



WESTFIELD-WASHINGTON
BOARD OF ZONING APPEALS

November 13, 2012

1211-VS-13

Exhibit 1

Petition Number: 1211-VS-13

Subject Site Address: 2504 W. 206th Street

Petitioner: Carol D. Daubenspeck

Request: The petitioner is requesting a Variance of Standard from the Westfield-Washington Zoning Ordinance for the property commonly known as 2504 W. 206th Street, Sheridan, Indiana 46069. The request is as follows: (WC § 16.04.100.2.b.vii) to allow the total square footage of accessory buildings to exceed the total square footage of the principal building by 2,179 square feet.

Current Zoning: AG-SF1

Current Land Use: Residential

Approximate Acreage: 5 acres

Exhibits:

1. Staff Report
2. Aerial Location Map
3. Petitioner's Application
4. Site Plan

Staff Reviewer: Sarah L. Reed, Associate Planner

Petition History

This petition will receive a public hearing at the November 13, 2012 Board of Zoning Appeals meeting.



Analysis

The subject property is approximately five (5) acres in size and is located at 2504 W. 206th Street (the "Property"). The Property is zoned Agriculture – Single Family 1 District ("AG-SF1"). The petitioner is requesting a variance of standard to allow a pole structure to be located on the Property for storage purposes. The Petitioner had a 3,272 square foot storage building on a property that is being displaced by the U.S. 31 Major Moves project.

The proposed accessory structure (the "Structure") would have a gross floor area of 2,560 square feet. There is an existing detached garage on the property that is 864 square feet, and an existing attached garage that is 440 square feet. The combined square footage of the existing detached garage, the existing attached garage, and the proposed accessory structure square footage is 3,864 square feet, which exceeds the total square footage of the principal structure (1,685 square feet) by 2,179 square feet.

Per WC § 16.04.100.2.b.vii, accessory structures must be subordinate to the principal structure in height, width, length and bulk.

Procedural

The Board of Zoning Appeals shall approve or deny variances from the development standards (such as height, bulk, or area) of the underlying zoning ordinance. A variance may be approved under Indiana Code 36-7-4-918.5 only upon a determination in writing that:

1. *The approval will not be injurious to the public health, safety, morals, and general welfare of the community:*

Finding: It is unlikely that approving the requested variance would be injurious to the public health, safety, morals, and general welfare of the community. The AG-SF1 zoning district permits storage structures, which are accessory to the permitted residential use. While the total square footage of accessory structure exceeds the primary structure in size, the primary use of the site would remain residential.



2. *The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner:*

Finding: It is unlikely that the use and value of adjacent property will be affected in a substantially adverse manner. The Structure should not have a negative impact on surrounding property owners, as a significant amount of the surrounding property is farm land. Any feedback from adjacent property owners should provide insight regarding the impact on adjacent properties.

3. *The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property.*

Finding: Strictly applying the zoning ordinance would result in the inability to construct the Structure, as proposed. The Structure is intended to be used for storage purposes, and pole buildings are often used for storage within the Agriculture – Single Family 1 District.

Recommendation

If the Board finds that the application of the terms of the zoning ordinance would result in practical difficulties in the use of the Property and adjacent property values will not be affected in a substantially adverse manner, then approve 1211-VS-13 with the following conditions:

- That the approved accessory structure be used for personal storage purposes only.
- No business operations may be conducted in the Structure.