

CITY OF WESTFIELD

COMMUNITY DEVELOPMENT DEPARTMENT

WESTFIELD-WASHINGTON
 ADVISORY PLAN COMMISSION
 BOARD OF ZONING APPEALS
 ZONING ENFORCEMENT
 BUILDING PERMITS

Meeting Date:	March 11, 2008
Docket Number:	0803-VS-04
Appellant:	Mike & Adrienne Riddle
Property Address:	1027 Watertown Drive
Variance of Standard Request:	<i>WC 16.04.030, E6</i> Rear yard setback

EXHIBITS

- | | |
|--|----------|
| 1. Staff Report | 03/11/08 |
| 2. Aerial Location Map, Zoning Map & Existing Land Use Map | 03/11/08 |
| 3. Property Card | 03/11/08 |
| 4. Hamilton County Surveyor's Office, Correspondence | 02/25/08 |
| 5. Appellant's Application and Plans | 02/28/08 |

RELATED CASES

None

VARIANCE OF STANDARD REQUEST

This variance request is to reduce the rear yard setback requirement for an in-ground pool in a residential subdivision. Swimming Pools are required to meet all setbacks (WC 16.04.100, 4, b, iii).

PROPERTY INFORMATION

The subject property is comprised of one (1) parcel, consisting of approximately 0.28 acre. The property is improved with a single-family residence. The subject property is accessed by Watertown Drive.

The property is zoned SF-3 (Cluster). Abutting property in all directions is also zoned SF-3 (Cluster). Adjacent property to the north, south, and west is improved with single-family residential uses. Abutting property to the east is common area within the Centennial subdivision. The next immediate parcel to the east accommodates a detention pond for the subdivision.

PROPERTY HISTORY

There are no previous variances, special exceptions, development plans, subdivision plats, rezoning cases, or pending enforcement cases on record for the subject property.

ANALYSIS

The submitted plans indicate that the proposed in-ground swimming pool would be located to the east of the existing residence. The property is also improved with a deck, hot tub, screened-in porch, and an outdoor fire pit. Combined, all of the existing improvements to the property limit the available location for additional accessories, including the proposed in-ground pool. The submitted plans indicate that the pool will be covered by an automatic pool cover, which complies with all state requirements for safety.

A ten foot (10') drainage and utility easement traverses the property from north to south along the east (rear) property line. The proposed pool does not encroach upon this easement.

Due to the proximity to the detention pond, the Hamilton County Surveyor's Office has reviewed the plans. The Surveyor's Office reports that the proposed pool would not have a negative affect on drainage to the pond (see Exhibit 4).

The Westfield-Washington Township Comprehensive Plan recommends that this area remain suburban residential in character and use. A detached single-family residence, with an in-ground pool, within a platted subdivision complies with recommendations of the Plan.

FINDINGS

No variance of standard request shall be granted unless the BZA finds all of the following to be true:

a. That the approval of such variance of development standard will not be injurious to the public health, safety, morals, and general welfare of the community:

Findings: The intent of the setback requirement for swimming pools is to help mitigate any impact of the pool and the use of the pool from neighboring properties. The proposed swimming pool would be located approximately twenty feet (20') from the property line, which is approximately ten feet (10') closer than the required thirty feet (30') per the Zoning Ordinance. The rear property line of the subject property abuts common area around a detention pond for the subdivision. It is unlikely that moving a setback line for a swimming pool closer to a common area/detention pond will be injurious to the public health, safety, morals and general welfare of the community.

b. That the use and value of the area adjacent to the property included in the variance of development standard will not be affected in a substantially adverse manner:

Findings: It is unlikely that the submitted proposal for the reduction of the rear setback line for the pool would negatively affect the use and value of neighboring properties. The subject property is surrounded by similar uses on the north, south, and west. The most directly impacted property to the east is a common area and a detention pond. The impact of the pool on the detention pond is likely to be negligible.

c. That the strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property:

Findings: Without removing existing accessory rear yard structures and features (deck, hot tub, fire pit), there is physically no space on the subject property to accommodate a 16'x32' pool and meet all required setbacks. A smaller pool (or a pool in a different configuration), however, could possibly be located on the property and meet all setback requirements.

RECOMMENDED MOTION

Approve this variance request based on the findings of this report with the following conditions:

1. That the petitioner comply with any requirements of the Westfield Public Works Department, including any soil erosion control measures during construction/installation of the pool and associated deck; and,
2. That no further encroachment of the rear yard occurs.

KMT 



0803-VS-04
 08-09-15-00-16-009.000
 1027 Watertown Dr.
 Exhibit 2

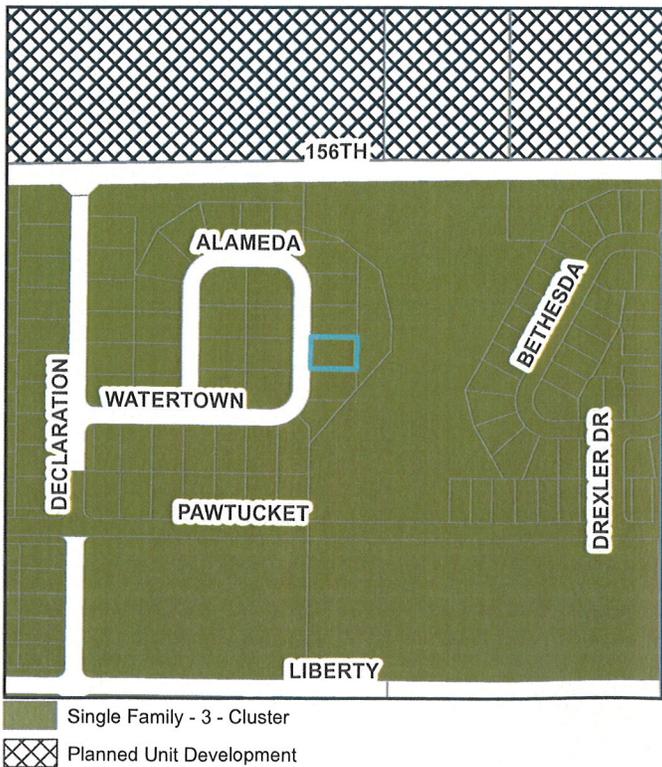


Aerial Location Map

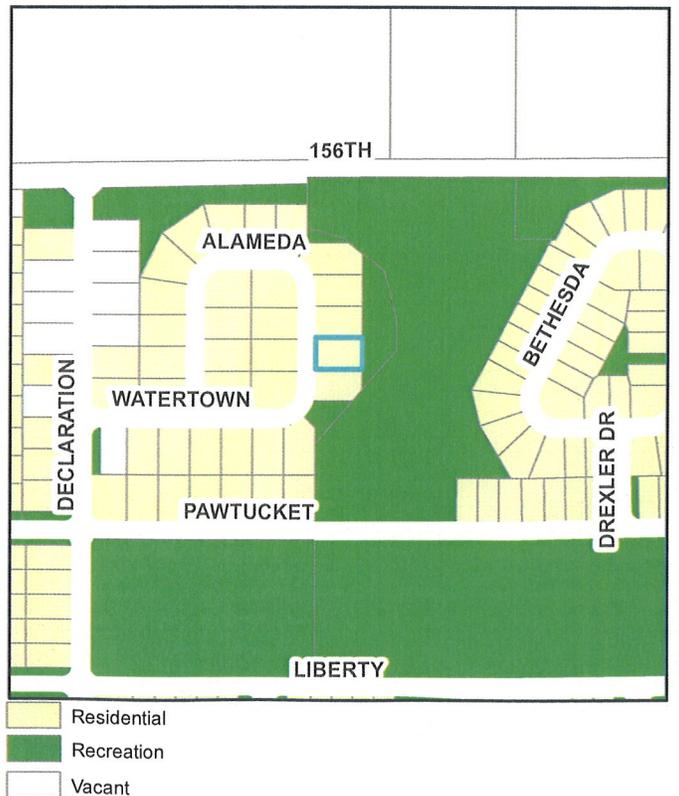
Site



Zoning Map



Existing Land Use Map (2005)



co.HAMILTON.in.us

Official government site of Hamilton County, Indiana

Online Services

Property Card Report**1. report type**

Reset

2. property search

new search

3. view reports

general parcel info.

spring tax statement

tax payments

property card

fall tax statement

Disclaimer:

This program allows you to view and print certain public records. **Each report reflects information as of a specific date;** so the information provided by different reports may not match. All information has been derived from public records that are constantly undergoing change and is not warranted for content or accuracy. It may not reflect the current information pertaining to the property of interest.

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Any, and all information contained on this web site report is the result of assessment data extracted on the most recent taxable year - **March 1, 2007.** Improvement characteristics may differ from those used to determine the total assessed value listed.

Summary Information - Parcel Number: 08-09-15-00-16-009,000**Property Data**

Parcel Location	1027 WATERTOWN DRIVE, WESTFIELD
Taxing Unit	Westfield Abatement 05-09
Legal Description	CENTENNIAL 90.0 X 135.0 10/28/03 AI
Section/Township/Range	S15 T18 R03
Subdivision Name	CENTENNIAL
Lot and Block	Lot 708 Block 8-A
Acres	0.28
Effective Frontage	
Effective Depth	
Property Class	One Family Dwelling Platted

Exterior Features and Out Buildings

- 1 Attached Garage,
1 Open Frame Porch, 1 Open Masonry Porch,

Property Owner as of April 30, 2007

Riddle, Michael R & Adrienne D

Most Recent Valuation as of March 1, 2007

Assessed Value: Land	50800
Assessed Value: Improvements	301800
Total Assessed Value:	352600

Building 1, Card ID R01**Physical Characteristics**

Story Height	2.0
Attic	none
Basement	full
Crawl	none
Year Built	2003

Floor Construction

1.0 (first)	Sub and joists
2.0 (second)	Sub and joists
Basement	Slab

Floor Finish

1.0 (first)	Carpet, Carpet
2.0 (second)	Carpet, Carpet
Basement	None, None

Exterior Cover

1.0 (first)	Brick
2.0 (second)	2/6 Masonry
Basement	Masonry

Interior Finish

1.0 (first)	Drywall
2.0 (second)	Drywall
Basement	None

Accommodations

Finished Rooms	5
Bedrooms	3

Heating and Air Conditioning

Primary Heat	YES
Air Conditioning	YES

Plumbing

Full Baths	2
Partial Baths	1

Fireplace

Fireplace Stacks	YES
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Basement Rec Room

Rec Room Type	
Rec Room Square Footage	0

Area/Square Footage (based on exterior eave to eave area)

Building Level	Base Area	Approx. Finished Area
1.0 (first)	1405	1405
2.0 (second)	1643	1643
Basement	1405	1130

Garage

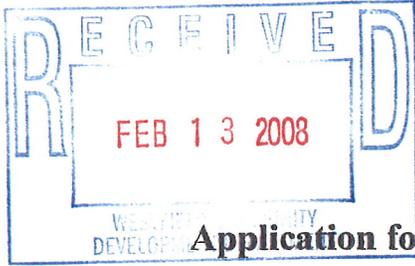
Garage Type	Brick
Garage Square Footage	883

From: Greg Hoyes <grh@co.hamilton.in.us>
To: ktodd@westfield.in.gov
Cc: denisehaven@aol.com
Subject: Centennial Lot 708 Pool
Date: Mon, 25 Feb 2008 2:56 pm

Kevin

I have reviewed the swimming pool request from Blue Haven Pools for Lot 708 in Centennial and we have no issues with it. The proposed pool does not encroach into one of our regulated drain easements and does not appear to affect drainage of any other property owner. If you have any questions, please let me know.

Greg Hoyes, AC, CFM
Plan Reviewer
Hamilton County Surveyor's Office
One Hamilton County Square, Suite 188
Noblesville, IN 46060
Phone: (317) 776-8495
Fax: (317) 776-9628



Petition Number:
Date of Filing:

0803-VS-04
02/12/08

**Application for VARIANCE OF DEVELOPMENT STANDARD
Westfield – Washington Township
Board of Zoning Appeals (BZA)**

This application must be completed and filed with the Community Services Department of the Town of Westfield, Indiana in accordance with the meeting schedule.

- 1. Appellant's Name Mike + Adrienne Riddle
Address 1027 Watertown Drive
Westfield IN 46074
Telephone Number 317-569-3928
E-Mail Address riddle1027@gmail.com
- 2. Landowner's Name Mike + Adrienne Riddle
Address 1027 Watertown Drive
Westfield IN 46074
Telephone Number 317-569-3928
- 3. *Representative Blue Haven Pools of Indiana, Inc.
*Address 1739 N. Country Club Road
Indianapolis IN 46234
*Telephone Number 317-209-1400
*Email Address denisebhaven@aol.com

*If the applicant is not presenting a petition, please provide contact information for the party representing the applicant.

- 4. Common description of property (address, location, etc.)
1027 Watertown Drive Westfield IN 46074
- 5. Legal description of property (list below or attach)
Lot 708 Centennial Section 8-A
Inst # 200300019141
P.C. #3, Slide #142
- 6. Complete description of the nature of the development standard variance applied for:
We would like to apply for a variance of standard
to reduce the rear yard setback to allow an
inground swimming pool

2005 7 01

7. **ALL SITE PLANS SHALL BE LEGIBLE AND DRAWN TO SCALE.** Site plans must accompany this application and must depict at a minimum:

- a. Lot(s) shape and dimensions;
- b. Location and dimensions of existing and proposed structures;
- c. Location and dimensions of existing and proposed points of ingress and egress; and
- d. All topographic and natural features and/or other unusual characteristics associated with the property.

8. The Applicant must address the following criteria and establish at the public hearing that each of the following is true in order to obtain a favorable determination from the BZA.

No variance of development standard shall be granted unless the BZA finds all of the following to be true:

a. That the approval of such variance of development standard will not be injurious to the public health, safety, morals, and general welfare of the community:

The reduction of the rear yard setback to include an inground swimming pool will be protected by the existing property owners fence and an automatic safety cover.

b. That the use and value of the area adjacent to the property included in the variance of development standard will not be affected in a substantially adverse manner:

The installation of an inground swimming pool will increase the value of the property due to it being a home improvement.

c. That the strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property:

Due to the existing improvements located on the property, the proposed inground swimming pool project cannot be installed without the approval of the variance of standard to encroach in the rear yard setback.

TOWN OF WESTFIELD, INDIANA

The Appellant hereby certifies that the information contained in and accompanying this application is true and correct.



Applicant

SUBSCRIBED AND SWORN TO ME THIS 12th DAY OF Feb., 2008.



Notary Public

My commission expires: 3/13/08

February 11, 2008

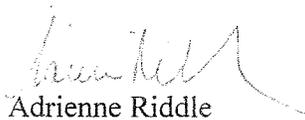
Westfield Washington Township
Board of Zoning Appeals
RE: Lot 708 Centennial, Section 8A
1027 Watertown Dr.
Westfield, In. 46074

Dear Madams/Sirs,

This letter is to provide written acknowledgement of permission for Denise and or Mike Rutherford of Blue Have Pools to apply for a variance of development standards on our behalf. The variance request pertains to the encroachment of the rear yard set back for the construction of an in-ground swimming pool at our place of residence as referenced above.

We greatly appreciate your consideration of our request.

Sincerely,


Adrienne Riddle





CONSULTING ENGINEERS
 LAND SURVEYORS
 9940 Allisonville Rd. Fishers, IN 46038
 (317) 849-5935 • 1-800-728-6917 • FAX: (317) 849-5942

LOT 708
 CENTENNIAL
 SECTION 8-A

INST. #200300019141
 P.C. #3, Slide #142

PREPARED FOR

THE ESTRIDGE GROUP
 CARMEL, INDIANA

PLOT PLAN

1027 WATERTOWN DRIVE
 LOT AREA: 12,150 Sq. Ft.

HOUSE TYPE: 735 A DESIGNER / FULL BSMT
 PARTIAL BRICK WRAP
 9' WALL HEIGHT FULL BASEMENT
 BONUS ROOM
 3-CAR GARAGE
 SCREENED PORCH
 FULL BRICK WRAP

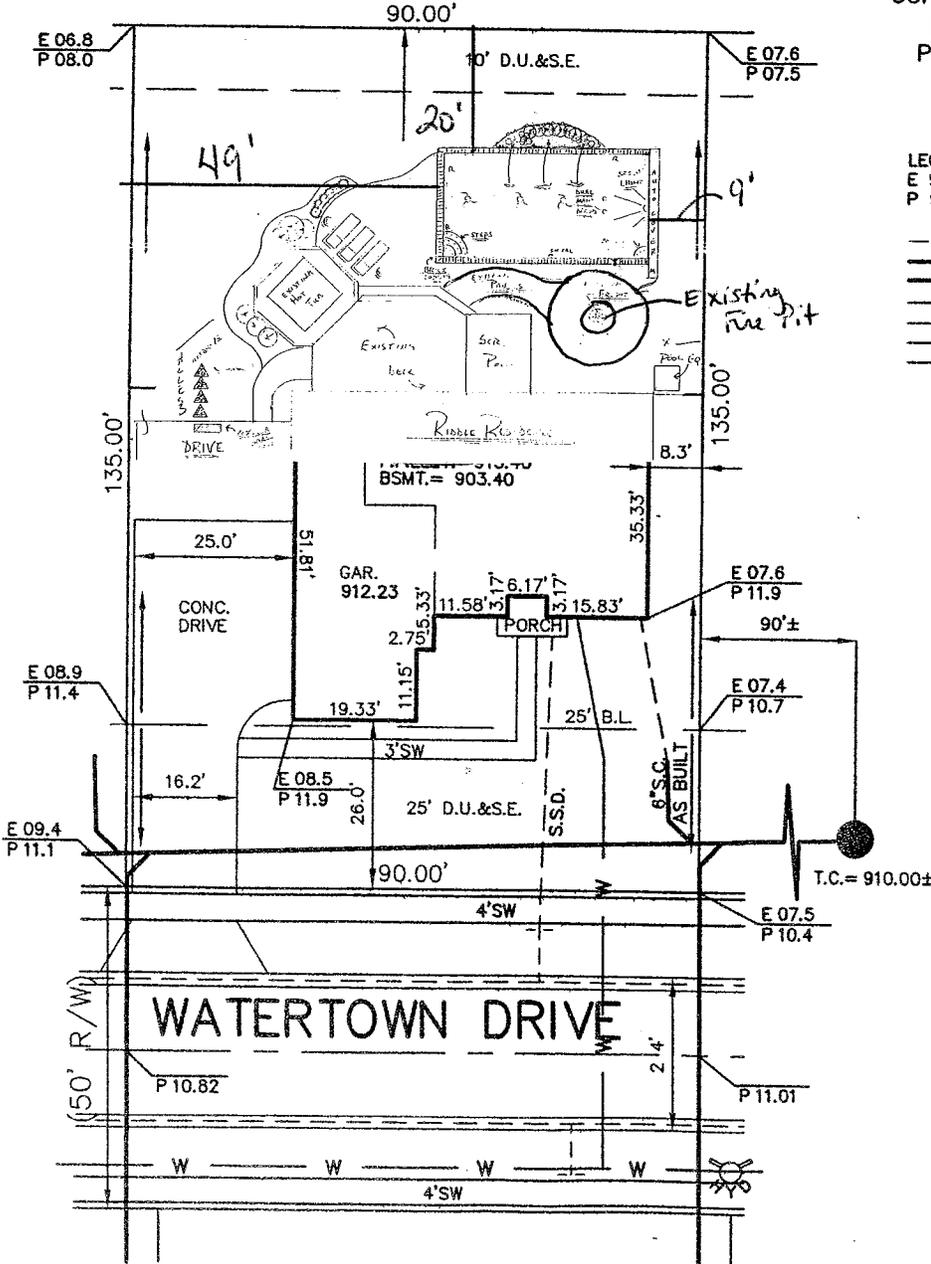


SCALE 1" = 30'

ZONING: SF3 CLUSTER
 0' MIN S.Y. & 10' BTWN STR.
 30' MIN R.Y.

COMMON AREA 3
 D.U.&S.E.

SOD: 437 ± Sq. Yd.
 HYDRO SEEDING: 5,027 ± Sq. Ft.
 CONC. DRIVEWAY: 1,433 ± Sq. Ft.
 PUBLIC WALK: 190 ± Sq. Ft.
 PRIVATE WALK: 295 ± Sq. Ft.



LEGEND:
 E 99.99 EXISTING GRADE (BEFORE CONST.)
 P 99.99 PROPOSED GRADE (AFTER CONST.)
 --- S.S.D. --- SUB-SURFACE DRAIN
 --- SANITARY SEWER
 --- STORM SEWER
 W --- WATER MAIN
 W --- 3/4" WATER CONNECTION
 --- SWALE
 SF --- SILT FENCE

● SEWER MANHOLE
 ● STORM MANHOLE
 ■ CURB INLET
 ☼ FIRE HYDRANT
 D.&U.E. DRAINAGE & UTILITY EASEMENT
 L.E. LANDSCAPING EASEMENT
 S.L.E. SIGN LANDSCAPE EASEMENT

ALL UNDERGROUND SEWERS AND UTILITIES
 SHOWN ARE PLOTTED BY SCALE FROM
 DESIGN PLANS FURNISHED BY ENGINEER
 THE ACTUAL FIELD LOCATION MAY VARY.



PROPERTY LINE

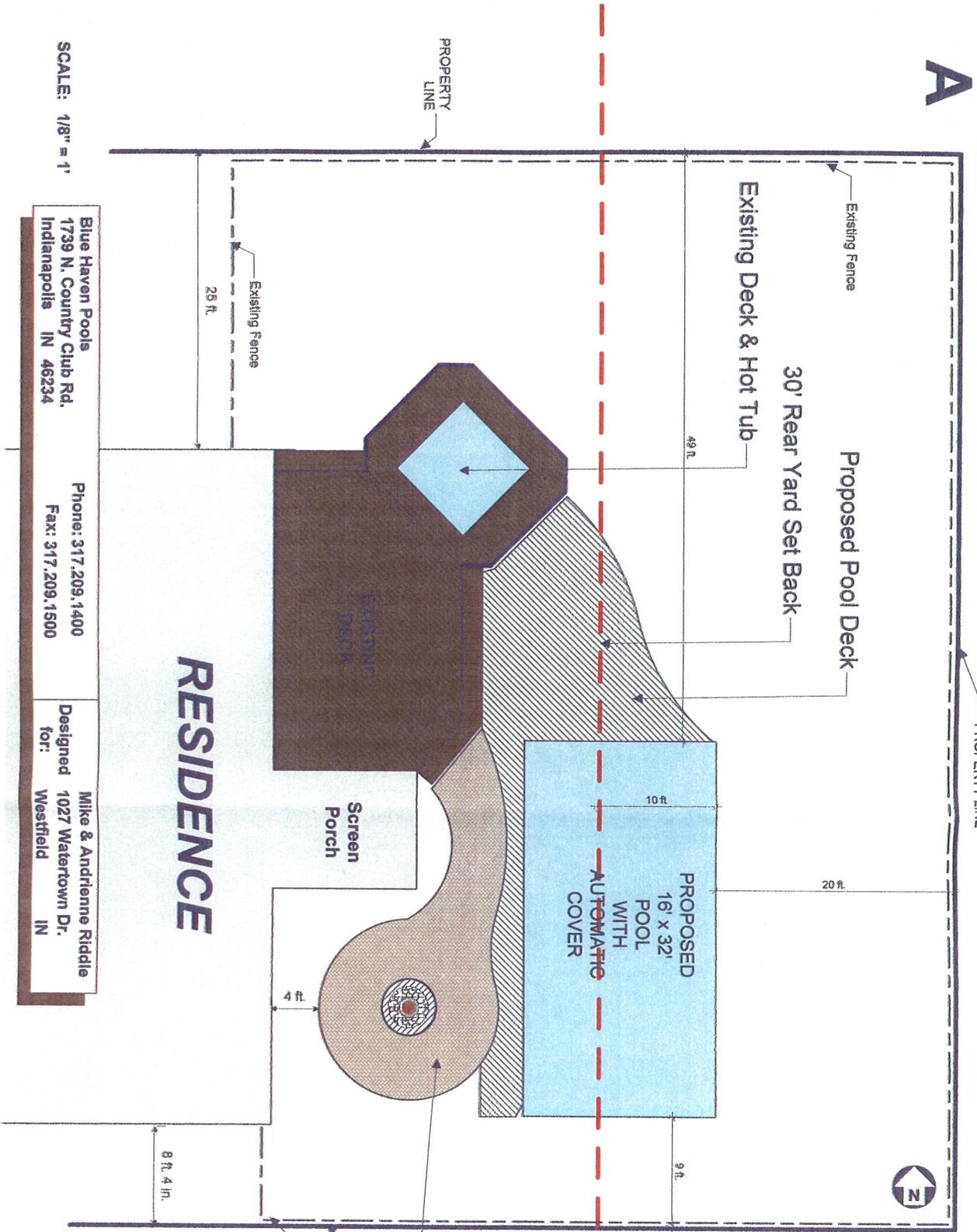


DRAWING OF PROPERTY:

1027 Watertown Dr.
LOT 708 CENTENIAL
SECTION 8-A

**ASKING FOR A
VARIANCE TO ALLOW
FOR AN
ENCROACHMENT OF
THE 30' REAR YARD
SETBACK FOR THE
INSTALLATION OF AN
INGROUND SWIMMING
POOL**

**THE ENCROACHMENT,
IF ALLOWED SHALL BE
NO MORE THAN 10'.**



SCALE: 1/8" = 1'

Blue Haven Pools 1739 N. Country Club Rd. Indianapolis IN 46234	Phone: 317.209.1400 Fax: 317.209.1500	Mike & Andrienne Riddle Designed for: 1027 Watertown Dr. Westfield IN
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