

WHITELAND BOARD OF ZONING APPEALS
June 03, 2021

Council members present

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

Other town officials present

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

Call to order:

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

Pledge to the flag

Roll call: L. Beeson & D. Csikos – Absent

Approval of Minutes:

R. Hill made a motion to approve the minutes from the May 6, 2021 meeting. B. Temple seconded the motion.

Passed 3-0, 0 abstained.

Swearing in for public hearing

Old business: None

New business:

- Case 21-V-05 -
- Storage Express – Chris Buck
- Requested: Variance to reduce set back
 - K. McGinnis presented Case 21-V-03
 - Petitioner requesting a reduction the standards to reduce set back line from 100 feet to 72 feet.
 - They are in a R-2 zoning that is where the 100-foot set back comes. No structure should be erected close from 100 feet from the edge of the pavement of any public road or street or closer to than the front of existing buildings at the time of the passage of this section.
 - Reason petitioner is wanting a variance is line up with the north end with Circle K convenience store building to the west and on the southside extend the building south letting it line up with the Burger King restaurant.
 - K. McGinnis showed a picture of the site roughly located at Tracy Rd & US 31 behind the Circle K. The photo is not accurate because it was taken off the Beacon website. The picture was the closet K. McGinnis could get.
 - Circle K gas station is plus or minus 79 feet off of the edge of pavement and the Burger King is plus or minus is 75 feet off the edge of payment.
 - As you can see down the road most of those commercial buildings are the 100-foot set back but what is different in this aspect they have the residential housing in between breaking them up.
 - Across the street on the New Whiteland side of the road they have some storage units and they are about 70 feet off the edge of payment. This is theoretically what they are wanting to do.

- Petitioner will have 6 buildings and a fenced area in the yellow and the red lines are in the north set back with Circle K and setback for Burger King that gives you a conceptual idea what the site could look like and what they are wanting to do.
- Breaking point between the other commercials by virtue of the residential and I am sure Circle K and Burger King are probably older than the other ones. That is why we have a little bit of a variance.
- K. McGinnis showed a close up showing the same thing showing the 100-foot set back and the 77-foot set back.
- K McGinnis going thru the items I am to consider the approval will not be injurious to the public health safety morals or general welfare of the community.
- Staff finding is changing set back line from 100 to 77 feet will not be injurious to the public health safety morals or general welfare of the community because the Circle K and Burger King already have a setback similar to these requested setbacks.
- Number 2 the use and value in the area adjacent to the property included in the variance will not be affected in an adverse manner staff findings because similar setbacks exist in this area.
- Number 3 strict application of the terms of the zoning ordinance - 5:37
Passed 3-0

Other business:

- None

R. Hill made a motion to adjourn to the meeting. B. Temple seconded the motion adjourned at 7:15 pm.

Gary Howard

Gary Howard, ~~President~~
Whiteland Board of Zoning Appeals

Passed by the Board of Zoning Appeals on this day 5th of August, 2021

Aye

Leslie Beeson

Dan Csikos

Juanita C. Emery

Juanita Emery

Byron Temple

Byron Temple, Vice President

Gary Howard

Gary Howard, ~~President~~

Nay

Abstain

Leslie Beeson

Abstain

Dan Csikos

Juanita Emery

Byron Temple, Vice President

Gary Howard, ~~President~~

Attest:

Melissa Innes

Melissa Fraser, Secretary & Deputy Clerk Treasurer