



# Meeting Minutes

Whitestown BZA

**Date:** April 14, 2014

**Time:** 6:30pm

**Location:** Boone Meadow Elementary School, 5555 S Main St, Whitestown, IN 46075

## Call to Order:

6:47pm

## Pledge of Allegiance

## Roll Call

- Greg Semmler, Chairman
- Matthew Doublestein, Vice-chair
- Kyle Weathers
- Mike Roberts
- Jim Cunningham
  
- Staff:
  - o Deborah Luzier, Town Planner, GRW
  - o John Molitor, PC/BZA Attorney

## Agenda

### 1. April 14, 2014

#### a. Comments

- i. Semmler – I suggest that we rearrange the agenda and put new business in front of old business.

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

## Minutes

### 2. March 10, 2014

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

## New Business – Public Hearing

- ### 3. Docket BZA14-002-DV - Dimensional Variance - Valenti Held HQ.
- The petitioner is requesting approval of a Dimensional Variance for the purpose of allowing an unpaved parking lot. The subject property contains 3 acres and is located at 3961 Perry Blvd and also known as Lot 20 of Perry Industrial Park II. The property is zoned I-2. The petitioner is JRV Investment Group, LLC and the owner is Valenti Held Real Estate Group.

- a. Presentation – Nathan White, Innovative Engineering. Requesting a variance for an unpaved storage lot behind the building. Paving would not be appropriate for the storage yard because moving the heavy

equipment would damage any pavement placed in this area. The variance only applies to the rear storage yard and we would fence the area. All of the public parking at the front of the building will be paved as required by the ordinance.

- b. Staff Recommendation – Luzier
- c. Public Comment – none.
- d. BZA Discussion
  - i. Doublestein – the intent is to surface the lot as described in the staff report?
  - ii. White – yes.
  - iii. Cunningham – is this for equipment like dozers and such?
  - iv. White – yes.
  - v. Semmler – does this back up to the Calumet business?
  - vi. White – no.

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

*Conditions:*

- 1. The variance would only apply to the area behind the building where heavy equipment is stored.*
- 2. A 6' tall chain link fence with vision slats will be installed around the unpaved area.*
- 3. The unpaved area will be surfaced with an 8" system of crushed limestone and/or recycled asphalt.*

## Old Business – Public Hearing

4. **Docket BZA14-001-DV - Dimensional Variance - Harvest Park.** The petitioner is requesting approval of four Dimensional Variances for the purpose of: 1) decreasing the minimum ground floor area of homes, 2) decreasing minimum lot width, 3) decreasing minimum lot area, and 4) decreasing minimum side yard setback. The subject property contains 108 acres and is located 4947 S Main St, at the northeast corner of S Main St and 500 S, for the proposed Harvest Park subdivision. The property is in the process of being rezoned from R1 to R3. The petitioner is Pulte Group and the owner is Harrison and Jack Eiteljorg.
- a. Staff Recommendation – Luzier
  - b. Presentation
    - i. Tim Ochs, attorney for petitioner. We are in agreement with Staff's recommendations and respective conditions for the four variances. I would also like to include any information that was presented/submitted at the initial public hearing on March 10, 2014. The rezoning request was certified to the Town Council with a favorable recommendation with conditions. I know that it can be confusing with the various requests that are before the BZA, WPC, and Town Council. We are willing to make any decision by the BZA contingent on the approval of rezoning by the Town Council. Introduce Dave Compton and Ashley Bedell with Pulte Homes who are also here to present information about the development.
    - ii. David Compton – We appreciate the staff for their work in this process as well as the feedback from the neighbors. <PowerPoint> Describes concept plan. 75% of lots are either large corner lots or are adjacent to common area. There is a common area and buffers along S Main St and 700 E. Describes parks. Park impact fees would total more than \$280,000 for the development. Describes elevations and architecture of the homes proposed. A three-car garage would be an option available in this development. We originally requested 6 variances, but have withdrawn 2 and thereby reducing the number of variances down to 4.

- x. Steve Kesler – at previous meetings, Pulte said that the market would dictate the lot sizes and homes. How will the concept plan flex to accommodate the market?
  - xi. Compton – the commitments would still run with the development, regardless of what the market dictates. We would cap the number of lots, the distribution of lot sizes, and the distribution of lot widths. The concept plan shows what we are proposing for lot size and width distribution (PowerPoint slide). This will be solidified at the subdivision process for each section.
  - xii. Jernstadt – is Pulte going to be the sole builder?
  - xiii. Compton – Pulte owns Centex, but this project is proposed to be a Pulte flag community.
- d. BZA Discussion
- i. Cunningham – I have a concern about the home separation with regard to fire fighting. I would like the Whitestown Fire Chief.
  - ii. Josh Westrich – the requested reduction (6 foot aggregate) would not make a difference in fighting a fire.

*Motion by Roberts to approve the variances with the conditions recommended by staff as well as being contingent upon rezoning approval by the Town Council. Second by Doublestein.*

*Conditions:*

1. *VARIANCE #1: Reduce the minimum ground floor area of multi-story homes from 900sqft down to 850sqft with the following condition:*
    - a. *Two-story homes will have an overall area of no less than 1,740sqft.*
    - b. *Basements shall not be included in this calculation.*
  2. *VARIANCE #2: Reduce the minimum lot width from 60 feet down to 54 feet with the following conditions:*
    - a. *No more than 34% of the lots will be less than 60-feet wide, so long as none are below 54-feet wide.*
    - b. *At least 62% of the lots will be a minimum of 64-feet wide.*
    - c. *The remaining lots will range in size between 60-64 feet wide.*
    - d. *The maximum number of lots in the development will not exceed 295.*
  3. *VARIANCE #4: Reduce the minimum lot size from 9,000sqft down to 6,750sqft.*
    - a. *No more than 80% of the lots will be between 6,750-8,999sqft in area.*
    - b. *At least 20% of the lots will meet or exceed the minimum area of 9,000sqft.*
    - c. *At least 75% of the lots will touch Common Area or be corner lots*
    - d. *The maximum number of lots in the development will not exceed 295.*
  4. *VARIANCE #5: Reduce the minimum side yard setback from 10 feet down to 7 feet with the following conditions:*
    - a. *The aggregate home separation will be at least 14 feet for all lots. (Regardless of setback, homes will be at least 14 feet apart)*
    - b. *The maximum number of lots in the development will not exceed 295.*
- i. Molitor – note that in the Staff Report findings for Variance #4 (item 1, bullet 1) the wording “...or general welfare” needs to be changed to “...and general welfare.”

*Roberts and Doublestein consent to the change in the Staff Report.*

*Motion passes unanimously.*

## **Announcements**

Luzier – the next BZA meeting will be Thursday, May 1<sup>st</sup> at 6:30pm here at Boone Meadow Elementary School.

**Adjournment**

7:38pm



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Greg Semmler, President



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Deborah Luzier, Secretary

# WHITESTOWN



INDIANA

## BZA MEETING - PUBLIC COMMENT/REQUEST TO SPEAK

The Whitestown BZA welcomes your comments. Please complete this form and hand it to the secretary. The BZA President will call on you to speak during all public hearings appearing on the agenda.

When speaking, please approach the microphone at the podium and state your name, address, and city/town in which you reside. Address your comments to the BZA as a whole.

*Note: This form is subject to public disclosure and provides necessary information for preparation of the permanent record of the meeting. If a follow-up is requested, and address is necessary for the purpose of receiving communication from the Town.*

Name: <i>David Grayson</i>	Date: <i>4/14/24</i>
Address (optional): <i>1621 S 500 EAST</i>	City: <i>Whitestown</i>
Agenda Item: <i>Harvest Park</i>	
Comments:	
<input type="checkbox"/> Check if you want to be notified if a judicial review is filed.	

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Name: JIM SYLVESTER / CALWEST CIV. I CONTRACTORS	Date: 4-14-14
Address (optional): 4898 FIELD ST	City: WHITESTOWN
Agenda Item: PULTE - HARVEST PARK	
Comments:	
<input type="checkbox"/> Check if you want to be notified if a judicial review is filed.	

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Name: <i>BILL FLANARY</i>	Date: <i>4-14-14</i>
Address (optional):	City:
Agenda Item: <i>PULTE</i>	
Comments:	
<input type="checkbox"/> Check if you want to be notified if a judicial review is filed.	

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Name: <b>LI JERNSTADT</b>	Date: <b>4/14/2014</b>
Address (optional): <b>601 E PIERCES</b>	City: <b>WT</b>
Agenda Item: <b>Pulte</b>	
Comments:	
<input type="checkbox"/> Check if you want to be notified if a judicial review is filed.	

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Name: Elise Durell	Date: April 14 2014
Address (optional): 6702 E. 525 S.	City: Whitestown
Agenda Item: Docket BZA 14-001-DV	
Comments:	
<input type="checkbox"/> Check if you want to be notified if a judicial review is filed.	

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Name: BRAD KALLMYER	Date: 4/14/14
Address (optional): 5053 S. main	City: Whitestown
Agenda Item: Variances Pulte	
Comments:	
<input type="checkbox"/> Check if you want to be notified if a judicial review is filed.	

# Whiteston PC BZA Meeting

Date: 4/14/14

Meeting Attendance Sign-in Sheet (please print)

Name		Address		Notify if judicial review is filed?  ✓
1	ALLEN VALENTI	755 W. CARMEL DR. CARMEL, IN 46032		
2	Jim SYLVESTER - Columbus	4898 Firesome Dr WHITESTOWN IN 46075		
3	David Gardner	Matt Ruessner		
4	Scott Dompke	GRW		
5	Michael Jansan	Valenti-Held 755 W. Carmel Dr Suite 207 Carmel, IN 46032		
6	Jim Cunningham	BZA member		
7	Brandon Burke	151 N Delaware St Suite 800 Indianapolis IN 46204		
8	Elise Durrell	6702 E. 525 South Whitestown IN 46075		
9	Bob Stone	9110 E 600 S Zionsville, IN 46077		
10	Elizabeth Stone	" "		

# Whiteston PC BZA Meeting

Date: \_\_\_\_\_

Meeting Attendance Sign-in Sheet (please print)

	Name	Address	Notify if judicial review is filed? ✓
1	STEVE KECER	6796 E 525 S Whitestown	
2	Brad + Penny Kallmyer	5053 S. Main ST Whitestown IN	
3	RICHARD MOFF	6754 E 526 S Whitestown IN	
4	LJ JERNSTADT	601 E PIERCE ST WHITESTOWN, IN	
5	Eva Gmbler	535 Nuthatch Tr Zionsville, IN 46077	
6	BILL FLANNERY	6504 COLEBROOK INDPLS, IN 46220	
7	Joe Hutcherson	26099 Schuller Road ARCADIA, IN 46030	
8	David Caplan	11590 N. Meridian #530 Carmel	
9			
10			