

## STAFF REPORT

CASE NUMBER: 16 – V – 01  
CASE NAME: DAVID STEPHENS – DEVELOPMENT STANDARDS VARIANCE

### PROPERTY DESCRIPTION:

The property is located at 520 Meadowlark Court in Whiteland, Indiana.

Improvements to the property that is planned is a newly constructed 11' x 24' garage addition, for storage of a vehicle, on the west side of the dwelling.

The dwelling sits on approximately 0.275 acres and is zoned R-2. (single family residence).

### VARIANCE REQUEST:

To legally establish a garage addition on the west side of the home to store a vintage car. The addition will be constructed to match the house so it will not look like it has been added on.

### CASE HISTORY & DESCRIPTION

The petitioner has lived in this home for several years. They maintain their yard and landscaping very well. The proposed addition is planned for the west side instead of the east side because all of the utilities and sidewalk is on the east side. The roof lines on the east side also makes adding a garage difficult. On the east side there are no obstructions.

The R-2 Zoning regulations require a minimum of 12 feet set back from the side property line. The proposed garage addition would be 6 feet from the side property line.

### STAFF ANALYSIS OF FINDING OF FACTS –DEVELOPMENT STANDARD VARIANCE:

STATE REQUIREMENT: THE APPROVAL WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY.

Staff Analysis: The proposed addition would require a new driveway, thus making two driveways for the dwelling. All dwellings on the street only have one driveway. The new driveway would be located approximately 20'-9" from the adjacent dwelling to the west and would be 29'-6" from the existing driveway at the dwelling added onto. The new driveway would require the elimination of a very nice landscaped tree and plantings.

The proposed garage would be approximately 17'-9" from the neighbor's home. The neighbor has gas & electric meters on this side of his house and there is a 7.5 foot drainage utility easement which will be encroached on. The garage addition also will partially be in a drainage swale that would require some grade work to not affect drainage. Petitioner has agreed to lower the floor level of the garage in order to eliminate some of this concern.

STATE REQUIREMENT: THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER.

Staff Analysis: The proposed garage addition will not significantly deviate from the character of other homes in the area.

STATE REQUIREMENT: THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE WILL RESULT IN PRACTICAL DIFFICULTIES IN THE USE OF THE PROPERTY:

Staff Analysis: The petitioner is in need of the garage to keep from having a vintage car parked in his driveway without cover and unsecured. Due to the side yard set-back requirement an approval of a variance is required before obtaining building permits to construct.

#### STAFF RECOMMENDATION

Staff recommends approval, subject to substantial compliance with the Town of Whiteland Building Codes and incorporation of the following petition amendments detailed and described below:

1. The petitioner will verify approval from all utility companies to encroach on the drainage and utility easement.
2. The petitioner will maintain the drainage swale and will submit plan to the Building Commissioner for approval

#### GENERAL INFORMATION

Applicant: David Stephens  
520 Meadowlark Court  
Whiteland, Indiana 46184

Owner: Same

Zoning: R-2

Land Use: Residential