

The Westfield Washington Township Board of Zoning Appeals met at 7:00 p.m. on Tuesday, February 22, 2005 at Westfield Town Hall. Members present included Dave Mueller, Cindy Spoljaric, and Craig Wood. Also present were Tom Higgins and Attorney Brian Zaiger.

Wood reviewed statement of purpose and rules and procedures.

Spoljaric made a motion to approve the January minutes as presented.

Mueller seconded and the minutes for January were approved.

Wood stated that the election of officers would be deferred until the full Board is present.

OLD BUSINESS

0410-VS-031: 20495 Horton Road – Michael and Lydia Brunner are the appellants and requesting a Variance of Development Standard from WC 16-04-030-(B) 5 (a), Residential Districts, Agriculture/Single Family 1, Minimum Lot Frontage on Road, a minimum of two hundreds fifty feet (250). The request is to allow the minimum road frontage to be reduced from 250 feet to 101 feet on a 9.257 acre parcel.

Petitioner has retained legal counsel and has requested a continuance until March, 2005.

0411-VS-035: 318 North Union Street - Christ United Methodist Church- The Appellant is requesting a variance of Development Standards of Maximum Building Height requirement, WC 16-04-030-E-7. The variance calls for an increase in the height of the building to ninety-six feet (96'). The addition itself will have a gable height of fifty-eight feet five inches (58' 5") and the steeple will rise another thirty-eight feet seven inches (38' 7"). The parcel is zoned Single Family Three (SF-3). The appellant is reporting this is an expansion of the facility to accommodate partisans.

Petitioner has requested continuance.

0501-VU-002: Northwest corner of 181st Street and Market Court (just east of US Highway 31 and 181st Street) – Ken Fineis. The Appellant is requesting use variances to allow a list of prohibited land uses to occur on site at the Northwest corner of 181st Street and Market Court (just west of US 31 and 181st Street) Westfield, Indiana. The parcel is located in the US Highway 31 Overlay Zone and the list of requested uses is documented by the appellant. The three (3) parcels that comprise the site have an underlying zoning of General Business (GB). The three parcels total ± two and three quarter (2.71) acres. The site is partially developed (Indy Cycle) and is undeveloped between 181st Street and Indy Cycle along Market Court. The Use Variance is being requested in an effort to expand the number of potential lease opportunities at the site.

Petitioner has retained legal counsel.

0501-VS-002: Northwest corner of 181st Street and Market Court (east of US Highway 31) – Ken Fineis. The Appellant is requesting a standard variance to allow a reduction in landscaping to occur on site at the Northwest corner of 181st Street and Market Court (just west of US 31 and 181st Street) Westfield, Indiana. The parcel is located in the US Highway 31 Overlay Zone. The parcels underlying zoning is General Business (GB) and is approximately two and three quarter (2.71) acres. The Standard Variance is being requested in an effort to address the potential US 31 realignment and maximize exposure of the site.

Petitioner has retained legal counsel.

NEW BUSINESS

0502-VS-004: 17913 County Line Road: Sandra Brown, County Line Pet Lodge. The Appellant is requesting a variance from standards to allow delaying the installation of a sidewalk along the front of the property. The Appellant agrees to install a sidewalk (determined by the than development requirements) once development has occurred on either side of the site. The site is located on County Line Road \pm one-half (1/2) mile north of State Highway 32. The structure will be 9,184 square feet on 4 acres, zoned AG-SF1.

Petitioner failed to get mailings out in a timely fashion; therefore, this item cannot be heard at this time.

0502-VS-005: 17913 County Line Road: Sandra Brown, County Line Pet Lodge. The Appellant is requesting a variance from standards to reduce the bufferyard plantings from the entire property line to the areas of impacts. The site is on County Line Road \pm one-half (1/2) mile north of S.R. 32. The structure will be 9,184 square feet on 4 acres, zoned AG-SF1.

Petitioner failed to get mailings out in a timely fashion; therefore, this item cannot be heard at this time.

0502-VS-003: 301 East Main Street: Tim and Marian Pyron: Nature's Cottage. The Appellant is requesting a variance from standards to allow the installation of a "pole sign" in an area where it is prohibited. The Appellant currently has one (1) monument sign in front of the business and the "pole sign" would be a second. The site is located on the eastern edge of the "Old Town" commercial section of Westfield on State Highway 32. There are two (2) structures on the three (3) parcels, one facing State Road 32 and the other Cherry Street, with \pm one-half (1/2) acre, zoned LB – H.

Mr. Pyron presented details of his petition. Pyron is seeking a variance from the sign standards in order to put a pole sign up in front of his establishment in order to increase visibility only State Road 32.

A Public Hearing opened at 7:20 p.m.

No one spoke, and the Public Hearing closed at 7:21 p.m.

Mueller asked if there was a way of consolidating the signage so that the pole sign would replace the sidewalk sign or any future signs.

Pyron is willing to replace the sidewalk sign with the pole sign since it is more attractive and easier to see from a distance.

Mueller moved to approve 0502-VS-003 with the following four conditions:

1. No sidewalk signs would be allowed in the future;
2. No further signs would be allowed on this property;
3. The variance would be under review in three years;
4. No lighting on the sign.

Higgins asked if in 2008 when the variance was up for review, would it be reviewed by the 2008 standards or the 2005 standards?

Mueller stated it would be reviewed by the 2008 standards.

Pyron asked if there was any negotiating on the lighting condition.

Mueller asked what the normal business hours were.

Pyron answered 10:00 a.m. to 6:00 p.m.

Mueller stated that most of the time we ask on any new variances on buildings that the signs be turned off when the business is closed.

Spoljaric seconded, and no action was taken as the vote was 2-1 (Spoljaric). This item will be continued to the March meeting when a full Board is present.

Wood moved to continue 0410-VS-031, 0411-VS-035, 0501-VU-002, 0501-VS-002, 0502-VS-004, and 0502-VS-005 at least until the March meeting although specifically, 0411-VS-035 has been continued to the April meeting.

The meeting adjourned at 7:30 p.m.

Chairman

Secretary