

Town of Whitestown

Board of Zoning Appeals



Meeting Date: March 5, 2026

(317) 769-6557 

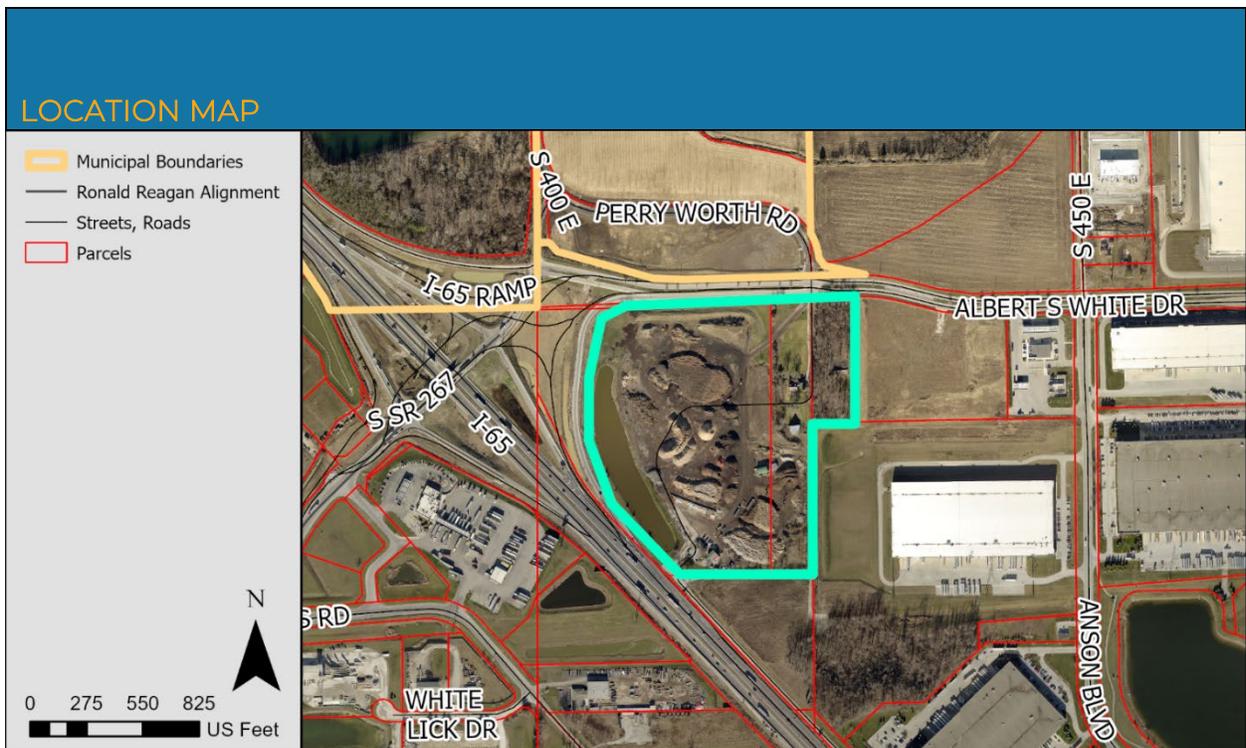
6210 Veterans Drive 

Whitestown, IN 46075 

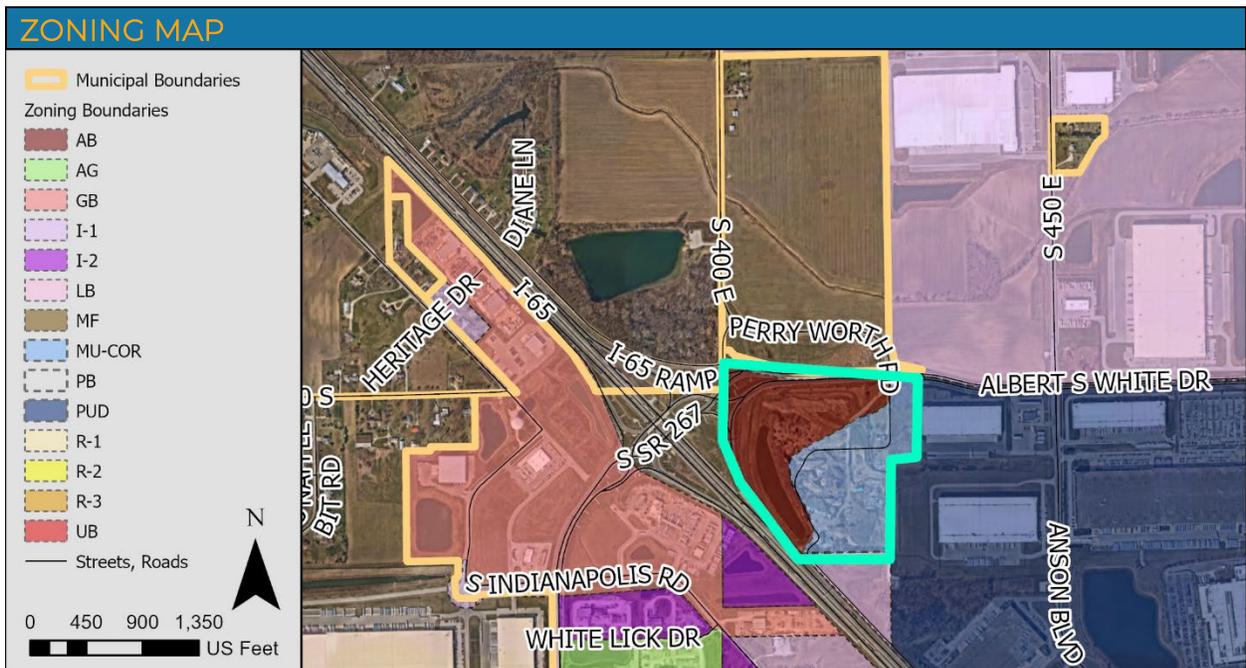
BZA26-006-DSV				
Request	A Development Standards Variance from UDO 8.9 (R) to allow for an increase in the number of signs on a Service Island.			
Location	4209 Perry Worth Road			
Applicant	Wally's Operating LLC			
Property Owner(s)	Wally's Indy Holdings, LLC			
Land Area (Size)	32.64 acres			
Applicable Ordinance	Whitestown Unified Development Ordinance Section 8.9 (O)			
Property Zoning	AB	AB		
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 been met.			

SITE 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.

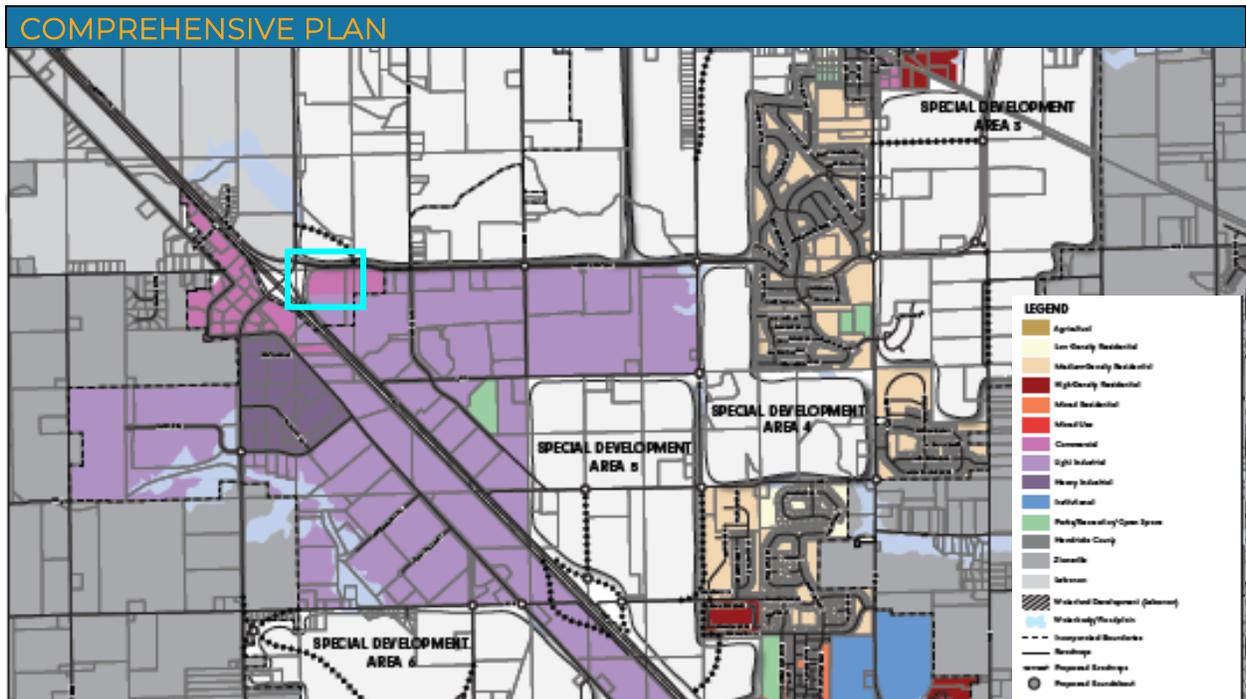


The site is located on the southeast corner of the I-65 and Albert S White Drive interchange. Perry Worth Road currently dead ends on the south side of the site. The site was formerly the Greencycle business. The surrounding area is characterized by industrial use and limited access highway businesses.



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 request is to have (3) canopy signs, (1) on the north face, (1) on the west face and (1) on the east face of the canopy.

UNIFIED DEVELOPMENT ORDINANCE

Section 8.9 Permanent Sign Types

- R. Canopy Signs for Service Islands. Each service island can have up to **2 canopy signs** per service island. The height cannot exceed 80% of the vertical dimension of the canopy wall. The sign area of a canopy sign does not count against the maximum sign area allowed for wall signs on the parcel.

	Quantity of Signs
<i>UDO Allowed</i>	2
<i>Wally's Request</i>	3

SUGGESTED FINDINGS OF FACT

In acting on all variance requests, the Board of Zoning Appeals must use decision criteria to approve or deny variances consistent with the requirement of Indiana Code 36-7-4-918.5. A development standards variance may be approved only upon determining:

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

Finding:

The approval of a development standards variance will not be injurious to the public health, safety, morals, and general welfare of the community. The proposal allows for increased visibility for the store and does not include any LED signs, pricing signs, etc.

- 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 development standards variance will not affect the use and value of the adjacent area. Albert S White Drive has several fueling centers with similar canopy sign decals.

- 3. The strict application of the terms of the Ordinance will result in Practical difficulties in the use of the property.*

Finding:

The strict application of the terms of the Ordinance will result in Practical difficulties in the use of the property. Having logos/signs on the (3) sides of the canopy visible to visitors/customers is not an unreasonable request.

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 comments from the Public Hearing and Board discussion.

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

SUGGESTED CONDITIONS

There are no suggested "Conditions" at this time.

SUGGESTED MOTION LANGUAGE

I move that Docket BZA26-006-DSV a development standards variance for Wally's Indy Holdings is consistent with UDO 11.15 and should be:

- Approve the Project as presented and described based on:
 1. The Staff Report and staff recommendations
 2. The submitted Findings of Fact

- Conditionally Approve the Plan subject to the following:
 1. Staff Report and staff recommendations
 2. The submitted Findings of Fact
 3. *Insert proposed conditions:*

- Continue the decision to the April 2026 BZA Meeting

- Deny the Plan as presented and described.