

# WHITELAND BOARD OF ZONING & APPEALS

August 1, 2024

## Board Members

Gary Howard, President	<u>X</u>
Derek Westfall, Vice President	<u>X</u>
Kimberly Blackburn, Member	<u>X</u>
Juanita Emery, Member	<u>X</u>
Byron Temple, Member	<u>X</u>

## Other Town Officials Present

Melissa Fraser, Clerk Treasurer	<u>X</u>
Billy Patrick, Building Commissioner	<u>X</u>
Makayla Rich, Deputy Clerk Treasurer	<u>        </u>
Carmen Young Director of Administration	<u>        </u>
Shaun Young, Director of Operations	<u>        </u>
Stephen Watson, Town Attorney	<u>X</u>

### Call to Order:

- G. Howard called the meeting to order at 7:02 pm

### Pledge to the Flag

### Roll Call & Determination of Quorum:

- Quorum requirements reached.

### Swearing in for Public Hearing:

- Completed by S. Watson at 7:02 pm

### Approval of Minutes:

- G. Howard made a motion to approve the 6-6-24 minutes as presented. B. Temple seconded the motion.  
**PASSED 4-0-1**

### Communications/Reports of Committee:

- NA

### Old Business:

- NA

### New Business:

- **Case 24-V-09 Variance – Variance – Park Forest Subdivision Lot 8 (51 Sara Ct)**
  - B. Patrick discusses details of the staff report.
  - Petitioner: Chris & Gabriele Clark
  - Request: Development standards variance waiver to encroach the side yard setback requirement (156.054) with consideration of installing a Driveway
  - Staff recommend approval of the petition, based on findings of fact.
  - G. Howard asked about phone lines. B. Patrick stated 811 will come out and will have no impact on those. The homeowner knows the driveway will be in easement and will have to be removed if necessary or needed.
  - D. Westfall made a motion to approve 24-V-09 based on findings of fact. G. Howard seconded the motion.  
**PASSED 5-0**
- **Variance – 179 N. State St (Bailey and Wood)**
  - B. Patrick discusses details of the staff report.
  - Petitioner: D Mike Wood
  - Request: Development standards

- variance waiver to use a nonconforming use of exterior material for an Accessory structure (156.146)
- Staff recommends **disapproval** of the petition, based on the above findings of fact.
- The strict application of the zoning ordinance **will** result in practical difficulties in the use of the property due to the cost of the exterior material. Mr. Wood has already agreed to change the metal siding to a board and batten style of metal siding. I would ask that another condition of this request be that either the entirety of the front elevation and/or a minimum 36" wainscot or bottom elevation of lowest window (whichever is less) that faces State St be of masonry material
- B. Patrick stated that what is decided on this variance, will set a precedent for the future.
- S. Watson asked if the roof was metal. B. Patrick stated yes.
- G. Howard asked how big the building is. B. Patrick stated 50x60 and is a storage building only. Also, a 6ft privacy fence would be installed around the perimeter of the building.
- G. Howard asked if the request from the Board could include that the building is used for storage only. B. Patrick stated it might be good to say there were no professional services to be performed in the building.
- S. Watson asked about zoning. Beacon shows R3. B. Patrick stated the zoning change to C2 was approved at February's Plan Commission Meeting and approved by the Town Council.
- G. Howard closed the public hearing.
- G. Howard made a motion to approve 24-V-10 based on findings of fact from petitioner with condition of 36in Wainscot on westside of building and no sales of goods or services out of this building and visual exterior appearance match other buildings. B. Temple seconded the motion.

**PASSED 5-0**

**Other Business:**


- NA

**Adjournment:**

- G. Howard makes motion to adjourn meeting at 8:44pm


Passed by the Board of Zoning and Appeals on this day \_\_\_\_\_ of \_\_\_\_\_, 2024


Aye

  
 \_\_\_\_\_  
 Kimberly Blackburn

  
 \_\_\_\_\_  
 Gary Howard, President

  
 \_\_\_\_\_  
 Byron Temple, Vice President

  
 \_\_\_\_\_  
 Derek Westfall

  
 \_\_\_\_\_  
 Juanita Emery

Nay

\_\_\_\_\_  
 Kimberly Blackburn

\_\_\_\_\_  
 Gary Howard, President

\_\_\_\_\_  
 Byron Temple, Vice President

\_\_\_\_\_  
 Derek Westfall

\_\_\_\_\_  
 Juanita Emery

Attest:

\_\_\_\_\_  
 Melissa Fraser, Clerk Treasurer