



## *Westfield City Council Report*

<b>Ordinance Number:</b>	11-06
<b>APC Petition Number:</b>	1102-ZOA-02
<b>Petitioner:</b>	City of Westfield
<b>Requested Action:</b>	The City of Westfield is requesting amendments to sections WC 16.04.010, Y4b (Preexisting Nonconforming Lots, Structures, and Uses); WC 16.04.150, F (Nonconforming Use Specifications); WC 16.04.030 (Residential Districts); WC 16.04.040 (Multifamily Districts); WC 16.04.095 (Temporary Uses and Events); WC 16.04.100, 2Cii (Accessory Buildings); WC 16.04.180, Figure 2 (Use List); and WC 16.04.220, C Step 2, A (Primary Plat Approval) of the Westfield-Washington Township Zoning Ordinance.
<b>Referral Date to APC:</b>	January 10, 2011
<b>APC Public Hearing:</b>	February 7, 2011
<b>APC Recommendation:</b>	February 22, 2011
<b>Adoption Consideration:</b>	March 14, 2011
<b>Prepared By:</b>	Kevin M. Todd, AICP

### **Petition History**

This petition to amend sections of the Westfield-Washington Township Zoning Ordinance was introduced at the January 10, 2011 City Council meeting. This petition received a public hearing at the February 7, 2011 Advisory Plan Commission meeting, and it received a unanimous favorable recommendation for approval at the February 22, 2011 Advisory Plan Commission meeting.

### **Procedural**

- Requests for amendments to the zoning ordinance are required to be considered at a public hearing, in accordance with Ind. Code 36-7-4-602.
- The Advisory Plan Commission (the "APC") held a public hearing on February 7, 2011 and issued a unanimous favorable recommendation (7-0) to the City Council in support of the proposed rezone request at its February 22, 2011 meeting.
- Notification of the February 7, 2011 public hearing was provided in accordance with the APC Rules of Procedure.
- The Westfield City Council may take action on this item at the March 14, 2011 meeting.

## Review of Amendments

The proposed amendments to the zoning ordinance include: 1) rectifying an inconsistency in how non-conforming uses are addressed in the zoning ordinance; 2) cleaning up the permitted uses in the Residential and Multi-Family Districts; 3) modifying the Temporary Uses and Events ordinance so that events on public property are exempt and that small, limited, three-day tent events are except from needing a permit; 4) modifying the setback requirements for small accessory buildings in subdivisions so they can be located closer to the property line; 5) rectifying a few inconsistencies between the “Use List” and other lists of permitted uses and special exceptions throughout the zoning ordinance; and modifying the subdivision platting requirements so that secondary plat approval is delegated to staff.

The City Council Subcommittee reviewed these amendments, and forwarded them the City Council and the APC with a favorable recommendation.

## Recommendations/Actions

- Community Development Department [February 22, 2011]  
The Westfield Community Development Staff, in its report to the APC, made a recommendation that the APC forward a favorable recommendation to the City Council.
  
- Advisory Plan Commission [February 22, 2011]  
The Westfield-Washington Advisory Plan Commission has forwarded a unanimous favorable recommendation to the City Council (Vote of: 7-0). The Commission’s motion included a modification that accessory structures which are 200 square feet or less (and are located in a recorded subdivision) shall be setback a minimum of 2.5 feet from the rear and side property lines (WC 16.04.100, 2Cii). The original proposal called for this setback to be a minimum of 5 feet.
  
- City Council
  - Introduction: [January 10, 2011]
  - Eligible for Adoption: [March 14, 2011]

Submitted by: Kevin M. Todd, AICP, *Senior Planner*

**WESTFIELD-WASHINGTON ADVISORY PLAN COMMISSION  
CERTIFICATION**

---

The Westfield-Washington Advisory Plan Commission held a public hearing on Monday, February 7, 2011, to consider amendments to the Westfield-Washington Township Zoning Ordinance. Notice of the public hearing was advertised and noticed and presented to the Advisory Plan Commission. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana. The proposal is as follows:

Case No.	1102-ZOA-02
Petitioner	City of Westfield
Description	The Petitioner is requesting amendments to sections WC 16.04.010, Y4b (Preexisting Nonconforming Lots, Structures, and Uses); WC 16.04.150, F (Nonconforming Use Specifications); WC 16.04.030 (Residential Districts); WC 16.04.040 (Multifamily Districts); WC 16.04.095 (Temporary Uses and Events); WC 16.04.100, 2Cii (Accessory Buildings); WC 16.04.180, Figure 2 (Use List); and WC 16.04.220, C Step 2, A (Primary Plat Approval) of the Westfield-Washington Township Zoning Ordinance.

On February 22, 2011, a motion was made and passed to send a unanimous favorable recommendation (7-0) to the City Council to approve 1102-ZOA-02 with the condition that WC 16.04.100, 2Cii be modified so that the minimum side yard and rear yard setback for accessory buildings which are 200 square feet or less and are on a lot that is within a platted subdivision be two and a half (2.5) feet instead of five (5) feet, as proposed.

The above-mentioned proposal and the Advisory Plan Commission's recommendation thereof are hereby certified.



Matthew S. Skelton, Secretary

February 23, 2011

Date