The Westfield Washington Township Board of Zoning Appeals met at 6:00 p.m. on Monday, March 17, 2008 at Westfield City Hall. Members present included Dan Degnan, Randy Graham, and William Sanders. Also present were Greg Anderson, Director; Kevin Todd, Planner II; and City Attorney, Brian Zaiger.

Sanders reviewed the Public Hearing Rules and Procedures.

## OLD BUSINESS

0803-VS-03 318 North Union Street, *Weihe Engineers, Inc.*
The Appellant is requesting a Variance of Standard from the Westfield-Washington Zoning Ordinance (WC 16.06.060) to reduce the required northern buffer yard from 40 feet to 20 feet in the SF-3 District.

Mr. Michael Johnson, Aspen Group, introduced guests Mr. Bill Sampson, Building Committee, Christ United Methodist Church; and Shaun Ryan, Weihe Engineers. Johnson reviewed the demonstration of practical difficulties and the use of the site and shared an analysis of the site and the history of the project. He discussed the phases of expansion of the church building in the future and how the placement of the building within the 40 foot buffer would conflict with the proposed expansion. Johnson further pointed out that the placement of the storage building is consistent with other storage buildings in the neighborhood; he also added that the Fire Department has given approval for the placement of the building.

Sanders asked how the site plan being presented tonight was different from the one that was submitted for the packet.

Johnson responded that the essential difference between this site plan and the site plan submitted in the packet was how the future expansion in Phase III would impact the site.

Sanders asked what would be stored in the building.

Johnson responded a snow plow, tables, chairs, other items used within the building, a Boy Scout trailer, and donated items.

Sanders asked if the building will be heated.

Johnson responded that there are provisions in the current design for some gas unit heaters.

Sanders asked if there will be water.

Johnson responded that only a water valve for use at the community garden, but no interior plumbing, toilets, or floor drains; the building is not intended to be used for maintenance, strictly storage area.

Graham asked if the snow plow and Boy Scout trailer are currently on the property.

Johnson responded that the Boy Scout trailer is currently parked on the property, but the snow plow is a future item.

Sanders asked about the building size and height.

Johnson responded the side walls are about 16 feet and six inches in height.

Todd stated for reference, the maximum building height in SF-3 is 25 feet.

Degnan asked what the practical difficulty is with building it on the property without having a variance.

Johnson responded that what he was trying to demonstrate is that there are three practical difficulties including during Phase I: 1) if the corner of the building was beyond or within the 40-foot buffer yard, the drive would conflict; 2) there is a conflict with the light pole; and, 3) looking long term, in order to maintain the shape of the building, there is a conflict in terms of allowing the preschool to expand.

Degnan stated that there is a long range plan for the church which has changed over time. So, the Board is reviewing a plan that may or may not happen. He questioned the practical difficulty of the situation.

Johnson responded that the church should at least consider the long term plan in expanding to the east, or else they will have a practical difficulty down the road, which would be created by placing the storage building at a location that complies with the setback requirement.

A Public Hearing opened at 7:30 p.m.

Todd distributed an email from Lara and Troy Ellis regarding this variance.

Ms. Lara Ellis expressed her concern about building in the buffer yard area and the impact it would have on drainage. She also asked about turning the building in a different direction to make it fit and get it out of the buffer yard.

Mr. Gregory Carol expressed concern about the drainage, the tree line, and the utility department being able to access utility poles when necessary for service.

The Public Hearing closed at 7:35 p.m.

Degnan moved to deny the variance request 0803-VS-03 based on staff's recommendation.

Graham seconded, and the motion passed 3-0.

Degnan moved to adopt the staff's Finding of Facts.

Graham seconded, and the motion passed 3-0.

The meeting adjourned at 7:40 p.m.

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Chairman Secretary