

Town of Whitestown

Board of Zoning Appeals



Meeting Date: January 8th, 2026

(317) 769-6557 

6210 Veterans Drive 

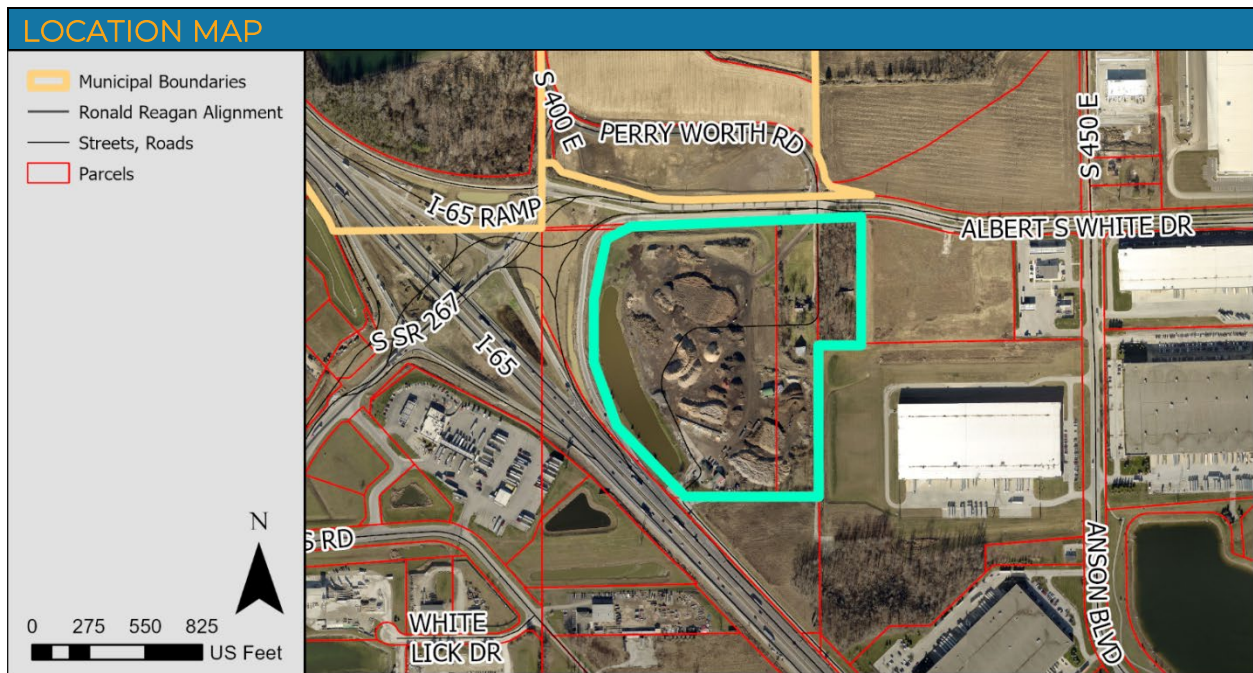
Whitestown, IN 46075 

BZA25-013 DSV Wally's

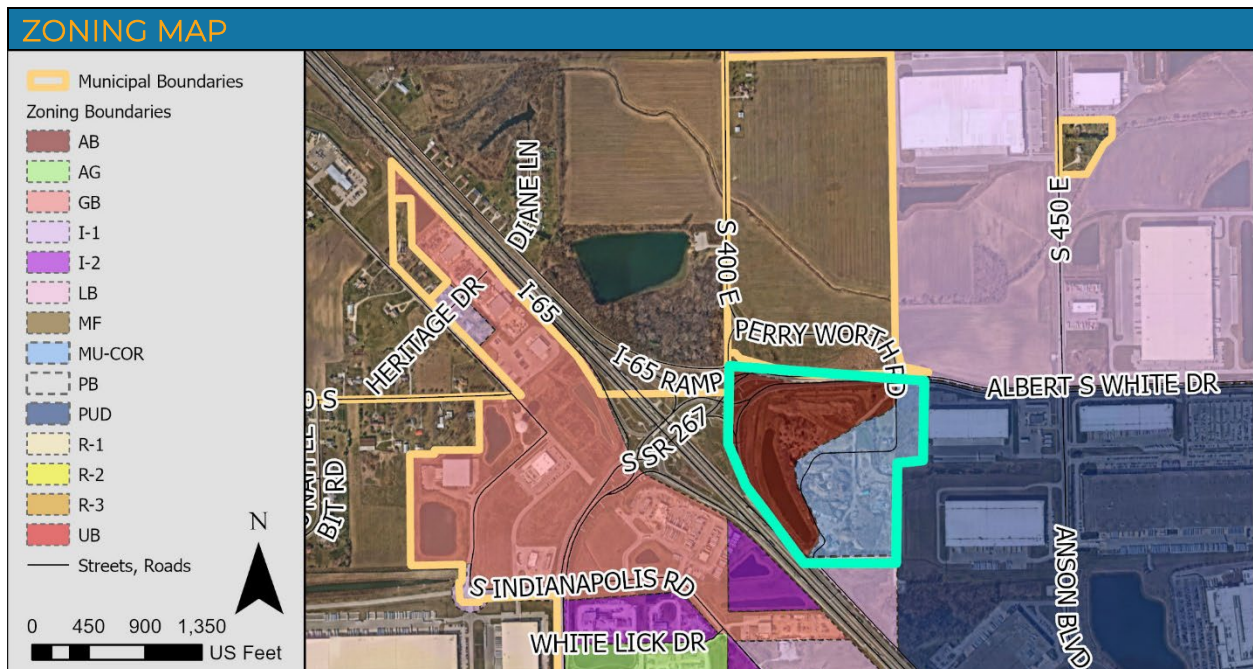
Request	A Development Standards Variance from UDO 8.3 – Prohibited Signs.			
Location	4209 Perry Worth Road			
Applicant	Wally's Operating LLC			
Property Owner(s)	Wally's Indy Holdings, LLC			
Land Area (Size)	32.64 acres			
Applicable Ordinance	Whitestown Unified Development Ordinance Section 8.3			
Property Zoning	AB	Accommodation Business		
Adjacent Zoning	North	East	South	West
	N/A	MU-COR	MU-COR & I-1	GB
Adjacent Land Use	Agriculture	Warehousing	Industry	Gas Station
Staff Reviewer	Allan Henderson; ahenderson@whitestown.in.gov			
Staff Recommendation	Staff believes all criteria for granting a Development Standard Variance have not been met.			

RELEVANT HISTORY

The applicant received Primary Plat approval with PC24-011, Concept Plan approval with PC24-012, Development Plan approval with PC24-26, and Secondary Plat approval with PC25-011.

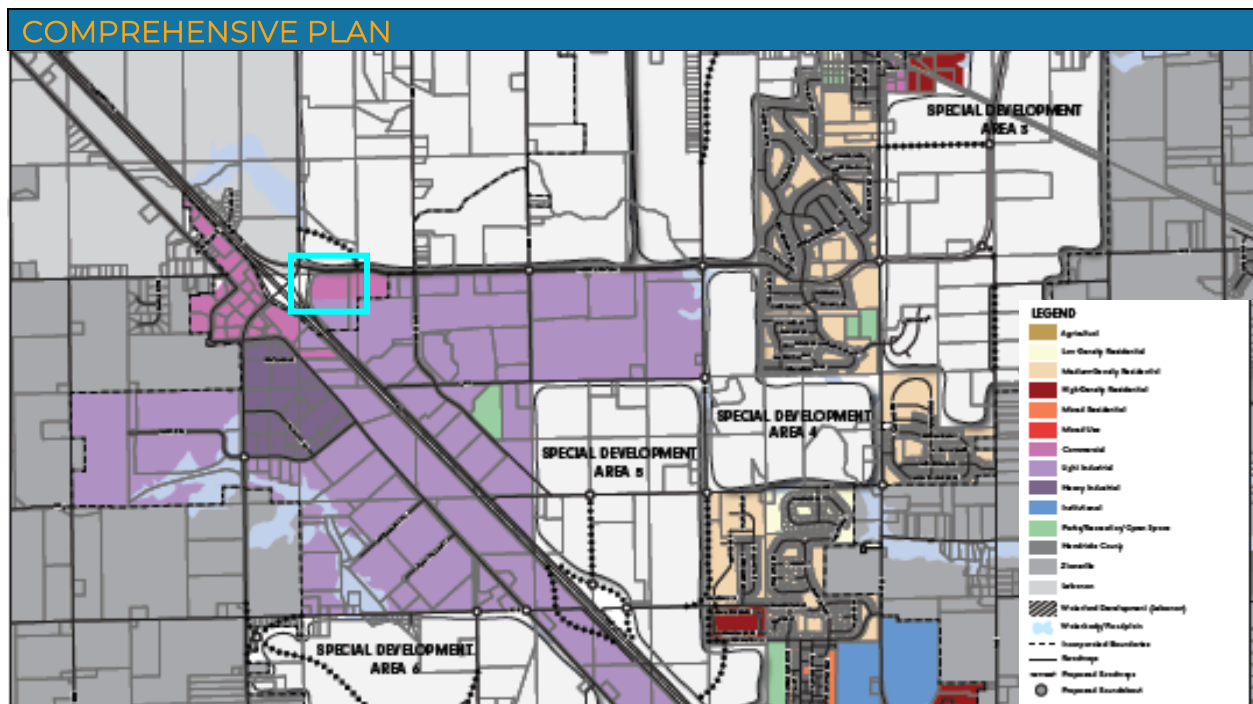


The site is located on the southeast corner of the I-65 and Albert S White Drive interchange. Perry Worth Road currently dead ends on the south side of the site. The site was formerly the Greencycle business. The surrounding area is characterized by industrial use and limited access highway businesses.



The applicant site was rezoned AB – Accommodation Business; a district that is intended for commercial uses commonly found along interstate and highway corridors that promote coordinated quality development in these areas. Uses in this district may range in scale and intensity but are closely related to the needs of the traveling public. Development in this district requires connection to public water and public sewers and development plan approval.

The applicant site also falls within the I-65 Overlay District. This district is established to provide consistent and coordinated development of the properties along the I-65 Corridor within Whitestown. The I-65 Corridor is a premier office and industrial business location and employment center whose vitality, quality, and character are important to adjacent residents, employees, business owners, taxing districts, and the community as a whole. Therefore, this district seeks to promote the aesthetic qualities of properties within the corridor.” The I-65 Overlay will apply to the development of the property.



The 2022 Whitestown Comprehensive Plan identifies this portion of the site as Commercial. The Commercial designation is “intended as a broad land use category that includes commercial developments serving the surrounding neighborhoods and region. Commercial developments can include retail, offices, restaurants, and other service-oriented uses that are generally adjacent to roads that can accommodate greater volumes of vehicular traffic, such as Whitestown Parkway, Indianapolis Road, CR 575, and Albert S White Drive.

The proposed concept plan is also in agreement with the following components of the Whitestown Comprehensive Plan:

Overarching Goals

Attract new, high-quality business and development to Whitestown to provide a diverse and sustainable employment and tax base for the community.

Land Use Guiding Policies

6. Future development should be encouraged to provide a mix of uses in appropriate areas in addition to high-quality and creative product design.
8. Where needed, the community needs to promote redevelopment and support those activities with the appropriate level of development.
 - Land Use Sub-Goal 7: Coordinate future land use with transportation, utilities, and facilities.
 - Support existing regulations that require appropriate utility and infrastructure commitments (water, sewer, streets, sidewalks, trails, etc.) to support new development.

Economic Development Guiding Policies

2. Industrial/Commercial growth is to be pursued if it supports the value, character and quality of place desired by the community.
 - Economic Development Sub-Goal 2: Support a diverse and vibrant business base in the area that is focused on providing opportunities for small and large businesses.
 - Support a mix of potential business sites to support start-up business opportunities as well as locations for growing and established businesses.

PROPOSED PROJECT

The applicant is proposing to build a ninety (90) foot pole sign with gas price readers on the subject property.

SUGGESTED FINDINGS OF FACT

Because of the context of the site and proposed use of the building and based on the requirements of approving a Development Standards Variance, staff is proposing the following findings:

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

Finding:

The approval of a variance of development standards will not be injurious to the public health, safety, morals, and general welfare of the community. Based on the location of the sign on the subject property and other pole signs in the area there is not a negative impact to the community.

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

Finding:

The approval of a variance of development standards will not affect the use and value of the adjacent area. The property is immediately adjacent to Interstate 65 and other, older gas stations have pole signs.

3. *The strict application of the terms of the Ordinance will not result in Practical difficulties in the use of the property.*

Finding:

The strict application of the terms of the Ordinance will not result in practical difficulties in the use of the property. Wally's has name brand recognition as a destination. An interstate travel sign will be provided. Most travelers will be using an "app" to identify where to stop for fueling and food needs. A pole sign only contributes to the clutter along the interstate.

The Board could vote to "Approve" with these Findings, or "Suggest Alternative" Findings or "Deny" in which case the Planning Staff recommends tabling the adoption of Findings of Fact until the Board's next meeting with direction to staff to prepare the Findings pursuant to the public hearing and Board discussion.

Note: See Applicant's submission materials in the attachment.

SUGGESTED MOTION LANGUAGE

I move that Docket BZA25-013-DSV a Development Standards Variance for Wally's Indy Ground Lessor, LLC, a variance from 8.3 Prohibited Signs should be:

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

- ☐ Approved subject to the following:

1. The Findings of Fact in the Staff report and staff recommendations
 2. Submitted Findings of Fact
 3. Substantial compliance with the submitted site plan(s)
 4. *Insert proposed conditions*
- ☐ Continued to the February 2026, BZA Meeting
- ☐ Denied as presented and described.