

BZA Application

This application is being submitted for (check all that apply):

- ☒ Variance ☐ Special Exception
☐ Use Variance ☐ Use Classification
☐ Appeal

Applicant Info

Name Citizens Energy Group	
Street Address 2150 Dr. Martin Luther King Jr St.	
City, State, Zip Indianapolis, IN 46202	
Primary Contact Person regarding this petition Bruce Cooley	
Phone 317-498-9964	E-Mail bcooley@citizensenergygroup.com
Other Contact Name	E-Mail

For Office Use Only	
File #	Fee
Filing	TAC
Hearing/Meeting	
☐ Denied	☐ Approved
☐ w/ conditions	

Property Owner

Name Eagles Nest Homeowners Association	
Street Address PO BOX 30797	
City, State, Zip Indianapolis, IN, 46230	Subject to Legal Cause No. 06D01-2508-PL-001643. This property is progressing amicably through the eminent domain process
Phone	E-Mail
Applicant is (circle one): <u>Sole owner</u> Joint Owner Tenant Agent Other (specify)	

Premises Affected

10-digit Parcel Number 0213896006	
Actual/approximate address or location from major streets Parcel located at the southeast corner of E County Road 750 S (Wilson Rd) and N County Road 600 E in Whitestown, IN	
Subdivision Eagle Nest Subdivision	Lot Number(s)
Total Acreage 5.16 acres	Flood Zone on Site? Minimal flood hazard, or Zone X
Zoning of Subject Property R-3	Use of Subject Property Municipal
Zoning of Adjacent Properties	North: R-3 South: R-3 East: R-3 West: AG
Land Use of Adjacent Properties	North: Low Density Residential South: Low Density Residential East: Low Density Residential West: Agricultural
Specific Section(s) of UDO requesting Development Standards Variance from	2.3

Notarization

The above information and attached exhibits, to my knowledge and belief, are true and correct.

Signature of Applicant <i>Bruce Cooley</i>	Signature of Notary <i>[Signature]</i>
Notary Public's Name (printed) Madison England	NOTARY PUBLIC SEAL
My Commission Expires State County 04-23-2032 IN Hendricks	Hendricks County Commission Number NP0756053
Subscribed and sworn to before me this 01st day of October 2025	STATE OF INDIANA

Attachment A: Consent of Property Owner

Complete and submit if applicant is different from property owner.

I (we)

**Subject to Legal Cause No. 06D01-2508-PL-001643.
This property is progressing amicably through the
eminent domain process**

NAME(S)

After being first duly sworn, depose and say:

- That I/we are the owner(s) of the real estate located at I (we)

ADDRESS

- That I/we have read and examined the Application and are familiar with its contents.
- That I/we have no objection to, and consent to such request as set forth in the application.
- That such request being made by the applicant (____is) (____is not) a condition to the sale or lease of the above referenced property.

(AFFIANT)

[illegible]

Subscribed and sworn to before me this _____ day of _____, _____.

, Notary Public

My Commission expires: _____ County of Residence: _____

Narrative:

The proposed project involves the construction and operation of a 15.3 MGD water booster station and two above ground storage tanks (1.5 MG each) to support water infrastructure needs. The facility will be located on a single lot and is designed to operate continuously, 24 hours a day, through automated systems without requiring on-site staff. As an unmanned facility, it will not employ full-time personnel, with only periodic maintenance and inspection conducted by utility staff as needed. Traffic generation will be minimal, limited to approximately one truck trip per day, generally lasting no more than few hours, to accommodate deliveries, maintenance, or inspections. Construction is scheduled to begin in December 2025, and all applicable permits will be submitted for approval in the near term.

**PART OF COMMON AREA U, EAGLES NEST
SUBDIVISION SECTION VIII-B,
BEING PART OF SECTION 7, TOWNSHIP 17
NORTH, RANGE 2 EAST EAGLE TOWNSHIP,
BOONE COUNTY, INDIANA**

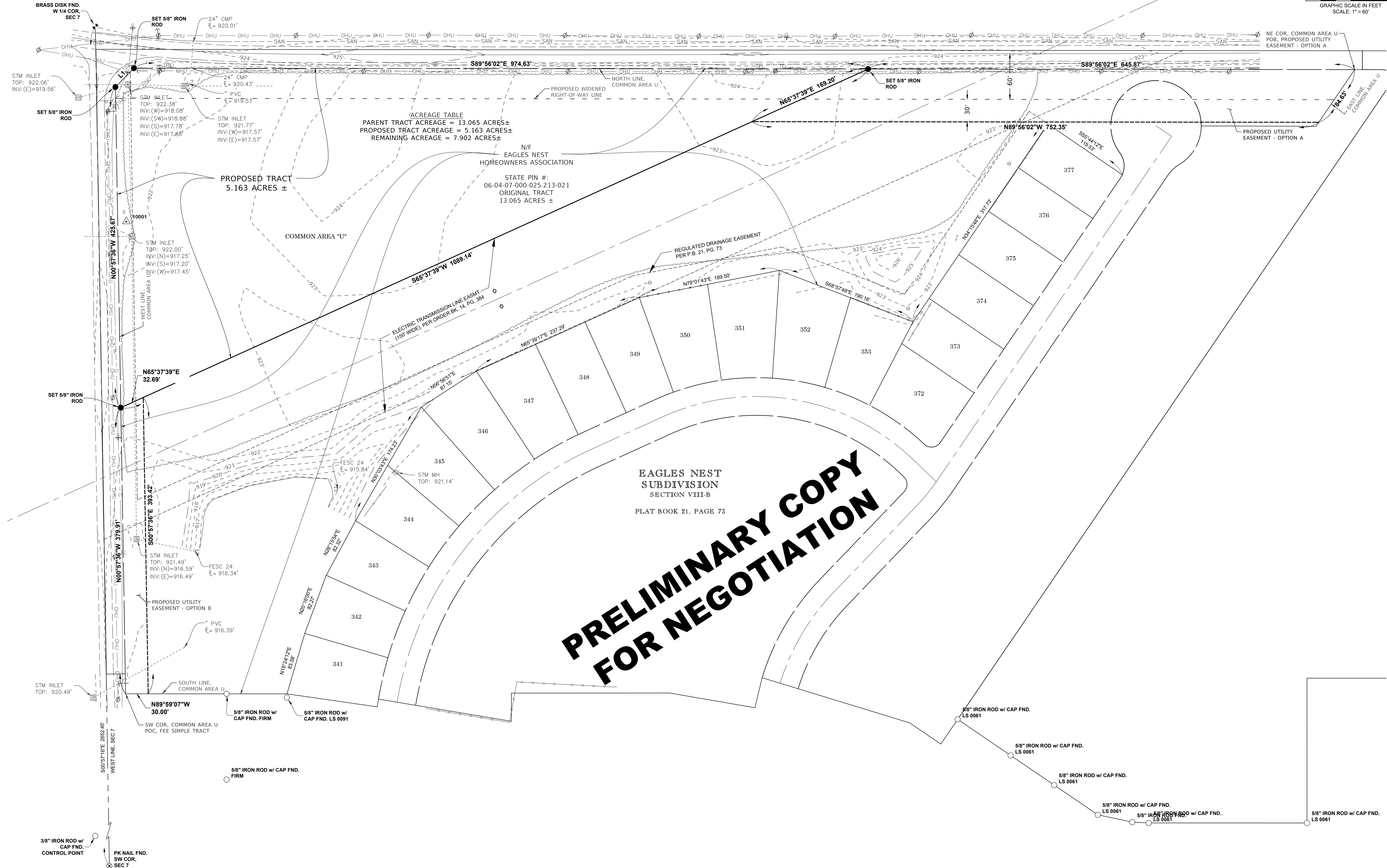
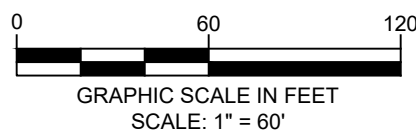
DATE _____

 CORP LS # 2015022764 1500 Eastport Plaza Drive, Suite 200 Collinsville, Illinois 62234	EAGLES NEST BOOSTER STATION		 citizens energy groupSM Citizens Energy Group 2020 N. Meridian St., Suite 150 Indianapolis, IN 46204	CLIENT:	DRAWN BY:	REV.	DATE	REVISION DESCRIPTION
PROJECT NUMBER: 1203653		FILE NAME: 1203653-Survey.dwg		SHEET NO. 1 of 1		DATE: 12/28/2024		
				CHECKED BY: SBB				

ALTA/NSPS LAND TITLE SURVEY

PART OF COMMON AREA U, EAGLES NEST
SUBDIVISION SECTION VIII-B,
BEING PART OF SECTION 7, TOWNSHIP 17
NORTH, RANGE 2 EAST EAGLE TOWNSHIP,
BOONE COUNTY, INDIANA

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N44°33'26"E	35.05'



ACREAGE TABLE	
PARENT TRACT ACREAGE =	13.065 ACRES±
PROPOSED TRACT ACREAGE =	5.163 ACRES±
REMAINING ACREAGE =	7.902 ACRES±

STATE PIN #:
06-04-07-000-025.213-021
ORIGINAL TRACT
13.065 ACRES ±

EAGLES NEST
SUBDIVISION
SECTION VIII-B
PLAT BOOK 21, PAGE 73

PRELIMINARY COPY
FOR NEGOTIATION

REVISION DESCRIPTION

REV.	DATE	DESCRIPTION

DRAWN BY: KCK
CHECKED BY: SBB
DATE: 12/28/2024

CLIENT

Citizens Energy Group
2020 N. Meridian St.
Indianapolis, IN 46202

EAGLES NEST BOOSTER STATION

ALTANSPS LAND TITLE SURVEY

PROJECT NUMBER:

1203653

FILE NAME:

1203653-Survey.dwg

SHEET NO.

1 of 1

Attachment B: Notice for Newspapers

Notice is hereby given that I have, as the owner (or with the owner's consent) of the property commonly described as the address of Parcel located at the southeast corner of E County Road 750 S (Wilson Rd) and N County Road 600 E in Whitestown, IN, and legally described by the attached legal description, have filed a petition before the Whitestown Board of Zoning Appeals, which petition requests a/n

☒ Variance ☐ Special Exception ☐ Use Variance ☐ Appeal

for the said property in order to:

request the installation of a chain link fence in place of a solid fence at the north and west sides of the parcel.

This petition, File # _____, will come for hearing at 6:30pm in the Whitestown Municipal Complex, 6210 Veterans Dr, Whitestown, IN 46075, on November 6th, 2025

In accordance with the Americans with Disabilities Act, if anyone wishes to attend the public hearing on the above referenced matter and is in need of reasonable accommodation in order to hear, present evidence, or participate in the proceedings at the public hearing on this matter, please contact the Sri Venugopalan at sveugopalan@whitestown.in.gov so accommodation can be made. The petition and file on this matter is available for examination by contacting the Planning Staff at (317) 324-1371 or email at planning@whitestown.in.gov. Comments regarding this petition may be submitted at any time to planning@whitestown.in.gov or Whitestown WPC, Whitestown Municipal Complex, 6210 Veterans Dr, Whitestown, IN 46075.

Attach: 1) Legal Description

Attachment C: Notice for Property Owners

Notice is hereby given that I have, as the owner (or with the owner's consent) of the property commonly described as the address of [Located at the southeast corner of E County Road 750 S \(Wilson Rd\) and N County Road 600 E in Whitestown, IN](#), and legally described by the attached legal description, have filed a petition before the Whitestown Board of Zoning Appeals, which petition requests a/n ☒ Variance ☐ Special Exception ☐ Use Variance ☐ Appeal

for the said property in order to:

[request the installation of a chain link fence in place of a solid fence at the north and west sides of the parcel.](#)

This petition, File # _____, will come for hearing at 6:30pm in the Whitestown Municipal Complex, 6210 Veterans Dr, Whitestown, IN 46075, on [October 2nd](#), [2025](#).

In accordance with the Americans with Disabilities Act, if anyone wishes to attend the public hearing on the above referenced matter and is in need of reasonable accommodation in order to hear, present evidence, or participate in the proceedings at the public hearing on this matter, please contact the Sri Venugopalan at sveugopalan@whitestown.in.gov so accommodation can be made. The petition and file on this matter is available for examination by contacting the Planning Staff at (317) 324-1371 or email at planning@whitestown.in.gov. Comments regarding this petition may be submitted at any time to planning@whitestown.in.gov or Whitestown WPC, Whitestown Municipal Complex, 6210 Veterans Dr, Whitestown, IN 46075.

Attach: 1) Legal Description
2) Site/Concept Plan
3) Attachment D, E, F, or H

Attachment D: Standards for Evaluating a Variance

Use the following form or attach a separate sheet(s) to explain the Variance request. The BZA's decision shall be based upon how each of the following statutory requirements is justified in the request.

Petition Information

Describe the proposed use of the property (type of use, hours of operation, access, necessary construction, employees, etc.):

A new water booster station owned by Citizens Energy Group shall be constructed at the property including new water supply infrastructure, transmission mains, booster stations, and storage tanks. The access will be through two new driveways as shown in the attached site plan. This property will be unmanned with a security system.

Standards for Evaluation

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

The proposed chain link fence will maintain the safety and security of the property without creating hazards or negative conditions for the surrounding community. The addition of trees and landscaping will provide screening to maintain neighborhood aesthetics. Overall, the fence will serve its purpose without compromising public health, safety, morals, or the general welfare of the community.

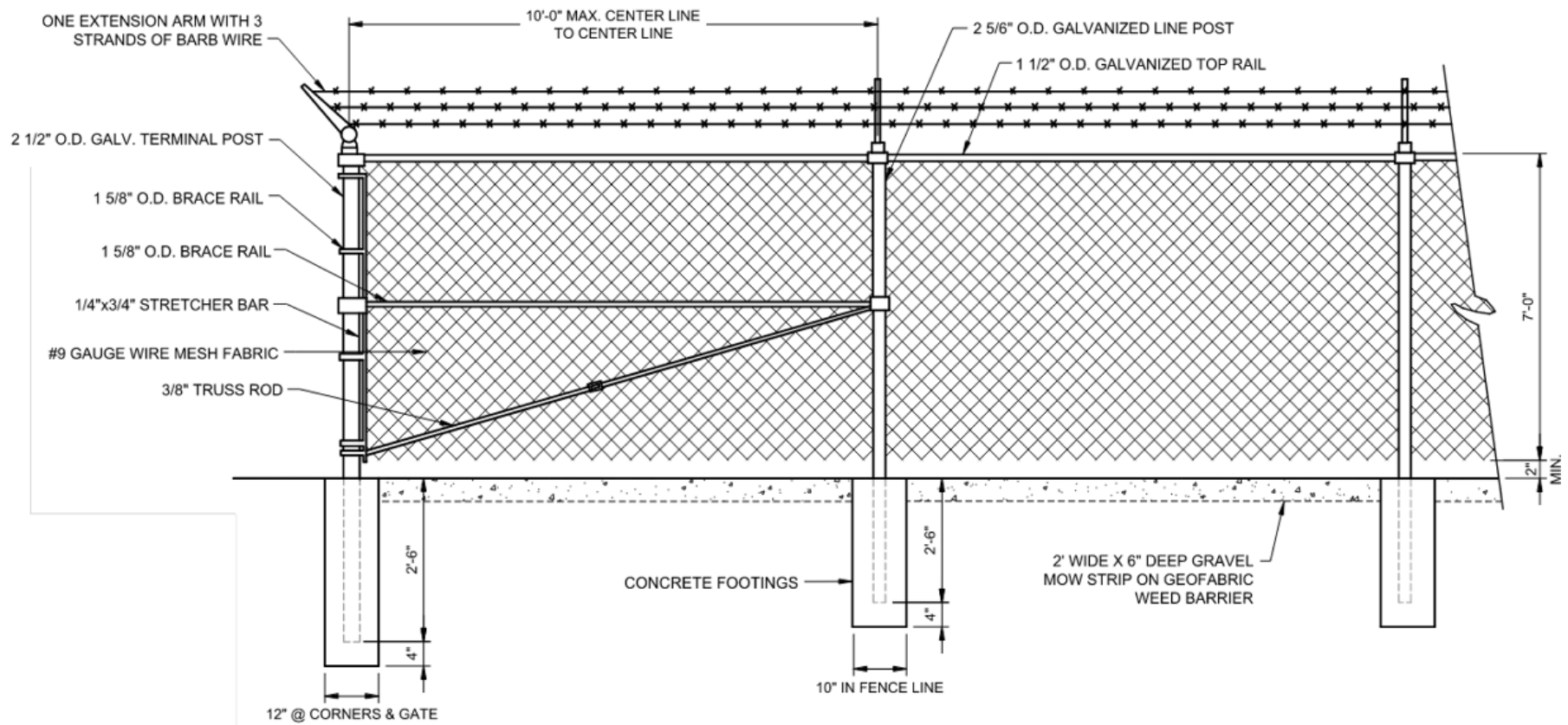
2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because...

The installation of a chain link fence in place of Whitestown standard fence will not negatively impact the use or value of adjacent residential properties. The fence will still provide a secure and defined boundary while being less visually imposing than a solid barrier. To further protect the character and aesthetics of the surrounding neighborhood, landscaping and tree plantings will be added along the fence line to soften views and provide natural screening. This approach ensures that the fence blends harmoniously with the environment, preserves property values, and avoids creating any substantial adverse effect on nearby properties.

3. The strict application of the terms of the Ordinance will continue the unusual and unnecessary hardship as applied to the property for which the variance is sought because...

The requirement for a solid fence creates an unnecessary hardship for this parcel, as it is inconsistent with Citizens' system-wide standard (see attached) of utilizing chain link fencing for security enclosures. A chain link fence provides the necessary boundary and security while maintaining visibility, which avoids the negative barrier effect that a solid fence can create. In fact, a solid fence could promote additional security risks by obstructing sight lines and limiting natural surveillance of the property. By allowing a chain link fence, the property can remain secure without imposing excessive maintenance burdens. To address aesthetic concerns and maintain compatibility with nearby residential areas, trees and landscaping will be planted to soften views, ensuring the fence blends with the natural surroundings while still serving its intended purpose.

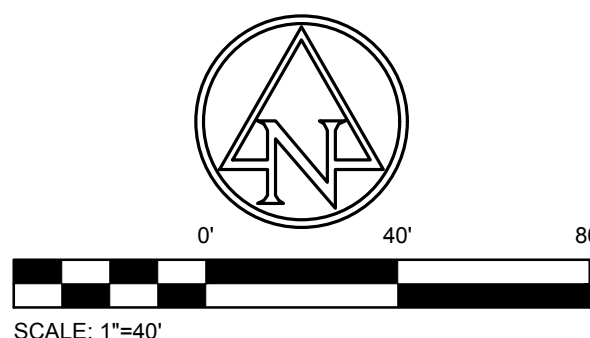
Citizens Energy Group Fence Detail



CHAIN LINK FENCE DETAIL

NOT TO SCALE





CROWN OF TREE SHALL BE FREE OF DEFECTS AND HAVE NO MORE THAN 10% DEAD TISSUE THROUGHOUT CROWN

DO NOT HANDLE OR LIFT TREE BY TRUNK. ONLY HANDLE AT BASE OF TRUNK TO STRAIGHTEN TREE ONCE IT IS LOWERED INTO PLANTING PIT

REMOVE ALL LABELS, TWINE, FLAGS, ROPE, ETC.

STRAPPING FOR STAKES SHALL NOT DAMAGE BARK. ONLY ATTACH TO TRUNK WITHIN MIDDLE THIRD OF TREE HEIGHT

WIRE OR OTHER MATERIALS USED IN SECURING STRAPPING SHALL NOT BE TIGHT OR RESTRICT NORMAL TREE MOVEMENT

INSTALL STAKES ONLY WHEN NECESSARY TO PROTECT TREE. STAKES SHALL BE INSTALLED JUST INSIDE OF THE SOIL RING

PLANT TOP ROOT LEVEL WITH SURROUNDING GRADE. SOIL RING (6-8" HT)

DO NOT OVEREXCAVATE TOP-MOST FIRST ORDER ROOT SHALL DICATE NECESSARY DEPTH OF PLANTING. EXCESS SOIL FROM TOP OF ROOT BALL IF NECESSARY.

TREES WITH GIRDLING ROOTS OR ADVENTUROUS ROOTS SHALL NOT BE ACCEPTED

STAKES SHOULD BE DRIVEN INTO UNDISTURBED SOIL

UNDISTURBED SOIL

CONTRACTOR SHALL ENSURE THAT TREE IS PLANTED IN TWO DIRECTIONS AND NOT LEANING

COMPETING CO-DOMINANT STEMS SHALL BE REMOVED AFTER TREE IS ESTABLISHED

POTENTIALLY RUBBING OR CROSSING LIMBS SHALL BE REMOVED AFTER TREE IS ESTABLISHED

DEAD, DAMAGED OR BROKEN BRANCHES SHALL BE PROPERLY REMOVED IMMEDIATELY

REMOVE ANY MATERIALS USED FOR SHIPPING PROTECTION FROM TREE ONCE IT HAS BEEN LOWERED INTO PLANTING PIT. WHEN NECESSARY, PROPERLY INSTALL A PROTECTIVE WRAP ON THIN-BARKED TREES TO PROTECT FROM WINTER INJURY. (SEE 01701 REGULATIONS)

PROVIDE 2 YEARS OF WEEKLY WATERINGS AT A RATE OF 5 GALLONS, PLUS AN ADDITIONAL 5 GALLONS FOR EVERY INCH OF TRUNK DIAMETER PER VISIT FROM APRIL 1 TO OCTOBER 31

INSTALL MULCH AT DEPTH OF 2-4" AND AVOID CONTACT WITH TRUNK

REMOVE WIRE BASKET, BURLAP, OR OTHER PACKAGING MATERIAL FROM AT LEAST THE TOP HALF OF THE ROOTBALL AND DISCARD

NOTE: ALL PLASTIC OR OTHER NON-Biodegradable PACKAGING MUST BE REMOVED

NATIVE SOIL EXCAVATED FROM ROOTBALL PIT SHOULD BE UTILIZED AS BACKFILL UNLESS IT DOES NOT MEET THE PROJECT SPECIFICATIONS. BACKFILL SHOULD BE PLACED CAREFULLY IN SEVERAL STAGES, WHILE USING CAUTION TO ENSURE THAT AIR POCKETS ARE NOT CREATED.

EXCAVATE PIT 2-2.5 TIMES THE WIDTH OF THE ROOTBALL

*LEGEND: SS = SINGLE STEM
B&B = BALLED AND BURLAPPED
C = CONTAINER

 CITIZENS WATER 2150 DR. JACKSONVILLE ROAD, SUITE 200 INDIANAPOLIS, IN 46202 (317) 639-1501	CLWS PROGRAM - PROJECT B LANDSCAPE PLAN			Scale: 1"=40'	
	Distribution Map *		Pressure District *	Meter MAP *	Tax Code *
	Drawn By MUG		Project Manager *		
	Project No.: 20B006837				
	Date: 08/01/2025				
SHEET NUMBER LP-01 of *					
CLWS PROGRAM - PROJECT B					
CITIZENS WATER					
2150 DR. JACKSONVILLE ROAD, SUITE 200					
INDIANAPOLIS, IN 46202					
(317) 639-1501					
DESIGN ENGINEER					
DATE					
REVISIONS					
BY					