

MINUTES

Westfield-Washington Board of Zoning Appeals

Minutes of the February 13, 2018 BZA Meeting

Presented for approval: March 13, 2018

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The Westfield-Washington Township Board of Zoning Appeals met at 7:00 p.m. on Tuesday, February 13, 2018, at Westfield City Hall.

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

City staff present: Amanda Rubadue, Associate Planner; Caleb Ernest, Associate Planner; and Brian Zaiger, City Attorney.

ROLE CALL

Noted presence of a quorum.

ELECTION OF OFFICERS

- Chairperson: Continued to next meeting
- Vice-Chairperson: Continued to next meeting
- Pro-Tempore: Continued to next meeting

APPROVAL OF MINUTES

Motion: move to approve the December 12, 2017 meeting minutes as presented.

Motion: Schmitz; Second: Raines. Motion passed. Vote 5-0.

REVIEW OF RULES AND PROCEDURES

Rubadue reviewed BZA rules and procedures.

ITEMS OF BUSINESS

1802-VS-02

[PUBLIC HEARING]

18464 Idlewind Court

Andy & Stephanie Weber by Havencrest Homes

The petitioner is requesting a Variance of Standard to reduce the Minimum Rear Yard Setback to accommodate the installation of a pool on 0.39 acres +/- in the Andover PUD District (Exhibit 7 of Ordinance 03-40).

Ernest presented an overview of this Variance of Standard request to accommodate an in ground pool.

Marcy Lewis of Havencrest Homes, representing the petitioners, gave a presentation and overview of the need for the setback.

Kingshill asked if neighbors had made comments.

Lewis said that a certified letters to all properties within an eighth of a mile, as well as a notice in the front yard. No comments have been received.

Smith asked if the HOA was fine with this plan, if the view of the pool was blocked from the street.

Lewis said the HOA has already approved this plan.

Public Hearing for 1802-VS-02: Opened at 7:12 p.m.

No public comment.

Public Hearing for 1802-VS-02: Closed at 7:13 p.m.

Kingshill asked for confirmation of the setback.

Smith asked if the pool would be fenced in.

Lewis responded that the requirement is a fence or a cover. This pool is set to have a cover.

Motion:

 Kingshill motioned to approve 1802-VS-02.

 Raines seconded. Motion passed. Vote 5-0.

Motion:

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

 Raines seconded. Motion passed. Vote 5-0.

1802-VU-01

[PUBLIC HEARING]

17767 Sun Park Drive

Full Circle Renovation by Century 21 Scheetz

The petitioner is requesting a Variance of Use to allow a Construction Trade Office (Article 12) use within the US Highway 31 Overlay District (Article 13.2).

Rubadue presented a summary of this request for a Variance of Use.

Brian Sanders with Century 21, Scheetz Realty, on behalf of the petitioners, presented an overview of the business and its request.

Kingshill asked about the long term plan for this business on this property in relation to its location in the US 31 Overlay and if the petitioner would be willing to revisit the BZA for variance renewal.

Adam Henderson, business owner, said that he would like to keep and grow his business in the Westfield area.

Sanders said that the petitioner is looking forward to growing the business and would willing to revisit the BZA for variance renewal in accordance with the Comprehensive Plan.

Public Hearing for 1802-VU-0: Opened at 7:37 p.m.

No public comment.

Public Hearing for 1802-VU-01: Closed at 7:37 p.m.

Schmitz asked for clarification about existing zoning and overlay as well asked about changes to be made to the building.

Rubadue addressed the zoning/overlay boundaries.

Petitioners indicated that they would be making cosmetic changes to the exterior and more extensive modifications to the interior.

Fortier asked about the future of the company's Nora location.

Petitioner responded that this is still under consideration; but, most likely will sell it and consolidate in Westfield.

Motion:

Schmitz motioned to approve 1802-VU-01 with staff's three conditions:

1. The Variance of Use shall have an expiration date of December 31, 2023,
2. The Business Owner shall submit a compliant Landscape Plan to be reviewed and approved by the Department no later than December 31, 2018 and installed June 31, 2019,
3. The Business Owner shall submit compliant building elevations to be reviewed and approved by the Department no later than December 31, 2018 and installed June 31, 2019.

Raines seconded. Motion passed. Vote 5-0.

Motion:

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

Raines seconded. Motion passed. Vote 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

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Motion:

Kingshill motioned to adjourn the meeting.
Raines seconded. Motion passed. Vote 5-0.

The meeting adjourned at 7:52 p.m.

Chairperson
Robert Smith, Esq.

Secretary
Matthew S. Skelton, Esq., AICP
Director