

WHITELAND BOARD OF ZONING & APPEALS

January 6, 2022

Board Members

Leslie Beeson, President	_____
Dan Csikos, Member	<u> X </u>
Juanita Emery, Member	<u> X </u>
Gary Howard, Member	<u> X </u>
Byron Temple, Vice President	<u> X </u>

Other Town Officials Present

Melissa Fraser, Deputy Clerk (Secretary)	<u> X </u>
Kevin McGinnis, Town Manager	<u> X </u>
Jessie Boshell, Community Development Director	<u> X </u>
Stephen Watson, Town Attorney	<u> X </u>

Call to Order:

B. Temple called the meeting to order at 7:00 pm

Pledge to the Flag

Roll Call & Determination of Quorum:

- Absent – Leslie Beeson
- Quorum requirements reached

Reorganization: Election of Officers

- S. Watson opened up the floor to nominate new officers for president and vice president. This could be done as a slate or one by one.
- G. Howard made a motion to keep the officers the same and confirmed M. Fraser as the board secretary. B. Temple seconded the motion. **Passed 4 to 0**

Approval of Minutes:

- G. Howard made a motion to approve September 2, 2021 minutes as presented. J. Emery seconded the motion. **Passed 4 to 0**

Swearing in for Public Hearing:

- Completed by S. Watson at 7:12 pm

Communications/Reports of Committee:

- NA

Old Business:

- NA

New Business:

- **Case 2021-V-08**
 - Petitioner - Dan and Megan Everett, 600 Tremont Dr Bargersville, IN 46106

- Request a development standards variance to construct a commercial structure on legal lot of record located at 639 E. Main St.
- J. Boshell
 - Location on the southside of Main St and east of Boone St and common address is 639 E Main St and it is zoned B-1. This subject property is legal lot of recorded and platted part of the Walker addition prior to the current zoning standards that were put in place and is approximately .136 acres.
 - The petitioner is seeking development standards variance from Chapter 156.112 Intensity of Use, Chapter 156.114 Yard Specifications to construct a commercial structure of legal lot of record. They are also seeking a variance from Chapter 156.117 Exterior materials to construct building that uses more than just brick, stone or other approved masonry material to enhance the architecture of the building.
 - This lot has never developed and a variance is required to build on the lot as the lot does not meet today's standards making, leading to practical difficulties in the ability to develop the lot.
 - Since the lot size they cannot build without a variance. The proposed building would have a foot print of 2,040 square feet and would meet the 40-foot front setback requirement.
 - The petitioner is seeking a variance not only for lot size, lot width and setbacks. The proposed would have an aggregate of 15 feet, and 7.5 feet on each side. Even with the setback reduction, the proposed building would be 23 feet away from the house to the east.
 - The petitioner is also seeking a variance from Chapter 156.117 Exterior Materials. The petitioner is proposing a classic downtown building that will be 2 stores with a store front and utilizing different building materials to enhance the architecture.
 - The front part of the building being brick and accent masonry material on the bottom with illuminated lighting on the façade. As part of the building, they are seeking to use board and batten on the rear of the building that will house a three-bay garage.
 - Staff is supportive of the proposed building as it fits the character of the area and will enhance the surrounding area.
 - B. Temple opened the Public Meeting at 7:12 pm
 - Dan Everett, 6000 Tremont Dr, Bargersville, IN 46106
 - Mr. Everett summarized previous statements regarding the building with an office space up front and some sort of living space up top of the office and then the back garage that would house construction items and equipment.
 - B. Temple closed the Public Meeting at 7:20 pm
 - S. Watson clarifying the front set back as 23 feet or 40 feet from the road.
 - S. Watson also discussed and pulled up information on the comprehensive plan for East Main Street Road for expansion from the State.
 - G. Howard made a motion to approve the setbacks front and sides. The front setback being even with surrounding structures, 7 ½ feet on each side and the lot size. B. Temple seconded the motion. **Passed 4 – 0**
 - G. Howard made a motion to except Case 21-V-08 architectural front being brick and the sides being brick on first floor. The rest to being batten with 24-inch spacing. D. Csikos seconded the motion. **Passed 4 – 0**
 - S. Watson stated on a condition that architecturally will be consistent with the images the petitioner has provided.
 - Petitioner asked about time line and since this has been approved and J. Boshell said indefinitely.

- J. Boshell stated that he will probably have the petitioner record a letter that states the new concept with the county so we can have that as back up with part of the property record.
- S. Watson stated we need a motion to adopt the staff report for the board as finding and fact for this petition for this case as a reminder statutorily.
- D. Ciskos made a motion to adopt the Staff Report as the board's findings and fact. G. Howard seconded the motion. **Passed 4 - 0**

Other Business:

- NA

Adjournment:

- B. Temple made a motion to adjourn, D. Ciskos seconded. Meeting adjourned at 7:59 pm

Passed by the Board of Zoning and Appeals on this day 7th of April, 2022

Aye

Nay

Dan Ciskos

Dan Ciskos

Juanita Emery
Juanita Emery

Juanita Emery

Gary Howard
Gary Howard

Gary Howard

Byron Temple
Byron Temple, Vice President

Byron Temple, Vice President

Leslie Beeson, President

Leslie Beeson, President

Attest:

Melissa Fraser

Melissa Fraser, Deputy Clerk, Secretary

