



# Meeting Minutes

Whitestown BZA

**Date:** September 1, 2022

**Time:** 6:30pm

**Location:** Whitestown Municipal Complex, 6210 Veterans Drive Whitestown, IN 46075, (317) 769-6557

## Call to Order:

6:42pm

## Pledge of Allegiance

## Roll Call

- ☒ Mark Pascarella
- ☒ Phillip Snoeberger - **Absent**
- ☒ Ken Kingshill
- ☒ Coady Adams
- ☒ Andrew McGee
  
- ☒ Staff:
  - o Desire Irakoze, Planning Staff
  - o Jonathan Hughes, WPC/WBZA Attorney

## Approve Agenda

*Motion to approve the agenda by Kingshill. Second by Adams. Motion passes 4-0.*

*Motion to approve the 08/04/22 meeting minutes by Kingshill. Second by Adams. Motion passes 4-0.*

## Public Comment for Items Not on the Agenda-**none**

## Presentations- **none**

## Unfinished Business-

- a. **BZA22-002-VA Whitelick Creek Loading Berths**
  - i. **Bryan Sheward** – Kimley-Horn – Went over site location with an aerial map, zoning around site and rezone in progress to I-1. Seeking loading docks to face 475. Noted that Becknell previously sought same variance. Due to thoroughfare plan and new roads and round about coming in, we will have two front yards and understand that docks can not face the right of way, but we will have no choice.
  - ii. **Desire Irakoze** – Staff Report - Staff is providing a favorable recommendation for the Whitelick Creek Building 1 loading berths Variance docket BZA22-BZA22-010-VA.
    - a. Staff's recommendation to the Board of Zoning Appeals finds the variance complies with the following requirements in accordance with UDO Section 11.14 F. 2. And is consistent with Indiana Code IC36-7-4-918.5 and approval be granted upon:
    - b. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because:

***Approval of the variance will not be injurious to the public health, safety, morals, and the general welfare because loading berths are commonly found throughout existing and future industrial developments. The future use of CR 475 E will be predominantly industrial nature given the proposed developments.***

- c. The use or value of the area adjacent to the property included in the variances will not be affected in a substantially adverse manner because:  
***The use or value of the surrounding area to the property will not be negatively affected if the variance is approved because the surrounding area has industrial uses that have loading berths facing CR 475. Granting the variance would allow for uniformity among the industrial uses on CR 475. Loading berths facing CR 475 E is preferable to facing to the south where residential uses are presently located.***
- d. The strict application of the terms of the Ordinance will result in practical difficulties as applied to the property for which the variance is sought because:  
***The strict application of the ordinance does not take into account the topographical features such as floodplains, wetlands, and other site-specific conditions located on the subject property. The site is limited because there is a floodplain located on the east side. The property also has two public roads in CR 475 on the east side and Road A to the south. This limits the orientation the building may face to meet the terms of the Ordinance.***

- iii. **Ken Kingshill** – Asked about rezone and residential houses going away.
- iv. **Bryan Sheward** – No but the offices will face the South.
- v. **Jon Hughes** – with the residences to the South he would be in favor of them not facing South. But now that they aren't there, why should it still be favorable?
- vi. **Bryan Sheward** – We will have building as shown. We will still be facing the public right of way even if we spun the building. Spoke of infrastructure to town coming along with this project.
- vii. **Ken Kingshill** – Traffic on 475 will serve industrial sites?
- viii. **Bryan Sheward** – Aligns 475 with all projects in area that are industrial. They are following thoroughfare plan and will have business and light industrial traffic.
- ix. **Ken Kingshill** – What is 475 classified as on thoroughfare plan?
- x. **Bryan Sheward** – It is a major collector coming from the Regan, working with Danny.

***Motion to approve including staff findings and facts by Kingshill. Second by Adams. Motion passes 4-0.***

## **New Business – Public Hearing**

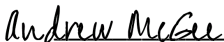
### **Announcements**

### **Adjournment**

6:58 pm

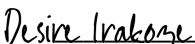
***Unanimous vote to adjourn.***

DocuSigned by:



11F04111 Andrew McGee, President

DocuSigned by:



11072414 Desire Irakoze, Planning Staff