

WHITELAND BOARD OF ZONING APPEALS
April 5, 2018

Council members present

Richard Hill, President	<u>X</u>
Byron Temple, Vice President	<u>X</u>
Leslie Beeson, Member	<u>X</u>
Dan Csikos, Member	<u>X</u>
Juanita Emery, Member	<u>X</u>

Other town officials present

Julia Meece, Deputy Clerk Treasurer	<u>X</u>
Joe Csikos, Planning & Zoning Director	<u>X</u>
Stephen Watson, Town Attorney	<u>X</u>
Dan Cartwright, Community Development	<u>X</u>

Call to order:

R. Hill called the meeting to order at 7:00 pm

Pledge to the flag

Roll call

Absent J. Emery (arrived at 7:04 pm, all present)

Determination of Quorum:

Needed Quorum reached

Approval of Minutes:

L. Beeson made a motion to approve the minutes from the October 5, 2017 meeting & March 1, 2018 meeting as is for both. B. Temple seconded the motion.

Passed 3-0-1 (D. Csikos abstained)

Swearing In:

Public hearing sworn in at 7:02 pm

Old business:

- None

New business:

- ***Variance Request 2018-V-02 – Gradison Land Development***
 - J. Csikos presented that the petitioner is requesting for a variance approval for reduction of minimum rear yard setback for Single Family Attached (Doubles) developmental standards from 25 feet to 20 feet, so a 5-foot reduction. The petitioner has stated that the reduction of rear yard setbacks would accommodate a larger (square footage) unit than was proposed previously. The location is generally located +/- 350 South of Whiteland Rd and +/- 1,300 feet East of Centerline Rd of +/- 35.66 Acres. This is currently zoned R3 (Residential) & C2 (Commercial). Staff recommends approval of the petition, based on the findings of fact and staff report, but asks that the board should consider conditioning any approval exempting the lots along the western property line (lots 24-37 & 52) as they abut an established R-1 (residential) development. Setbacks and potential buffer areas along the western line have been a point of discussion in previous meetings.
 - The Petitioner, Mark Gradison of Gradison Land Development, is requesting for a reduction to the 25 ft rear yard setback to 20 ft to allow the home builder to offer another home plan option to home buyers. This plan was just released by Ryan homes at the first of the year and would be approximately 250 additional square footage, making it go deeper into the current lots, resulting in the need for the 5-foot reduction. The home is in the same "style" as presented previously, just slightly larger in size. In response to staff's suggestions to

exclude the homes on the western property line from the reduction approval, petitioner would like to respond that they are open to a discussion of this condition, but would ask for it to not be excluded in the variance request approval.

- Board & Public Hearing Questions (these were answered by Petitioner, J. Csikos, and D. Cartwright (Town staff answered builder questions as able due to the builder not being present at this meeting and Petitioner is not able to answer))-
 - How big is the new home plan being offered?
 - According to the Ryan's home website, the new home option is approximately 1533 sq. feet per side without garage(s), but includes the additional 250 sq. feet
 - Any developments out there currently to compare the new home option to?
 - Not at this time, this option was just released by builder at the first of year
 - What is the 100 masonries being used on the home plans? Any minimum BRICK percentage issued?
 - Veneer or hardy plank will be used for the masonry requirement.
 - 2017-V-01 variance request was passed 3-0 by this BZA board for 100% masonry to be made up of brick, stone, or fiberboard. No minimum amount of Brick to be used given other than the 25% from 2006 rezoning approval.
 - Average Price of the homes? All Doubles or Single-family homes also? Additional homes/lots being added to plans with this variance request?
 - Builder has not yet established prices yet. It will be mixed with Doubles and Single-family homes. No additional homes/lots being added with this request, just the requirement for the current amount of homes/lots on site plan.
 - Target of ages 55+ for buyers?
 - The doubles are targeted to an age specific without children that are wanting smaller yards.
 - 20 ft rear yard size is for the back yard total size?
 - The 20 feet or 25 feet is from the back of the home to the rear property line
 - Not all potential homes will need the variance approval, just wanting to give buyers another option of a larger home. If they should select this option home, then it would need the 20 ft rear yard vs the 25 ft. If variance isn't approved, then this home plan option would not be offered.
 - Only one entrance to subdivision? Is one entrance normal for new subdivisions?
 - There is one entrance on Whiteland Rd and two proposed connection entrances into Millstone Subdivision. The number of entrances is normal for subdivisions and meets the requirements of the Town and satisfies the fire codes at this time.
 - Roundabout scheduled for the future at entrance for subdivision? Turn lane put in?
 - These are all possible for the future, but nothing is in the works at this time.
 - The developments to the east of this property will come at some point in the future to help reduce the stress of traffic that is of concern.
 - Other Public Concerns/Statements
 - Would like to request board to consider the staff recommendation to exclude the lots along the western line
 - Would like for variance request to be denied and keep larger back yard size
 - Concern on brick percentage on the homes
 - Concern on emergency vehicles access in and out during construction in future. Also concern on traffic flows on Whiteland Rd
 - Concern of properties on the north property line being so close to now two subdivisions (this one and Millstone)

- Is this the right board to speak to on the need for additional "buffer" requirements on the north property line as well?
 - J. Csikos stated that this board is able to put a condition of variance approval for buffering on the northern and/or western property lines, if it is applicable to the variance being requested. L. Beeson stated that the board feels it can be applicable to the variance being requested and there could be a need for this condition.
 - It was suggested to allow Town staff to facilitate discussions between builder and neighboring owners to find a solution or to make resolutions at the job site(s) as needed. It was reminded that this area is currently zoned correctly and is Residential/Residential, not Commercial/Residential, so buffering is not a requirement with the current zoning and homes can be built currently at the 25 feet with nothing being required to plant/buffer.
 - After board, public, staff and petitioner discussion, it was found that more outside discussion and resolutions are needed and the Public hearing needs continued another month for these to happen and board to get more information before making a final decision on the variance request.
- R. Hill made a motion to continue Public Hearing request for 2018-V-02 for a reduction to the rear yard setback from 25 feet to 20 feet to the next BZA meeting scheduled for May 3, 2018 @ 7 pm. L. Beeson seconded the motion.

Continued to Next BZA meeting on May 3, 2018 with Passed vote of 5-0

Other business:

- None

R. Hill made a motion to adjourn. L. Beeson seconded. Meeting adjourned at 8:14 pm.

Passed by the Board of Zoning Appeals on this day 3rd of May, 2018

Aye

Leslie Beeson
Leslie Beeson

Dan Csikos
Dan Csikos

Juanita Emery
Juanita Emery

Byron Temple
Byron Temple, Vice President

Richard Hill
Richard Hill, President

Nay

Leslie Beeson

Dan Csikos

Juanita Emery

Byron Temple, Vice President

Richard Hill, President

Attest:

Julia Meece
Julia Meece, Deputy Clerk, Secretary