

MINUTES

Westfield-Washington Board of Zoning Appeals

Minutes of the December 12, 2017 BZA Meeting

Presented for approval: January 9, 2018

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The Westfield-Washington Township Board of Zoning Appeals met at 7:00 p.m. on Tuesday, December 12, 2017, at Westfield City Hall.

Members present included Jeannine Fortier, Ken Kingshill, Martin Raines, Dave Schmitz, and Robert Smith.

Also present were Pam Howard Associate Planner; Daine Crabtree, Associate Planner; Caleb Ernest, Associate Planner; and Brian Zaiger, City Attorney.

ROLE CALL

Noted presence of a quorum.

APPROVAL OF MINUTES

Schmitz moved to approve the November 14, 2017 meeting minutes as presented.

Raines seconded, and the motion passed 5-0.

REVIEW OF RULES AND PROCEDURES

Howard reviewed BZA rules and procedures.

ITEMS OF BUSINESS

1712-VU-07

[PUBLIC HEARING]

900 East 169th Street

Presley Property Management Group by Coots, Henke & Wheeler

The Petitioner is requesting a Variance of Use to permit a Very High Intensity Retail Use on 5.85 acres +/- in the OI: Open Industrial District (Article 13.2).

Ernest presented an overview of this requested Variance of Use.

Dave Coots with Coots, Henke & Wheeler, representing the petitioner, gave an overview of this proposed 7600 square foot equipment and tool rental facility to be known as Sunbelt Rentals. He addressed petitioner's compliance with the finding of facts and the conforming uses within the OI: Open Industrial District.

Kingshill asked about types of equipment/vehicles will be stored outside.

Harold Edwards, with Sunbelt, responded that small tools, light to medium construction equipment, lawn and garden items, portable generators, etc. would be stored outside.

Smith asked about tools to be rented.

Edwards stated Sunbelt would rent mainly light tools and lawn equipment, small generators, etc.

Kingshill asked about customer base.

Edwards responded that customers would be mainly homeowners and small to medium contractors

Schmitz asked how this would compare to Allisonville location

Edwards responded that the Allisonville location carries larger pieces of equipment.

Public Hearing opened at 7:11 p.m.

No public comment.

Public Hearing closed at 7:11 p.m.

Kingshill agrees this business is consistent with surrounding area uses.

Schmitz motioned to approve 1712-VU-07 with the staff's two conditions:

- 1) Materials resemble/match existing building.
- 2) No omission of smoke, odors, or noise.

Raines seconded and the Motion passed 5-0.

Raines moved to adopt the Department's recommended findings of facts.

Kingshill seconded and the Motion passed 5-0.

1712-VU-08

[PUBLIC HEARING]

227 Jersey Street

Erin O'Rear

The Petitioner is requesting a Variance of Use to permit a community arts center with a commercial component on 0.24 acres +/- in the MF1: Multi-Family Low Density District (Article 13.2).

Crabtree overviewed the details of these request for a Variance of Use. He pointed out that the Wandering Peacock is a community art center with a small retail component defined as Retail, Low Intensity per the Unified Development Ordinance (UDO) and is a pre-existing local business needing to relocate due to the continued development of the Grand Junction Plaza.

The department has received three written comments of support and those are included in the BZA member packets.

Erin O'Rear, the petitioner, presented an overview of the Wandering Peacock offerings, class times, hours of business, and vision.

Smith asked about age of students.

Erin O’Rear, the petitioner, responded that pottery students start at age eight, other students start at age three, as well as a few teenagers, and other teachers may have toddler classes.

Smith read the three recommended conditions and asked if the petitioner accepts them.

O’Rear stated she understood and accepted the conditions.

Public Hearing for 1712-VU-08 opened at 7:19 p.m.

Teresa Skelton, 547 North Union Street representing Downtown Westfield Association (DWA) and the Grand Junction Task Group (GJTG); stated the petitioner presented to GJTG and they unanimously support this petition and regard her as a valuable part of the community.

Smith asked if there is a parking issue.

Crabtree indicated there is no current problem and parking is available in the Grand Junction area as well as on-street parking.

Howard added that in the downtown (LBH), parking is not typically regulated for business.

Public Hearing for 1712-VU-08 closed at 7:21 p.m.

Kingshill motioned to approve 1712-VU-08 with staff’s three conditions:

- 1) That the approval of this variance shall expire on December 31, 2022.
- 2) That any request to extend the time limit for this variance shall be reviewed and approved by the Board of Zoning Appeals prior to December 31, 2022.
- 3) The use of the Property shall be limited in scope and operation to the Petitioner’s Narrative, attached hereto and incorporated herein as Exhibit 5. Any expansion or substantial alteration to the scope and operation of the Variance of Use, as determined by the Director, shall require approval by the Board of Zoning Appeals.

Schmitz seconded and the Motion passed 5-0.

Schmitz moved to adopt the Department’s recommended findings of facts.

Raines seconded and the Motion passed 5-0.

1609-AA-01
[CONTINUED]

14939 Ditch Road

Indiana Structural Foundations, LLC

The petitioner is appealing an Administrative Determination (1604-AD-02) regarding standards applicable to a concrete business pursuant to a previously approved Variance of Use (79-V-12).

REPORTS/COMMENTS

Plan Commission Liaison Report.

Economic and Community Development Department—no report

Schmitz motioned to adjourn the meeting.

Raines seconded, and the motion passed.

The meeting adjourned at 7:29 p.m.

Chairperson
Robert Smith, Esq.

Secretary
Matthew S. Skelton, Esq., AICP
Director