibit 1

Petition Number: 1204-VS-05

Subject Site Address: 15160 N. Meridian St.

Petitioner: Target Corporation

Representative: One Source Sign, LLC.

Request: The petitioner is requesting a Variance of Standard from the Westfield-Washington Zoning Ordinance (*WC 16.08.010.D.8*) to allow a wall sign to extend above the parapet of a building wall by sixteen (16) inches.

Current Zoning: General Business

Current Land Use: Commercial

Approximate Acreage: 10.5 acres

Zoning History:
95-V-25, 8/21/95
0104-VS-37, 2/23/98

Exhibits:
1. Staff Report
2. Aerial Location Map
3. Petitioner's Application

Staff Reviewer: Ryan Clark, Associate Planner

Petition History

This petition will receive a public hearing at the April 10, 2012 Board of Zoning Appeals meeting.

Property History

The site development plan (95-AP-13) for the property located at 15160 N. Meridian St. (the "Property") was approved by the Advisory Plan Commission on July 24, 1995. The approval was for a 170,000 square foot commercial structure on approximately ten (10) acres. Case 95-V-25 was approved on August 21, 1995 which allowed a pole sign, a wall sign with a total size of 204 square feet, and the construction of



two ground signs. Case 0104-VS-37 was approved on February 23, 1998 to permit outdoor display of merchandise.

Analysis

The Westfield-Washington Township Sign Ordinance section *WC 16.08.010.D.8* states that *"No sign shall be mounted on a roof or extend above an eave or parapet of a building wall."* The Petitioner's submitted plans propose a circular Target wall sign which extends above the parapet wall by sixteen (16) inches. The proposed sign is part of an overall remodel for the front façade of the building and is compliant with all other sign standards.

Procedural

The Board of Zoning Appeals shall approve or deny variances of standard from the terms of the zoning ordinance. The Board may impose reasonable conditions as a part of its approval. A variance may be approved under Ind. 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:*

Finding: It is unlikely that allowing a wall sign to extend above the parapet wall by sixteen (16) inches would be injurious to the public health, safety, morals, and general welfare of the community. The extension above the parapet on the south elevation should not cause an unsafe distraction to motorists on US Highway 31 or along 151st Street and is only six (6) square feet larger in size than the existing sign. The proposed sign size is compliant with sign standards for the Property.

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 the area adjacent to the Property included in the variance will be affected in a substantially adverse manner. The neighboring properties east and south of Target are commercial in use. The sign height should also not impact the residential properties to the west.



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

Finding: The US Highway 31 Major Moves project, adjacent to the Property, will begin construction in 2013. The US Highway 31 improvements will allow for higher traffic volumes, likely travelling at higher speeds. Access to the Property will also change, with the elimination of the driveway of US Highway 31. Arguably, extending the sign above the parapet should help Target's presence along the US Highway 31 corridor and aid in the remodel of the site.

Recommendations

Approve the request based on the findings of this report.

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2 The Westfield Washington Township Board of Zoning Appeals met at 7:00 p.m. on Monday,
3 March 13, 2012 at Westfield City Hall. Members present included Dan Degnan, Randy Graham,
4 Martin Raines, Bill Sanders, and Ron Rothrock. Also present were Kevin Todd, Senior Planner;
5 Ryan Clark, Planner; and City Attorney, Matt Strzynski.
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7

8 **APPOINTMENT OF 2012 OFFICERS**
9

10 Degnan nominated Randy Graham as Chairman of the 2012 Board of Zoning Appeals.
11

12 Raines seconded, and the motion passed by voice vote.
13

14 Degnan nominated Bill Sanders as Vice Chairman of the 2012 Board of Zoning Appeals.
15

16 Graham seconded, and the motion passed by voice vote.
17

18 Degnan nominated Martin Raines as Chairman Pro Tem of the 2012 Board of Zoning Appeals.
19

20 Graham seconded, and the motion passed by voice vote.
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22

23 Todd reviewed the BZA Rules of Procedure.
24
25

26 **NEW BUSINESS**
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29 1203-VS-04 **16508 Oak Road, Dawn and Michael Stelts**
30

31 The petitioner is requesting a Variance of Standard from the Westfield-Washington
32 Zoning Ordinance (WC 16.04.030.B.6.b) to reduce the side yard setback from 30 feet to
33 3 feet to accommodate an addition to an existing garage.
34

35 Clark reviewed the petition, which is a variance of standard to reduce the side yard setback
36 requirements from thirty feet to three feet to accommodate an addition to an existing garage.
37

38 Mrs. Dawn Stelts stated the neighbors to the south are the closest to the structure and there are
39 actually three tree lines between the structure and the neighbor. She further stated the neighbors
40 submitted a letter of acceptance.
41

42 A Public Hearing opened at 7:11 p.m.
43

44 No one spoke, and the Public Hearing closed at 7:12 p.m.
45

46 Todd shared an email from a neighbor expressing concern that the tree lines be preserved.
47
48

Sanders moved to approve 1203-VS-04 with the following condition:

- That the western tree line on the Property referenced in the February 18, 2012 letter be preserved.

Degnan seconded, and the motion passed 5-0.

Graham moved to adopt Staff's Finding of Facts.

Sanders seconded, and the motion passed by voice vote.

1203-VU-02 **800 E. Main Street, LA Landscapes, Inc.**

The petitioner is requesting a Variance of Use from the Westfield-Washington Zoning Ordinance (WC 16.04.050.D.2) to allow a landscaping business in the Local Business (LB) District.

Clark reviewed the petition, which is a variance of use to allow a landscaping business. He stated the property is currently zoned Local Business; the petitioner has included a list of commitments which can be used as conditions of approval.

Sanders asked if odor would be a problem.

Mr. Jeff Bellamy, representing the petitioner, shared details of the project including usage and services as well as lighting; he further stated there will be no bulk storage on the site, which would prevent any odor.

Sanders asked how left over materials are disposed of since they are not stored on site.

Mr. Lee Ackerman, President of LA Landscapes, stated most of the materials are delivered to job sites and used up during the job. He added there may be a few wheel barrels of mulch that come back on the truck.

Sanders asked if any security lights will be added.

Ackerman responded some cameras have been installed on the corner of the building but no additional lighting.

Rothrock asked what hazardous material precautions are in place.

Ackerman responded no hazardous materials will be stored on site other than fuel, and there are fire extinguishers by each door.

Rothrock specifically asked about chemicals used for treatment or weed control.

Ackerman responded only enclosed containers of Round-Up.

Degnan asked about winter snow removal.

Ackerman responded there will be two snow plow trucks stored in the building.

A Public Hearing opened at 7:32 p.m.

Ms. Paula Hull spoke in support of the petitioner and the landscape business.

The Public Hearing closed at 7:34 p.m.

Sanders moved to approve 1203-VU-02 with the following conditions:

1. That there be no storage or delivery of bulk landscaping materials on-site; indoors or outdoors.
2. That there be no outdoor storage of equipment. All equipment shall be located indoors.
3. That there be no repair or maintenance of equipment outdoors. All maintenance shall be done indoors.
4. That there be no Semi-trucks on-site.
5. That there be no bulk fuel / petroleum storage on-site; indoors or outdoors.
6. That a wooden stockade fence, a minimum of six (6') feet in height, be installed along the northern boundary of the Property no later than May 1, 2012 at a distance indicated on the site plan.
7. That no speakers be installed on the exterior of the building.
8. That all lighting complies with the lighting requirements of WC 16.07.010.

Raines seconded, and the motion passed 5-0.

Graham moved to adopt Staff's Finding of Facts.

Sanders seconded, and the motion passed by voice vote.

1202-VS-01 525 West David Brown Drive, Tom Roush, Inc.

The petitioner is requesting multiple Variances of Standard from the Westfield-Washington Zoning Ordinance, as follows (WC 16.08.010.D.4) to allow the modification of pole sign copy; (WC 16.08.010.D.6) to permit temporary flag signs; (WC 16.08.010.E.8) to exceed more than 500 square feet of sign copy; and (WC 16.08.10.G.1.a) to exceed the one (1) square foot of sign area per (1) foot of building fronting on right-of-way standard.

Clark reviewed the petition, which are multiple variances of standard regarding signage. He discussed the sign standards and procedures of surrounding communities.

Mr. Stephen Watson, representing the petitioner, presented further details of the variances, stating the variances are in order to upgrade the property and it is as a result of a franchise agreement with Ford so much of this is outside the petitioner's control.

Mr. Jeff Roush presented further details, stating since Mercury no longer has a franchise there and Ford owns and maintains the sign, Ford will be replacing the current sign with the new Lincoln sign. He added they are remodeling the entire interior of the building as well. Roush expressed concern about the visibility of the dealership when the Major Moves US 31 Project is completed and therefore desires to keep and maintain the Pole flags for better visibility.

A Public Hearing opened at 7:54 p.m.

Mr. Frank Habig spoke in support of Roush and the signage needs.

The Public Hearing closed at 7:56 p.m.

Raines moved to approve 1202-VS-01 as presented.

Sanders seconded, and the motion passed 5-0.

The meeting adjourned at 8:05 p.m.

Chairman
Randy Graham

Secretary
Matthew Skelton