



# Meeting - Cancelled

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*Whitestown Board of Zoning Appeals*

**Date:** January 14, 2013

**Time:** 6:30pm

**Location:** Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557

**Members:** L.J. Jernstadt, Randy Clements, Matthew Doublestein, Greg Semmler, Jim Cunningham

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**Due to a lack of agenda items, the WBZA meeting for January has been cancelled.**



# Meeting - Cancelled

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*Whitestown Board of Zoning Appeals*

**Date:** February 11, 2013

**Time:** 6:30pm

**Location:** Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557

**Members:** Greg Semmler, Randy Clements, Matthew Doublestein, Jim Cunningham

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**Due to a lack of agenda items, the WBZA meeting for February has been cancelled.**



# Meeting - Cancelled

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*Whitestown Board of Zoning Appeals*

**Date:** March 11, 2013

**Time:** 6:30pm

**Location:** Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557

**Members:** Greg Semmler, Randy Clements, Matthew Doublestein, Jim Cunningham

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**Due to a lack of agenda items, the WBZA meeting for February has been cancelled.**



# Meeting - Cancelled

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*Whitestown Board of Zoning Appeals*

**Date:** April 8, 2013

**Time:** 6:30pm

**Location:** Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557

**Members:** Greg Semmler, Randy Clements, Matthew Doublestein, Jim Cunningham

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**Due to a lack of agenda items, the WBZA meeting for April has been cancelled.**



# Meeting - Cancelled

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*Whitestown Board of Zoning Appeals*

**Date:** May 13, 2013

**Time:** 6:30pm

**Location:** Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557

**Members:** Greg Semmler, Randy Clements, Matthew Doublestein, Jim Cunningham

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**Due to a lack of agenda items, the WBZA meeting for May has been cancelled.**



# Meeting - Cancelled

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*Whitestown Board of Zoning Appeals*

**Date:** June 10, 2013

**Time:** 6:30pm

**Location:** Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557

**Members:** Greg Semmler, Randy Clements, Matthew Doublestein, Jim Cunningham

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**Due to a lack of agenda items, the WBZA meeting for June has been cancelled.**



# Meeting Minutes

Whitestown BZA

**Date:** July 8, 2013

**Time:** 6:30pm

**Location:** Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557

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## Call to Order

6:30pm

## Pledge of Allegiance

## Roll Call

- Greg Semmler, Chairman
- Matthew Doublestein, Vice-chair
- Randy Clements (absent)
- Jim Cunningham
  
- Staff:
  - Deborah Luzier, Town Planner, GRW
  - John Molitor, PC/BZA Attorney

## Election of 2013 Officers

- Chairman
  - Semmler – I am willing to serve as Chairman again and will therefore nominate myself.

*Motion by Semmler to serve as Chairman. Second by Doublestein. Motion passes unanimously.*

- Vice-Chairman
  - Doublestein – I am willing to serve as Vice-chair again and will nominate myself.

*Motion by Doublestein to serve as Vice-chairman. Second by Semmler. Motion passes unanimously.*

## Agenda

1) July 8, 2013

*Motion to approve agenda by Semmler. Second by Doublestein. Motion passes unanimously.*

## Minutes

2) September 10, 2012

*Motion to approve minutes by Doublestein. Second by Cunningham. Motion passes unanimously*

## New Business – Public Hearing

- 3) **Docket BZA13-001-DV - Dimensional Variance - Maple Grove driveways.** The petitioner is requesting approval of a Dimensional Variance for the purpose of reducing the driveway setback from the right-of-way intersection for corner lots from 75 feet down to 52 feet. The request affects seven corner lots in Maple Grove, Section 1, which is located south east of 700 E and Whitestown Parkway. The property is zoned R-3 Residential and is platted for residential development. The petitioner/owner is M/I Homes.

***Petition requires a waiver to the Rules of Procedure because they did not meet the May 30<sup>th</sup> filing deadline. (Article 8, Section 2.a)***

*Motion to grant waiver by Semmler. Second by Doublestein. Motion passes unanimously.*

1. Presentation – Mike Andreoli, council for M/I Homes. We met the notice requirements and everything has been completed with Staff. The first section of Maple Grove has been platted and the second section is coming before you next month. The developer was not aware of the 75-foot requirement, so this was not taken into consideration when designing the subdivision. The R-3 lots are small, so in order to accommodate the homes, it is difficult to meet the 75-foot driveway requirement. We requested a variance to 52 feet, which will accommodate all of the lots. Four of the lots already have restrictions that limit the location of the driveways to only one street. The requested variance will not negatively affect the quality of the development. Demand for this subdivision has been high because of the location and quality of the product.
2. Staff Report – Luzier
3. Public Discussion – none.
4. BZA Discussion -
  - a. Doublestein – the blue area in the Staff Report image shows where the driveway should NOT be located.
  - b. Luzier – that is correct
  - c. Andreoli – we have products that will fit on the lots without the variance, but we would like to be able to have larger homes that are in demand for the community.
  - d. Semmler – what about Section 2?
  - e. Andreoli – they are looking at that now, but they haven’t decided if they will be seeking a variance yet.
  - f. Semmler – the 75-foot requirement is in place for safety reasons and it should be met as often as it can be.
  - g. Cunningham – and can you confirm that the speed limit is 25mph?
  - h. Andreoli – that is what the speed limit signs indicate.

***Motion to approve variance with conditions by Semmler. Second by Doublestein. Motion passes unanimously.***

1. *The plat shall be administratively amended to show a 52-foot “no driveway access” line along the frontage of the affected lots. Said line should be measured from the intersection of the rights-of-way bordering each lot.*
2. *There shall be no driveway access along Maple Grove Blvd (lots 9 and 10) or the connecting street between Maple Grove and Blackstone (Lots 31 and 32).*

## Announcements

### Adjournment

7:00pm

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Greg Semmler, President

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Deborah Luzier, Secretary



# Meeting - Cancelled

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*Whitestown Board of Zoning Appeals*

**Date:** August 12, 2013

**Time:** 6:30pm

**Location:** Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557

**Members:** Greg Semmler, Randy Clements, Matthew Doublestein, Jim Cunningham

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**Due to a lack of agenda items, the WBZA meeting for August has been cancelled.**



# Meeting - Cancelled

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*Whitestown Board of Zoning Appeals*

**Date:** September 9, 2013

**Time:** 6:30pm

**Location:** Whitestown Town Hall, 6320 S Cozy Lane, Whitestown, IN 46075, 317-769-6557

**Members:** Greg Semmler, Randy Clements, Matthew Doublestein, Jim Cunningham

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**Due to a lack of agenda items, the WBZA meeting for September has been cancelled.**



# Meeting Minutes

Whitestown BZA

**Date:** October 14, 2013

**Time:** 6:30pm

**Location:** Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557

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## Call to Order

6:30pm

## Pledge of Allegiance

## Roll Call

- Greg Semmler, Chairman
- Matthew Doublestein, Vice-chair
- Randy Clements
- Jim Cunningham (absent)
  
- Staff:
  - o Deborah Luzier, Town Planner, GRW
  - o John Molitor, PC/BZA Attorney

## Agenda

1) October 14, 2013

*Motion to approve agenda by Semmler. Second by Doublestein. Motion passes unanimously.*

## Minutes

2) July 8, 2013

*Motion to approve minutes by Doublestein. Second by Clements. Motion passes unanimously*

## New Business – Public Hearing

3) **Docket BZA13-002-DV - Dimensional Variance - Parking spaces at Watermark Stonegate**

**Apartments.** The petitioner is requesting approval of a Dimensional Variance for the purpose of reducing the required parking from 2 spaces per unit to 1.5 spaces per unit. The subject property contains 20 acres and is located southwest of the intersection of Whitestown Pky and Maple Grove Blvd, in the Maple Grove Commercial subdivision, Lot 1. The property is zoned both GB-General Business and MF-Multi-family. The petitioner is Watermark Residential and the owner is Diversified Property Group, LLC.

1. Presentation –

- i) Jerry Kittle, Innovative Engineering and Diversified Property Group – describes site and request. Reduction is based on the anticipated demographics of the developer's other

- developments and the amount of parking anticipated. The development contains 1, 2, and 3 bedroom apartments, so parking needs will vary.
- ii) Matt Griffin, Watermark Residential – we do multi-family developments and provide a high-end product. It resembles a condominium project with individual entries and private garages for many of the units. Unit sizes range from 700-1,400sqft. The development has clubhouse, pool, dog park, pathways, etc. We prefer less hardscape and more open space instead of more parking. If more parking is needed, we could utilize on-site open space, but we would rather not do that.
2. Staff Report - Luzier
  3. Public Discussion
    - i) Sheryl Bilson, Royal Run resident – will the maintenance fees for the greenspace be passed on to the residents?
    - ii) Griffin – irrigation will be managed by the developer and will be metered back to the resident.
    - iii) Bilson – are you aware of the rates?
    - iv) Griffin – we are working with the utility office for rate calculations.
    - v) L.J. Jernstadt – I disagree that increased greenspace improves drainage. I disagree with the request for a reduction in parking. I don't believe that a dog park is allowed in this area and shouldn't be counted as an amenity. Taxes for this development will not benefit the town.
  4. Rebuttal
    - i) Griffin – the apartments are market rate and we do not preclude anyone from living here. Our residents will have pets, so we provide the dog park as an accessory amenity.
  5. BZA Discussion
    - i) Doublestein – can staff address the dog park being permitted?
    - ii) Luzier – Parks are permitted in all districts. The ZO does not mention dog parks one way or the other.
    - iii) Doublestein – where would additional parking be provided?
    - iv) Griffin – describes various open spaces and space along the proposed streets that could be converted to parking. We feel that we do not need the additional parking.
    - v) Doublestein – what would be the process to expand the parking?
    - vi) Luzier – they would simply request to expand their parking. Staff would have them touch base with the Surveyor's office to ensure that drainage is still designed properly for the additional pavement.
    - vii) Doublestein – What if we find out later that parking needs to be expanded? Can the town request the additional spaces be paved?
    - viii) Luzier – yes.
  6. Public Discussion
    - i) Jernstadt – I have not heard how giving them a variance would prove to be injurious to the petitioner. I think that this is too early to be requesting a variance.
    - ii) Doublestein – if I put extra parking in, I wouldn't want to tear it up later. It's easier to do it the other way around.

- iii) Semmler – there’s also the cost of installing extra parking spaces. Existing complexes met the ordinance requirements, but there are also empty spaces there. They did their own studies to show how much parking they need.
- iv) Griffin – we are eliminating 130 spaces. We want the development to feel like a quiet, green, campus that people can feel at home in.
- v) Cunningham – it’s not hard to expand parking if it is found to be needed in the future.
- vi) Griffin – on the proposed site plan, we didn’t count driveways in front of the garages, so there is a built-in mechanism for overflow. The ordinance does not let you count driveways towards the parking requirements, though. If it did count, you could add almost 196 spaces that way for overflow.
- vii) Doublestein – we should re-visit the development in the future to ensure that parking is adequate. Can we make this temporary until we know it’s adequate?
- viii) Griffin – we are agreeable.
- ix) Doublestein – we need a mechanism in place to ensure that the proposed parking is sufficient.

*Motion to approve the variance for a period of two years with condition by Doublestein. Second by Semmler. Motion passes unanimously.*

*CONDITION: Staff provides parking report to ensure that adequate parking is being provided. The variance will be reconsidered by the BZA at that time.*

## Announcements

- 4) **2014 Calendar.** The Board to review and consider the proposed 2014 meeting calendar.

*Motion to approve the 2014 Calendar by Semmler. Second by Cunningham. Motion passes unanimously.*

## Announcements

## Adjournment

7:09pm

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Greg Semmler, President

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Deborah Luzier, Secretary



# Meeting - Cancelled

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*Whitestown Board of Zoning Appeals*

**Date:** November 11, 2013

**Time:** 6:30pm

**Location:** Whitestown Town Hall, 6320 S Cozy Lane, Whitestown, IN 46075, 317-769-6557

**Members:** Greg Semmler, Randy Clements, Matthew Doublestein, Jim Cunningham

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**Due to a lack of agenda items, the WBZA meeting for November has been cancelled.**



# Meeting - Cancelled

*Whitestown Board of Zoning Appeals*

**Date:** December 9, 2013

**Time:** 6:30pm

**Location:** Whitestown Town Hall, 6320 S Cozy Lane, Whitestown, IN 46075, 317-769-6557

**Members:** Greg Semmler, Randy Clements, Matthew Doublestein, Jim Cunningham

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**Due to a lack of agenda items, the WBZA meeting for December has been cancelled.**