

The Westfield Washington Township Board of Zoning Appeals met in regular session at 7:00 p.m. on Monday, July 19, 2004 at Westfield Town Hall. Members present included Patrick Miller, David Mueller, Steve Riley, Bill Sanders, and Craig Wood. Also present were Town Attorney Brian Zaiger and Planner Matthew Griffin.

The June 21, 2004, Minutes were approved by unanimous voice vote with corrections.

Miller read the introductory statement that outlines the rules, procedures, and function of the Board of Zoning Appeals, and the right to an appeal.

OLD BUSINESS

0406-VS-014: **302 West Main Street – Rocchio-Kiley Insurance.** The appellant is requesting a development standard variance from *WC 16.04.050 (D)(4) Minimum Lot Area*, to reduce the minimum required lot size from 5 acres to 0.39 acres. The parcel is zoned Local Business (LB).

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0406-VS-016: **302 West Main Street – Rocchio-Kiley Insurance.** The appellant is requesting a development standard variance from *WC 16.04.050 (D)(6) Minimum Setback Requirements*, to reduce the minimum required side yard setback from 60 feet to 3 feet for the west side yard setback and 10 feet for the east side yard setback, and to reduce the required rear yard setback from 60 feet to 3.5 feet. The parcel is zoned Local Business (LB).

Deleted: Mueller made a motion to approve 0406-VS-014 per staff findings.¶
¶ Sanders seconded the motion and the motion passed unanimously.¶
¶

Mr. Dave Rocchio [gave an overview of the variance requests \(both 0406-VS-014 and 0406-VS-016\).](#)

[Miller opened the public hearing for both 0406-VS-014 and 0406-VS-016](#) at 7:08 p.m.

[No one spoke](#), and [the public hearing was closed](#) at 7:09 p.m.

[Mueller](#) moved [to approve 0406-VS-014 per staff findings.](#)

[Sanders seconded](#), and [the motion passed unanimously.](#)

A motion was made to approve 0406-VS-016 with the following conditions:

1. The existing accessory structure may not be replaced or altered except for normal maintenance and upkeep.
2. Once the existing accessory structure is removed, all future accessory structures must meet the established setbacks of conditions “3” and “4” below.
3. Side yard setbacks for this parcel shall be 5 feet for the west side property line and 10 feet for the east side property line.
4. The rear yard setback shall be as per the LB zoning district requirements.

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The motion passed unanimously.

The Board adopts Staff's findings of facts as their own.

0406-VU-006: 16708 South Park Drive - Roundtripper Baseball – Headfirst Holdings, LLC. The appellant is requesting a use variance to allow three outdoor baseball fields. The parcel is zoned Enclosed Industrial (EI), and is partially within the US 31 Overlay Zone.

Mr. [Joe Scimia introduced the variance request.](#)

[Wood informed the public of the role and powers of the Board of Zoning Appeals, and stated that while baseball, and recreational uses may be needed in Westfield, the Board's role was to determine if the subject property was a suitable place for such.](#)

[Mueller stated his concerns for traffic flow and parking in and around the site. He made note that when U.S. 31 is redesigned it will add further difficulty and congestion to the area. He stated that finding the site, and then accessing it would prove challenging for out-of-towners.](#)

[Wood stated that he needed to know what else was slated for development in the area.](#)

[Griffin responded that light industrial/office uses were approved to the south and to the west.](#)

[Sanders stated that lighting was a concern and that he was surprised not to see more homeowners from the nearby subdivisions. He asked the petitioner how restroom facilities would be handled, and if there would be concessions.](#)

[Scimia stated that such was yet to be determined.](#)

[Wood stated that he appreciates the community passion for baseball, but as presented he would vote that this variance request be denied.](#)

▼ [Miller opened the public hearing.](#) ▼

▼ [Mr. Jim Kent spoke and explained the users of South Park in terms of size and function. He stated that he was concerned with traffic circulation and that this parcel was not suitable for a business use because it is landlocked, and can derive no access of its own](#)

▼ [Mr. Gear stated that youth sports, baseball, and soccer are a business of "self esteem," and that such a business is a good fit for the area.](#)

▼ [Mr. Gorden spoke in favor of the petition and stated that such a use would be a positive economic draw to the community.](#)

Deleted: This agenda item was continued to the August, 2004 meeting.¶

¶ **NEW BUSINESS¶**

¶ **Westfield-Washington School Corporation¶**

¶ **0407-VS-017:** 322 West Main Street – Westfield-Washington School¶ Corporation. The appellant is requesting a development standard¶ variance from WC 16.08.010 Sign Standards, to allow signage that¶ is not permitted within the current sign ordinance. The parcel is¶ zoned General Business Planned Development (GB-PD).¶

¶ This agenda item was continued to the August, 2004 meeting.¶

¶ **Hahn/Slagle Office Building¶**

¶ **0407-VS-018:** 206 West Main Street – Frank Hahn. The appellant is requesting a¶

development standard variance from WC 16.04.050 (D) Minimum¶ Lot Area and Minimum Setback Requirements, to reduce the minimum required lot size and setbacks. The parcel is zoned Local Business (LB). ¶

¶ Riley made a motion to approve 0407-VS-018 per staff findings.¶

¶ Wood seconded, and the motion passed unanimously.¶

¶ Miscellaneous Notes from Matt's Notes:¶

¶ Wood: Mandated to be objectionable. Facts – State Law.¶

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Deleted: <#>?¶
<#>Lighting¶
<#>Traffic flow¶
<#>Number of parking spaces¶
<#>To scale site plan¶
<#>Restrooms¶
<#>Concessions¶
<#>What is the use?¶
<#>All-nighters?¶
Mueller.¶
<#>110 Box trucks in and out¶
<#>31 shut down; lose spots to move in and out.¶

... [1]

Deleted: Wood: What else is committed to park?¶

Deleted: Sanders: ¶
<#>Lighting is a concern; letters not from adjacent homeowners.¶
<#>What is the building?¶
<#>What are the restroom facilities?¶

Deleted: Wood: Passion, but will deny this use.¶

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A concerned citizen (unidentified) asked how the proposed use would impact asset valuation, and if prime industrial acres were used for recreation, would those acres be replaced somewhere else in the community, or would this be a loss of economically viable industrial property.

Deleted: Public Hearing¶

Miller closed the public hearing.

Deleted: Mr. Joe Scimier continued and discussed hours of operation, parking, lighting, neighbors, restrooms, and concessions.¶

The board members raised several concerns with the petition as presented.

Deleted: Jim Kent – Development of South Park.¶
<#>4 buildings¶
<#>4 loading docks – 21 loading docks¶
<#>Concerned with traffic circulation¶
<#>Indoor soccer.¶
<#>? outdoor ball in January.¶
<#>Team?¶
<#>Traffic concerns – not good for place of business; landlocked property.¶

Miller gave a quick summary of the comments heard, and stated that the following items would need to be better explained at the next meeting:

1. Hours of operation
2. Lighting (both parking and field)
3. Traffic flow entering, within, and exiting the site
4. Number of parking spaces
5. An updated site plan drawn to scale
6. Restroom facilities – how they are to be provided
7. Concessions – will they be provided

Deleted: FD Gear¶
Youth sports, baseball, soccer. “Business of Self Esteem,” it’s a good fit; do what’s right.¶

This item was continued to the August meeting.

Deleted: Miller – Recap – Petitioner to talk about next month.¶

NEW BUSINESS

Deleted: Mr. Jeff Gordon – financial impact and potential finances.¶

0407-VS-017: 322 West Main Street – Westfield-Washington School. The appellant is requesting a development standard variance from WC 16.08.010 Sign Standards, to allow signage that is not permitted within the current sign ordinance. The parcel is zoned Planned Development (PUD).

Deleted: Economic Development – impact of asset valuation; take away acres; don’t add them back.¶
¶
Miller – expand use –

This agenda item was continued to a future meeting (to be noticed publicly) due to petitioner request.

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0407-VS-018: 206 West Main Street – Frank Hahn. The appellant is requesting development standard variance from WC 16.04.050 (D) Minimum Lot Area and Minimum Setback Requirements, to reduce the minimum required lot size and setbacks. The parcel is zoned Local Business (LB).

Deleted: Slagle: Rezone and parking.

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Slagle: Parking will be personnel parking. Would like to address concerns.¶
¶

Maple Knoll Elementary School¶
0407-VS-019: NE corner of 169th St. and Ditch Rd. – Maple Knoll Elementary¶

Mr. Slagle introduced the petition.

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Corporation.

Miller opened the public hearing at 8:25 p.m.

Deleted: variance from the Maple Knoll PUD Ordinance (04-02, Exhibit 15,¶ II, 4d) to have less doors and windows on their structure than¶ required.

A neighbor stated his concerns with the parking lot orientation and how traffic would circulate on the property.

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Deleted: General Business

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Miller closed the public hearing at 8:29 p.m.

Slagle stated that parking would be personnel parking and that few if any clients would be visiting the site. He stated that he would like to address the neighbors concerns and would work with the neighbor in every way possible to mitigate visual and safety concerns they may have.

Riley moved to approve 0407-VS-018 per staff findings.

Wood seconded, and the motion passed unanimously.

0407-VS-019: NE corner of 169th St. and Ditch Rd. – Maple Knoll Elementary School.
The appellant is requesting a development standard variance from the Maple Knoll PUD Ordinance (04-02, Exhibit 15, II, 4d) to have less doors and windows on their structure than required. The parcel is zoned Planned Unit Development (PUD).

This item has been continued to the August 2004 meeting due to notification requirements.

Miller adjourned the meeting.

Chairman

Secretary

?

Lighting

Traffic flow

Number of parking spaces

To scale site plan

Restrooms

Concessions

What is the use?

All-nighters?

Mueller:

110 Box trucks in and out

31 shut down; lose spots to move in and out.

Concerned about out-of-towners; will have difficulty finding and circulating.

Parking is a problem.

How will traffic flow move N.S. E. W.?