

WHITESTOWN BOARD OF ZONING APPEALS

Finding of Facts and Determination



(317) 769-6557 

6210 Veterans Drive 

Whitestown, IN 46075 

August 1, 2024

In the matter of Petition BZA24-005-VA Travis Carpenter Development Standards Variance from UDO 2.3 Residential Development Standards at 404 South Main Street, Whitestown, Indiana.) Docket: BZA24-005-VA request by Travis Carpenter, CarpHomes; LLC)))

On July 11th, 2024, the Board of Zoning Appeals held a public hearing for Travis Carpenter, Carp Homes, LLC on Docket BZA24-005 VA – a request to reduce the Minimum Floor Area of a Multi-Family dwelling unit from 700s.f to 650s.f at 404 South Main Street, Whitestown, Indiana.

The petitioner submitted evidence, the Whitestown Planning Department Staff presented their findings, and the Board took public comment. Whitestown Planning Staff prepared a Staff Report dated July 11, 2024, providing a favorable recommendation. After discussing the petition, the evidence, and the request, the Board of Zoning Appeals' motion to APPROVE failed for the lack of a second. The Board then tabled the adoption of findings and directed staff to prepare the findings pursuant to the public hearing and Board discussion.

Petitioner's Development Standards Variance Petition is hereby DENIED for the following reasons:

1. *The approval will be injurious to the public health, safety, morals, and general welfare of the community because:*

The reduction of the minimum floor area for a two-bedroom unit from 700s.f. to 650s.f. will be injurious to the public health, safety, morals, and general welfare of the community. This standard is set based on residential building codes and the number of bedrooms contained in the unit. The proposed design includes four (4) units, two (2) units which are meeting the standard and two (2) units that are

not meeting the standards. The petitioner could meet the standard in all four (4) units by reducing the number of bedrooms in the two (2) units not meeting the standard.

2. *The use or value of the area adjacent to the property included in the variances will be affected in a substantially adverse manner because:*

The property is currently being used as a duplex that is legal, non-conforming. As long as the non-conformity does not increase the property can continue to be used as a duplex. The petitioner is requesting the variance to create a quad-plex. There are currently no other properties in the immediate vicinity that are zoned R2-Low-density Single-family and Two-family Residential or R4 High-density Mixed Residential. Allowing a quad-plex may adversely affect surrounding property values.

3. *The strict application of the terms of the Ordinance will not result in practical difficulties as applied to the property for which the variance is sought because:*

The home has been operated as a duplex for a number of years. The property can continue to operate as a duplex. The petitioner wants to convert the property into a quad-plex to increase profitability and the return on investment. The variance request is for financial gain and denial of the variance does not limit the use of the property.

Allan Henderson,
Planning Administrator

Ken Kingshill
Chair, Board of Zoning Appeals