

# Town of Whitestown Board of Zoning Appeals



Meeting Date: May 2<sup>nd</sup>, 2024

(317) 769-6557

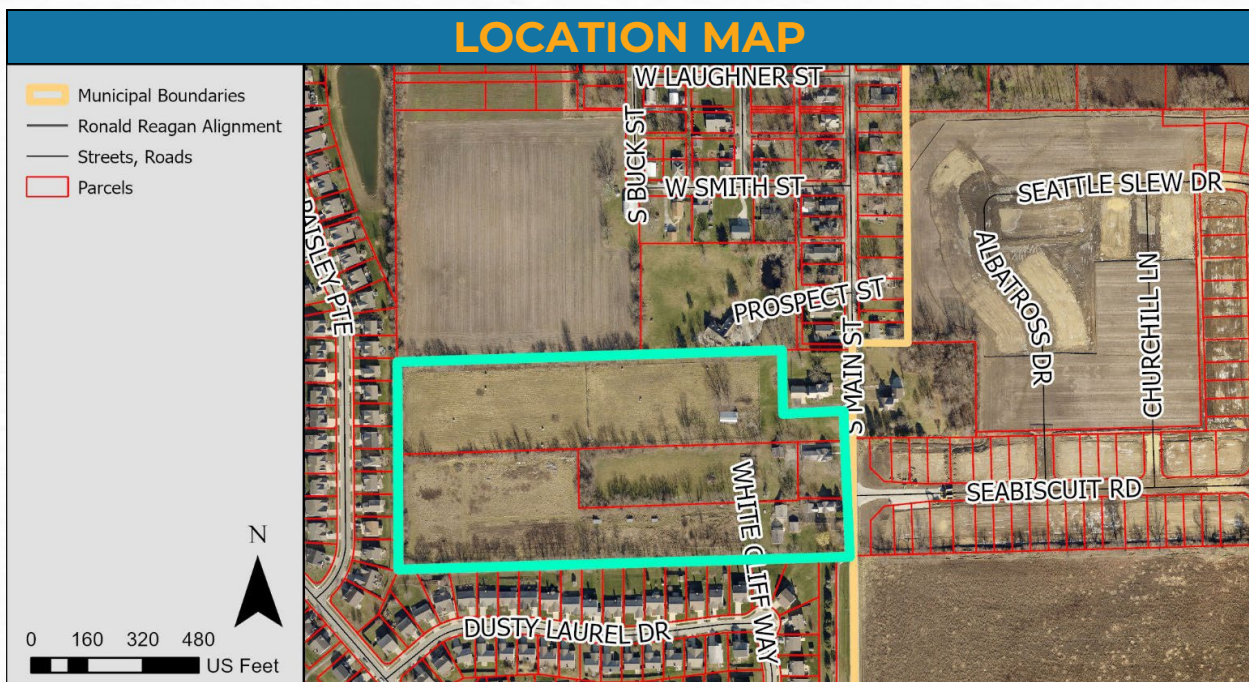
6210 Veterans Drive

Whitestown, IN 46075

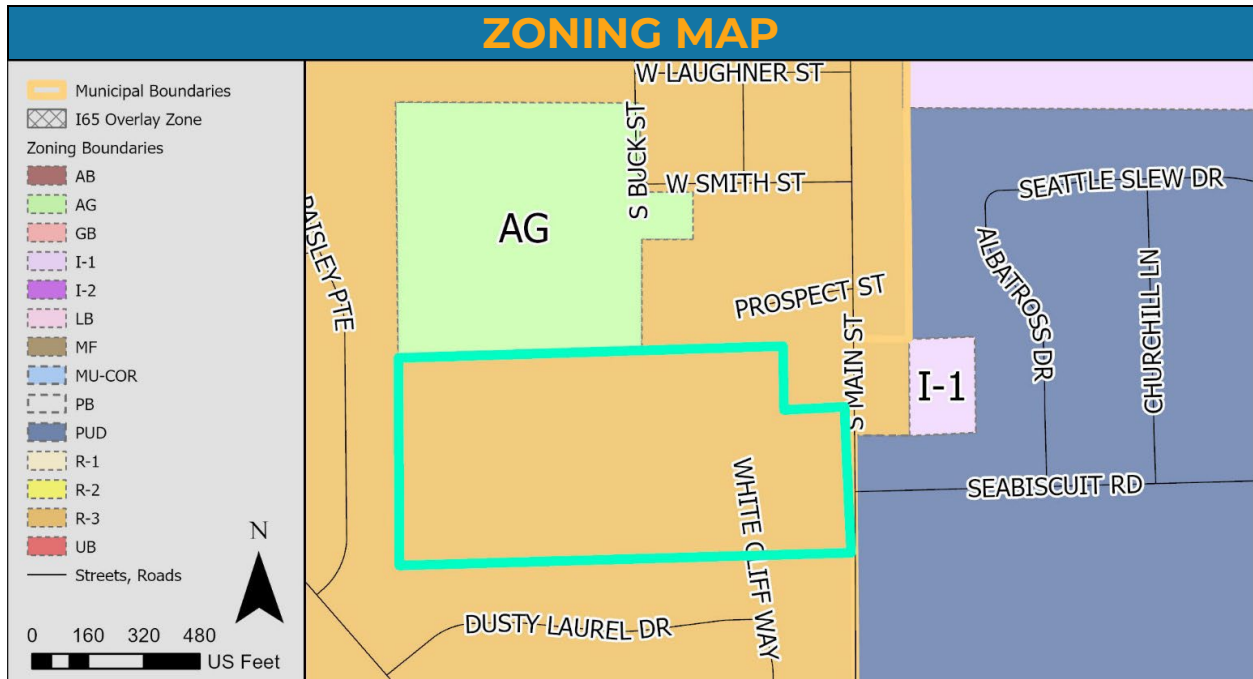
## BZA24-001-VA

Request	To allow for a 10% increase in the Max Density in R3 from 3.00 units per acre to 3.32 units per acre			
Location	608,708,801 S. Main Street			
Applicant	Davis Homes			
Property Owner(s)	Jacob Hogue, Lauren Hogue, Robert & Tracy Blackburn			
Land Area (Size)	17 Acres			
Applicable Ordinance	Whitestown Unified Development Ordinance Section 2.3(B) Lot Requirements			
Property Zoning	R3	Medium Density Single-Family and Two-Family		
Adjacent Zoning	North	East	South	West
	AG & R3	PUD	R3	R3
Adjacent Land Use	Agricultural	Residential	Residential	Residential
Staff Reviewer	Desire Irakoze <a href="mailto:Dirakoze@whitestown.in.gov">Dirakoze@whitestown.in.gov</a>			
Staff Recommendation	Staff recommends <b>approval</b> of this request.			

## LOCATION MAP



The site is located at approximately 608, 706, 802 S. Main Street. The property is comprised of four parcels consisting of approximately 17 acres. The area is surrounded by residential uses with Walker Farms Subdivision (R-3) to the south, and west, and Bridle Oaks Subdivision (PUD) to the east. The site is 1,700 feet from the Legacy Core and is adjacent to Hattie’s Coffee.



The site in question is zoned Medium-density Single-family and Two-Family Residential (R-3). The R-3 “This is a medium-density single-family district, which may include two-family dwellings with development plan approval. Development in this district typically ranges from 1.75 to 3.00 dwelling units per acre. In this district, residential development at these densities requires connection to public water and public sewer utilities.”

### RELEVANT HISTORY

There is no prior Whitestown Board of Zoning Appeals Docket  
 There is no prior Whitestown Plan Commission Docket

### NEIGHBORHOOD MEETING

Meeting Date: March 20<sup>th</sup>, 2024

1. Moved the “connection road” to the northern Garrison 11 acres to the east several lots.

2. Repositioned the lift station slightly in the northwestern corner of our site and landscaped heavily around it for a buffer to the neighbors to the west.
3. Designated the 8' Walking Trail from Main Street to the new northern "connection point" per the request of Whitestown Planning.
4. Designated a park bench sitting area with landscape on the east side of the retention pond - The original walking trail around the retention pond has been eliminated and will no longer be an objection to the southern neighbors.
5. We have added a single rear yard tree per lot for improved screening and aesthetics to the neighboring homeowners.
6. Additionally, we will coordinate with the southern and western neighbors to review with them if we remove any dead trees in the 10' preservation area (we can remove unseemly "brush" if deemed necessary)

## COMPREHENSIVE PLAN MAP

Future Growth and Development:

Land Use Policies:

Future Land Use:

Residential

Compatible Matrix:

The project is comparable to the Walker Farms and Bridle Oaks Subdivision

Other Applicable Plans:

No other Plans

## UNIFIED DEVELOPMENT ORDINANCE

	R1	R2	R3	R4	MF
<b>B. Lot Requirements</b>					
Maximum Density (units/acre)	1.0	1.75	3.0	7.0	22.0
Minimum Lot Size (s.f.)					
Single-Family Dwelling	12,000	9,000	6,000	2,000	N/A
Multi-Family Dwelling (s.f. per dwelling unit)	N/A	4,500	3,000	2,100	1,800
Minimum Lot Width	90'	70'	50'	24'	100'
Minimum Lot Frontage/Street Frontage (1)	50'	50'	40'	24'	80'

Under Whitestown UDO Section 2.3(B) Lot requirements, the maximum number of dwelling units permissible based on the acre of the site (17) is 50 units. The applicant is proposing a total of 56 dwelling units, comprising 54 new dwelling units, and incorporating 2 existing units. This results in a density of 3.32.

## PROPOSED SITE PLAN



### Project Details:

- A total of 56 Single-Family Dwelling Units
- Enhanced architectural standards commitments.
- 4 dwelling units proposed to face Main Street
- Proposed internal pedestrian trail.
- Proposed pedestrian sidewalks along Main Street and internal to the site.
- Inclusion of a stub street to the north to facilitate future connectivity.

CRITERIA	WITHOUT VARIANCE	WITH VARIANCE
Max Dwelling Units	50	56
Max Density ( Units/ Acre)	3.00	3.32
Min Lot Size (Sqft)	6,000	6,000
Min Lot Width	50	50
Open Space	10%	21.5%
Trail Connection	No Trail	Trial Provided
Vinyl Siding	Allowed	Not allowed
Main St Streetscape	Not Required	Provided
Retention of Historic Homes	Not Required	Provided
Developer Commitments	Not Required	Provided

## STAFF RECOMMENDATION

**Approval:** The Staff is providing a **favorable recommendation** to the Board of Zoning Appeals, finding 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:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because:

**Finding:** Approval of the variance will not adversely impact public health, safety, morals, and the general welfare. By decreasing the number of curb cuts along Mian Street and improving the street alignment onto Bridle Oak Subdivision's Seabiscuit road, the development enhances traffic flow and accessibility.

2. 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:

**Finding:** The variance will not substantially affect the use or value of adjacent properties. The surrounding subdivisions adhere to similar development standards, including the lot size, setbacks, open space, and building size. Moreover, while improving architectural standards, and trail connections. The adjacent property located in Walker Farms, and Bridle Oaks have a similar density at a max of the R-3 district. The proposed increase in density only results in an increase of 6 homes, 2 of which already exist (net of 4 homes).

3. 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:

**Finding:** The strict application of the ordinance would result in practical difficulties for the property. The need for the internal street alignment with Seabiscuit Road and the preservation of the historic homes along Main Street necessitated additional homes in the development.

**Denial:** if the board is included to deny the requested variance, then the staff recommends tabling the adoption of findings until the board's next meeting with direction to staff to prepare the findings pursuant to the public hearing and Board discussion.

## RECOMMEND MOTION

I move that Docket BZA24-001-VA Development Standards Variance pursuant to UDO Section 11.14 F. 2 request to increase the max density be:

- Approved as presented and described based on:
  1. The Findings in the Staff report and staff recommendations
  2. Submitted findings of Fact
  3. Substantial compliance with the submitted site plan(s)
  
- Conditional Approved
  1. The Findings in the Staff report and staff recommendations
  2. Submitted findings of Fact
  3. Substantial compliance with the submitted site plan(s)

4. Ensure that the northwest stub street complies with fire truck turning Standards, as outlined in Exhibit A.
  5. The pedestrian trail and the northwest sidewalk should be no less than 8 feet wide to facilitate future connection to Panther Park. Additionally, ensure that the trail is provided as part of the development.
  6. Due to the lift station's location, it should be provided with enhanced screening to match the residential
  7. subdivision's aesthetics.
  8. Ensure that the subdivision's internal street is aligned with Seabiscuit Road
- Continued to the June 6<sup>th</sup>,2024 , BZA Meeting
  - Denied as presented and described.