

## Staff Report – Agenda Item # 2

<b>Case number</b>	BZA-2024-02	<b>Property size</b>	20 ac
<b>Applicant</b>	Alan Small	<b>Property zoning</b>	IG
<b>Property owner</b>	Weihe Construction, Inc.	<b>Hearing date</b>	06/06/2024
<b>Property address</b>	9591 W. 650 S Penelton, IN 46064		

### Requested action:

V 10.1.4. Variance of Development Standards to permit 70 feet lot width instead of 200 feet; V 10.2.16.I.ii. Variance of Development Standards to permit driveway within 150 feet of second drive along Collector; V 10.1.4 Variance of Development Standards to not require public water access; V 10.2.10 Variance of Development Standards to waive 2 ft offsets in proposed façade every 40 feet.

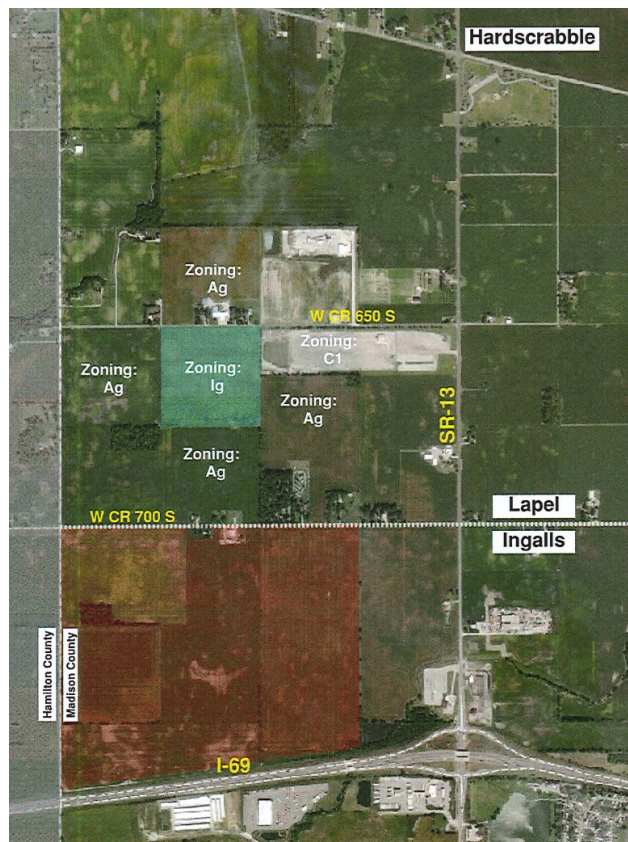
### Recommendation:

APPROVE

### Exhibits:

1. Existing Land Use Map
2. Submittal
3. Zoning Plan
4. Site Plan
5. Comprehensive Plan

## ZONING MAP



## ANALYSIS

The site is located at 9591 W. 650 S Pendleton, IN 46064. This property is on the south side of W 650 S, 0.5 miles west of the SR 13 and W 650 intersection. The 40-acre subject site consists of 2 parcels, under the same ownership, and currently zoned General Industrial and used for agricultural purposes.

The surrounding zoning districts and uses can be seen on the previous page and in Exhibit 1.

### Proposal

The petitioners, Weihe Construction, requests permission to at the subject site. Specifically, Weihe would like to conduct vehicle repairs and storage operations, including petroleum product storage for equipment fueling (see Exhibit 3 Submittal). Exhibit 4 Site Plan show the following planned improvements for Lot 2:

- Drainage Detention Pond
- Fuel Depot
- Water Well
- Warehouse
- Asphalt parking lot to serve the office with parking landscaping
- Lime Silos
- Storage yard around the warehouse and on the rest of the lot
- 8-ft-tall metal fence to screen the storage yard around the entire perimeter of the yard

### Analysis

The variances are requested to the development standards of the General Industrial zoning, which means that the BZA has the authority to approve it as long as the proposed projects meets 3 criteria listed in Lapel's UDO and analyzed below. Please note that while granting the variances is a matter committed to discretion of the BZA, granting a Special Use approval is mandatory once the applicant shows compliance with relevant statutory criteria.

#### Criteria 1

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

None of the proposed variances will produce injuries to the public health, safety, morals, and general welfare of the community without proper correction. The variance of lot width comes after several discussions between the applicant and surrounding neighbors. The smaller lot width will maintain traffic closer to Smock Auction and the concrete plant to the north of the street, as well as redirect away from the existing residential land uses. The result was designed to minimize the impact on all surrounding neighbors. The variance of driveway locations comes as a result of discussions between the applicant and the neighbor to the north of the property. By using the East property line, the applicant plans to reduce the impact beyond their drive from SR 13 using a frontage road with 2 entries and a cul-de-sac to allow easier turning maneuvers. While the approval of this variance could be injurious to public safety, the planned

alternative does satisfy the purpose of the standard in providing safe property entry ways. The variance of public water access is a result of the lack of need for much of the resource for the proposed land use. This variance could be dangerous to the public, if proper alternatives are not made, specifically for fire safety. The applicant proposes to allow the installation of private wells, and a commitment to connect to future networks that are built in the area. The applicant also plans to install a dry hydrant connection to the proposed pond, as well as Knox Box Accesses for fire safety requirements of the fire department. The waiver of the building offset is asked due to the non-conductive nature when applied to a metal building. The proposed offsets and barriers provide proper safety barriers and screening to correct the possible injuries to the public by not following the standard.

## **Criteria 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.*

With the extensive neighbor involvement used in the design of the property development, the variances requested, and proposals made have been made to prevent adverse effects on the adjacent properties. The variance of minimum lot width will increase the use and value of adjacent properties by relocating the traffic away from the residential buildings on the north side of CR 650, maintaining the traffic closer to Smock Auction and the concrete plant. This will also include a landscape buffer to screen the project from the drive itself. The variance for the driveway was requested after direct meetings between the applicant and the northern neighbor that will be affected by the driveway placement. The agreement was made to locate the proposed driveway along the eastern property line, reducing the impact and traffic coming from SR 13. This will be a frontage road, with 2 entries into the site, and a cul-de-sac to facilitate better turning movements. This solution maintains the purpose of the ordinance by providing safe ingress and egress from the site, without substantially affecting the neighboring properties. The variance for the public sewer and water access, and the proposed solution of private wells and dry hydrant connection, will facilitate following of all safety standards and not affect the adjacent property use or value. The variance of the building façade offset could affect the value of adjacent properties, if the alternatives do not correctly address the impact. The applicant proposes to provide an interesting front façade with split-face block on the first-floor, painted metal siding on the second story, and an architectural element. This will provide appropriate screening and visual appeal to correct the variance of the standard 2-foot offsets every 40 linear feet.

## **Criteria 3**

*The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied.*

All proposed variances were developed to allow development of the property with undue hardship. The minimum lot width variance will allow the development of the land as desired, without requiring more land to be developed than needed. If the full 200 feet is required, it will require further development than the applicant is able to provide or use. The driveway variance is required to allow the applicant to have proper access to the property without causing hardship for future development or current use. If the standard 150 linear feet separation of

driveway entrances is followed, it will make the development of the property more difficult than needed. Also, it would increase the traffic flow problems with the addition of a second high traffic flow break in the roadway, when one would suffice to service both the applicant and north neighbor's needs. The public water variance is requested due to the detrimental cost of providing such a service. There is currently no public water availability, but the applicant has proposed alternatives instead of the prohibitive cost being required. The applicant proposes to use private wells, dry hydrant connection to the proposed pond, as well as Knox Box Accesses for fire safety. The applicant will also commit to connecting to a future public water network if one is created in the vicinity. The building façade offset waiver request comes because of the inconducive manner of following the 2-foot offsets every 40 linear feet for a metal shed type barn. The applicant has proposed that, as this standard has not been applied to other similar projects like the Lapel Stony Creek Fire Sation, that they be allowed to use a split-face block and painted metal siding instead of following the standard.

## **VARIANCE OF DEVELOPMENT STANDARDS FINDINGS**

### **AGENDA ITEM #1:**

If the Board should decide to APPROVE the requested variance, please use the following findings of fact:

The Lapel Board of Zoning Appeals is authorized to approve or deny variances of development standards from the terms of the zoning ordinance. The BZA may impose reasonable conditions as part of its approval. A Variance of Development Standards may be approved only upon a determination in writing that the following three (3) conditions are met (see Indiana Code § 36-7-4-918.5):

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

It is likely that these variances will NOT be injurious to the public health, safety, morals, and general welfare of the community. The minimum lot width variance will facilitate better traffic flow and reduce the impact on the adjacent properties overall. The alternative provided for the driveway variance will likewise provide a safer alternative for traffic movement. The variance of public water could prove injurious, but the alternatives proposed will assuage these problems. The building façade offset variance approval will offer no problems for the public either, though the maintaining of the standard will not either.

#### **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:**

It is likely that the use and value of real estate adjacent to the subject site will NOT be affected in a substantially adverse manner by allowing the requested variances. For the lot width and driveway location they will in fact be improved through the proposed alternatives. Nearby property owners may remonstrate against this petition if they believe this request

will have significant adverse effects on adjacent properties. Should nothing contrary be brought to light by adjacent owners at the public hearing, it is presumed that the approval of this variance request will not have a substantially adverse effect on the use and value of adjacent properties.

**3. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought:**

The strict application of the terms of the zoning ordinance WILL result in practical difficulties in the use of the property. In the case of the lot width and driveway location, it will mean a detrimental hardship in the development of the property and produce designs that will produce more adverse effects than the proposed alternative. The variance in the public water requirement is required as it would be financially detrimental to the project to create the needed network to connect to the existing public water structures.

The strict application of the terms of the zoning ordinance for the building façade offsets MAY result in practical difficulties in the use of the property. While the requirement is not conducive for a metal building design, there may be other alternative that could follow the standard as written, without requiring a waiver.

## **RECOMMENDATIONS**

**AGENDA ITEM #1:**

APPROVE the requested Variance of Development Standards based upon the following findings of fact:

- The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
- The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and
- The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought.

With the following specific conditions:

1. The Applicant shall sign the Acknowledgement of Variance document prepared by the Planning and Development Department Staff within 60 days of this approval. Staff will then record this document against the property and a file stamped copy of such recorded document shall be available in the Department of Planning and Development.
2. Any alterations to the approved building plan or site plan, other than those required by the Board of Zoning Appeals (BZA), shall be submitted to the Planning and Development.





9591 W. 650S - Weihe  
Location Map/Existing Zoning Map



To: Oksana Polhuy  
Town of Lapel

4/5/24

Submittal for:

**Weihe Construction, Inc.  
New Shop**

RE: Town of Lapel Rezoning Application, 9591 W 650 S, Pendleton, IN 46064

Submittal Includes:

1. Primary Plat Submittal – Updated with missing information from October 2023.
2. Zoning Variances & Special Use Application

## Overview of Special Use, Variance & Plat Submittal for:

For: 9591 W. 650S Pendleton, Indiana 46064  
Primary Plat Case: #PLAT-2023-03

### Town of Lapel Contacts:

Teresa Retherford - Town of Lapel  
Oksana Polhuy – MS Consultants Inc. (317) 566-0050

### Owner Contacts:

Bow & Arrow Investments, LLC  
Weihe Construction, Inc.  
15215 Stony Creek Way  
Noblesville, IN 46060

**EXISTING ZONING:** Ig (General Industrial)

### Overview:

Weihe Construction intends to construct a new service shop and material yard for our operations. The primary use being repairs of equipment, fleet maintenance, and storage of our fleet out of this facility. We will have a staff of 15 to 20 people working here full-time. This will become our main hub for our equipment fleet.

## SPECIAL USES REQUESTED for LOT 2:

1. Equipment & Truck Service/Repair.
2. Lime Stabilization Storage Silos. (Not shown as special use, but included for discussion)
3. Storage of Petroleum Products.

## ZONING VARIANCES REQUESTED:

1. **Minimum Lot Width:** Required 200 feet; Requested: 70 feet.
  - a. This conversation came about over the last 2 years of zoning. In working with the neighbors, we agreed to place our drive along the East property line to keep traffic away from the homes located on the north side of CR650.
  - b. We believe this is a good solution that satisfies ourselves and our neighbors. Maintain traffic nearer to Smock and the concrete plant across the street.
  - c. We are proposing to place the Landscape buffer along the West side of this proposed drive to create a landscape buffer to screen our project from this drive.
  - d. This proposed layout will provide better traffic flow for our use and minimize impact on our neighbors.
2. **Driveway Location: (V 10.216.I.ii) :** Drive on Collector says minimum distance between 2 driveway entrances should be 150 LF.
  - a. Our driveway location was determined after meeting with neighbor's to the north. The outcome is to keep our drive along the East Property line as to reduce impact and traffic beyond our drive coming from SR 13.



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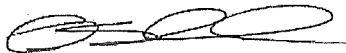
For: 9591 W. 650S Pendleton, Indiana 46064

Primary Plat Case: #PLAT-2023-03

- b. The closet driveway, the Brunk's driveway on the northside of CR 650 is 20' offset as measured from edge of drive to edge of drive. The Brunk's second driveway is 240 ft.
  - c. Madison County Cabinets (Bowman's shop) commercial entry is 343 ft from edge to edge.
  - d. After discussions with neighbors, we believe this is the best solution: A frontage road along the East Property line, with 2 entries into our site off our frontage road.
3. **Sewer & Water:** Ig zoning requires public sewer and water.
- a. Currently, there is no public water available in this area and the cost to bring to area would be detrimental to project. We request the allowance to install private wells to service subject property.
    - i. Our use does not require a lot of water.
    - ii. We will commit to "hooking up" to public water once it is installed in this area.
  - b. With no public water available, we will install a Dry Hydrant Connection to our proposed pond and provide all the necessary Knox Box Accesses for fire safety as determined by the fire department.
  - c. Currently, Fall Creek Regional Waste District (FCRWD) has public sanitary close to subject property. We have a "Will Serve Request" letter from FCRWD to allow future connection into their system.
4. **Building Façade Offsets:** We are proposing to construct a metal shed type barn on the subject property. The Zoning Ordinance calls for 2-foot offsets in the proposed façade every 40 linear feet. This is not conducive to metal building design, and we request that this be waived for this project. We will provide an interesting front façade with split-face block on the first-floor, painted metal siding on the second-story, and an architectural entry element.
- a. This condition has not been applied to other similar projects in Lapel, like the Lapel Stony Creek Fire Station.

Thank you for your attention and consideration of this matter. We are confident that these proposed zoning changes will be impactful in a positive way on the community and be more considerate of our neighbors. We are excited to become a part of the Lapel Community and look forward to working with you on this matter.

Sincerely,



Alan Small

Bow & Arrow Investments/Weihe Construction



## NOTICE OF PUBLIC HEARING

Notice is hereby given that on the 6th day of June, 2024 at 6:30 P.M. a public hearing will be held by the (select one) ~~Lapel Planning Commission~~ or – *Lapel Board of Zoning Appeals* in the **Lapel** Lion's Club 329 S. Main **Street, Lapel, Indiana or virtually**. Virtual meeting information can be seen at [www.lapelindiana.org](http://www.lapelindiana.org). The purpose of the public hearing is to consider a petition for a

9591 W. 650S, Pendleton, IN 46064, Weihe Construction Shop Project

on the following described real estate. The nature of the petition is as follows: (briefly describe the request)

Weihe Construction is requesting a zoning variances & special use changes to facilitate construction of their shop. See attached Overview for more details

### Legal Description:

SURVEYED TRACT LAND DESCRIPTION PER BK. 142, PG. 128 THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 18 NORTH, RANGE 6 EAST, 40 ACRES, MORE OR LESS.

The subject site is located on the N/S/E/W side of CR650S between roads SR13 and Atlantic Rd. in Green Township with a street address/ city / zip of 9591 W. 650S, Pendleton, IN 46064. The purpose of the petition is to record a Subdivision Plat for 2 lots at this location.

### Petitioner's Contact Information:

Contact Name	Alan Small
Contact Address	15215 Stony Creek Way, Noblesville, IN 46060
Contact Phone	317 - 776 - 2966
Contact Email	asmall@weiheconstruction.com

**Available Plans:** The project plans are available for examination at the office of Lapel Town Hall.

**Written Comments:** Written comments on the application will be accepted prior to the public hearing and may be submitted to the Planning Commission.

All interested persons desiring to present their views on the petition will have an opportunity to be heard. Pursuant to the Americans with Disabilities Act, any individual interested in attending the hearing should contact the Town of Lapel Planning Commission and advise what, if any, accommodation is needed to attend the hearing. Said hearing may be continued from time to time without further notice.

For more information, contact the Town of Lapel Planning Commission at 765-534-3157. The Commission office is located at 825 N Main Street, Lapel, Indiana.

NOTE TO PUBLISHER: THIS NOTICE MUST APPEAR AT LEAST ONE (1) TIME NOT LESS THAN TEN (10) DAYS PRIOR TO THE HEARING DATE.



## PETITION CHECKLIST

Note: All documents must be legible. All text documents must be typewritten, or computer generated. All drawings, such as site plans, elevations, sign details, maps, surveys, must be drawn to an appropriate scale, dimensioned, and in ink.

1. One (1) completed checklist (this form).
2. One (1) completed petition, signed by the owner of the subject property or an authorized agent, notarized, and filed at least 35 days prior to a scheduled public hearing.
3. One (1) copy of a general location or area map indicating (in a reproducible manner) the location of the property and the surrounding area. Maps created using internet mapping sites are acceptable.
4. Four (4) copies of the legal description attached to the petition. Attach one to the petition; attach one copy to each of the Ordinances as referenced above.

*Metes and bounds descriptions should include two (2) copies of the perimeter survey, drawn to scale. - or - Recorded subdivision legal description includes lot number, section number, subdivision name, plat book number with page number and must include a plat map (plat maps are available in Room 741 of the City-County Building/or a nominal charge).*

5. Three (3) copies of a site plan must be filed. Plans must be legible and drawn to a scale of 1= 10, 1=20, 1=30, or 1=40. Additional information may be required, but at the minimum, plans must include the information described on the site plan form.
6. Non-refundable filing fee. See Fee Schedule for fee.
7. On-site hearing notice sign fee. The On-Site Notice must be posted in a conspicuous location along each street frontage of the affected property. There is a non-refundable fee of \$10 per sign required.
8. Surrounding property owners (optional). As part of the legal notice requirement, the petitioner is required to notify the owners of surrounding properties per the Rules of Procedure. Petitioners can request a list of those property owners requiring notice of their petition for an optional \$25 fee. The list of owners compiled will be provided to the petitioner on label form. Petitioners are still required to make copies of the legal notice and mail it to the list provided. If petitioners do not choose this option, they must obtain their own list of surrounding property owners from the County Assessor's Office.
9. Contact person identified. This Contact Person is notified when Legal Notice is prepared; contacted to provide additional information; and receives the written Staff Report.

Contact Name	Alan Small
Contact Address	15215 Stony Creek Way, Noblesville, IN 46060
Contact Phone	317-538-2106
Contact Email	asmall@weiheconstruction.com

Acceptable methods of payment include cash, check, or MasterCard, VISA, Discover or American Express credit card. Checks must be made payable to "Town of Lapel." Credit cards are accepted; however, the credit card processing agency assesses a fee ~3% of the transaction amount.





RE: Town of Lapel Rezoning Application, 9591 W 650 S, Pendleton, IN 46064

### **Legal Description**

SURVEYED TRACT LAND DESCRIPTION  
PER BK. 142, PG. 128

THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16,  
TOWNSHIP 18 NORTH, RANGE 6 EAST, 40 ACRES, MORE OF LESS.

See attached ALTA Survey for more information.



(Circle one)

PLAN COMMISSION / **BZA**

DOCKET NO.

## PETITION APPLICATION

2 PAGES

PETITIONER REQUEST – CIRCLE ALL THAT APPLY	REZONE - <u>USE VARIANCE</u> - <u>DEVELOPMENT STANDARDS VARIANCE</u> - SPECIAL EXCEPTION MODIFICATION OF: SITE PLAN - DEVELOPMENT STATEMENT - COMMITMENTS/CONDITIONS APPROVAL OF USE IN SPECIAL DISTRICT - APPEAL OF ADMINSTRATOR'S DECISION		
MEETING DATE REQUEST	May 8th, 2024		
PROPERTY OWNER	Bow & Arrow Investments, LLC		
OWNER'S ADDRESS	15215 Stony Creek Way, Noblesville, IN 46060		
PROJECT ADDRESS	9591 W. 650S Pendleton, Indiana 46064	TOWNSHIP	Greene
OWNER'S EMAIL ADDRESS	asmall@weiheconstruction.com		
CONTACT PERSON	Alan Small		
CONTACT PHONE NUMBER	317-538-2106		
EMAIL ADDRESS	asmall@weiheconstruction.com		
LEGAL DESCRIPTION (SELECT ONE)	<u>COMPLETE METE AND BOUNDS LEGAL DESCRIPTION ATTACHED</u> -OR- PLATTED SITE WITHIN A RECORDED SUBDIVIION, COPY OF PLAT MAP ATTACHED. SUBDIVION NAME <u>See attached</u> LOT NUMBER(S) _____ SECTION NUMBER(S) <u>NW1/4, SW1/4, Sec 16 - T18N - R6E</u> RECORDED IN PLAT BOOK NUMBER _____ PAGE(S) _____ OR RECORDED AS INSTRUMENT NUMBER _____		
OWNERSHIP	DOES THE PETITIONER OWN 100% OF THE AREA INVOLVED IN THE PETITION? <u>YES</u> NO OTHER OWNERS? _____		
TAX PARCEL NUMBERS	48-15-16-300-004.000-044		





ACREAGE	40 acres	PARCEL COUNT	1
CODE ENFORCEMENT	IS THE PROPERTY SUBJECT TO ANY CODE ENFORCEMENT ACTION? YES <u>NO</u>		
CURRENT ZONING CLASSIFICATION	Ig (General Industrial)		
CURRENT COMPREHENSIVE PLAN RECOMMENDATION	Commercial/Industrial		
EXISTING PROPERTY USE	Agriculture		
EXISTING IMPROVEMENTS ON PROPERTY	None		
PROPOSAL NARRATIVE	ATTACH NARRATIVE IF NEEDED See Attached - Special Use and Variance Request		
ORDINANCE	SPECIFY ANY SPECIFIC ORDINANCE(S), STANDARD(S), CONDITION(S), COMMITMENT(S), AND/OR REGULATION(S) SOUGHT TO BE MODIFIED. ATTACH ADDITION PAGE IF NEEDED. See Attached		

OATH: THE PETITION APPLICATION INFORMATION, TO MY KNOWLEDGE AND BELIEF, IS TRUE AND CORRECT.

PETITIONER SIGNATURE MORGAN PRYOR  
Notary Public - Seal  
Henry County - State of Indiana  
Commission Number NP0748741  
My Commission Expires May 4, 2031

NOTARY  
SUBSCRIBED AND SWORN  
TO BEFORE ME THIS DATE 4/5/24  
NOTARY PUBLIC SIGNATURE Morgan Pryor  
NOTARY PUBLIC PRINTED NAME Morgan Pryor  
MY COMMISSION EXPIRES 5/2031  
MY COUNTY OF RESIDENCE Henry

OWNER SIGNATURE MORGAN PRYOR  
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## FINDINGS OF FACT FOR VARIANCE (DEVELOPMENT STANDARD)

The approval ( will / will not) be injurious to the public health, safety, morals, and general welfare of the community because;

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The use and value of the area adjacent to the property included in the variance ( will / will not) be affected in a substantially adverse manner because;

The overall commercial and industrial development in this area will have a positive impact on the value of farmland.

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The strict application of the terms of the Zoning Code (will / will not) result in practical difficulties in the use of the property because:

they are not necessary due to the adjacent agricultural and existing commercial uses.

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There ( are / are not) exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to the other property or class of use in the same vicinity and district because;

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## FINDINGS OF FACT FOR VARIANCE (DEVELOPMENT STANDARD)

The approval ( will / will not ) be injurious to the public health, safety, morals, and general welfare of the community because; We will construct and maintain this property to satisfy zoning/ building codes and to the benefit of the Town of Lapel.

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The use and value of the area adjacent to the property included in the variance ( will / will not ) be affected in a substantially adverse manner because;

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The overall commercial and industrial development in this area will have a positive impact on the value of farmland.

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The strict application of the terms of the Zoning Code (will / will not ) result in practical difficulties in the use of the property because:

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they are not necessary due to the adjacent agricultural and existing commercial uses.

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The need for the variance arises from some condition peculiar (is / is not ) to the property involved because;

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Special uses are needed to allow this project to be viable. See the attached Special Uses Requested.

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The approval ( does / does not ) interfere substantially with the Lapel Comprehensive Plan because;

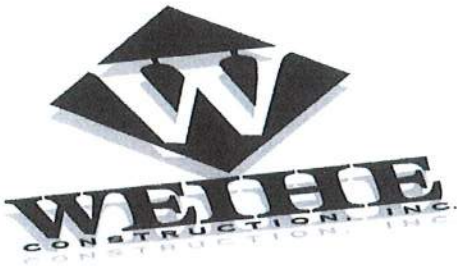
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Comprehensive plans calls for commercial/industrial in this area and recommends to "Diversify land use near and south of SR38."

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RE: Town of Lapel Rezoning Application, 9591 W 650 S, Pendleton, IN 46064

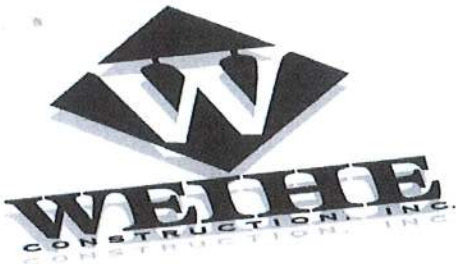
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**For:** 9591 W. 650S Pendleton, Indiana 46064

Primary Plat Case: #PLAT-2023-03

### **Town of Lapel Contacts:**

Teresa Retherford - Town of Lapel

Oksana Polhuy – MS Consultants Inc. (317) 566-0050

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15215 Stony Creek Way

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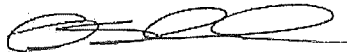
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Primary Plat Case: #PLAT-2023-03

- b. The closet driveway, the Brunk's driveway on the northside of CR 650 is 20' offset as measured from edge of drive to edge of drive. The Brunk's second driveway is 240 ft.
  - c. Madison County Cabinets (Bowman's shop) commercial entry is 343 ft from edge to edge.
  - d. After discussions with neighbors, we believe this is the best solution: A frontage road along the East Property line, with 2 entries into our site off our frontage road.
3. **Sewer & Water:** Ig zoning requires public sewer and water.
- a. Currently, there is no public water available in this area and the cost to bring to area would be detrimental to project. We request the allowance to install private wells to service subject property.
    - i. Our use does not require a lot of water.
    - ii. We will commit to "hooking up" to public water once it is installed in this area.
  - b. With no public water available, we will install a Dry Hydrant Connection to our proposed pond and provide all the necessary Knox Box Accesses for fire safety as determined by the fire department.
  - c. Currently, Fall Creek Regional Waste District (FCRWD) has public sanitary close to subject property. We have a "Will Serve Request" letter from FCRWD to allow future connection into their system.
4. **Building Façade Offsets:** We are proposing to construct a metal shed type barn on the subject property. The Zoning Ordinance calls for 2-foot offsets in the proposed façade every 40 linear feet. This is not conducive to metal building design, and we request that this be waived for this project. We will provide an interesting front façade with split-face block on the first-floor, painted metal siding on the second-story, and an architectural entry element.
- a. This condition has not been applied to other similar projects in Lapel, like the Lapel Stony Creek Fire Station.

Thank you for your attention and consideration of this matter. We are confident that these proposed zoning changes will be impactful in a positive way on the community and be more considerate of our neighbors. We are excited to become a part of the Lapel Community and look forward to working with you on this matter.

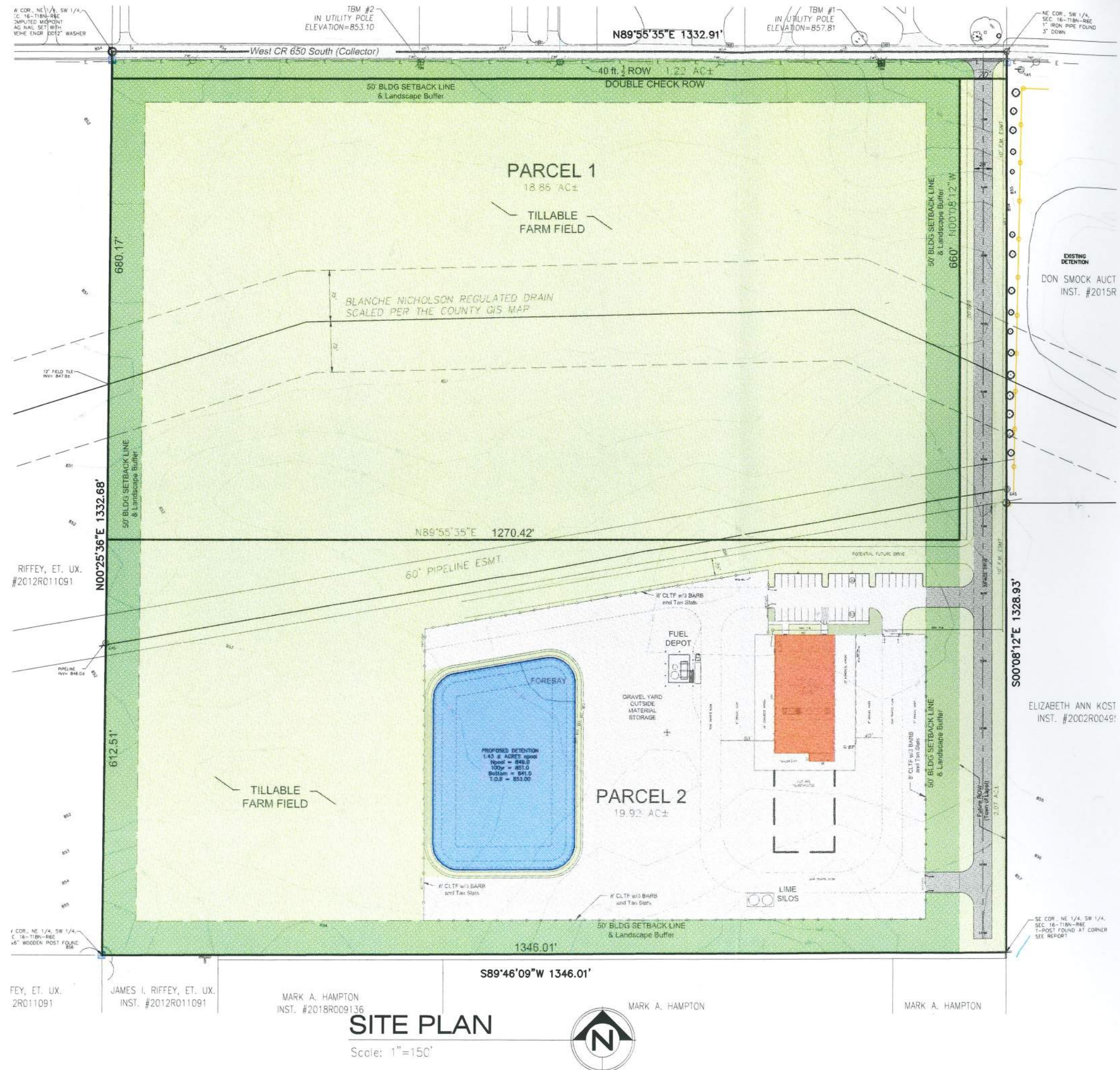
Sincerely,



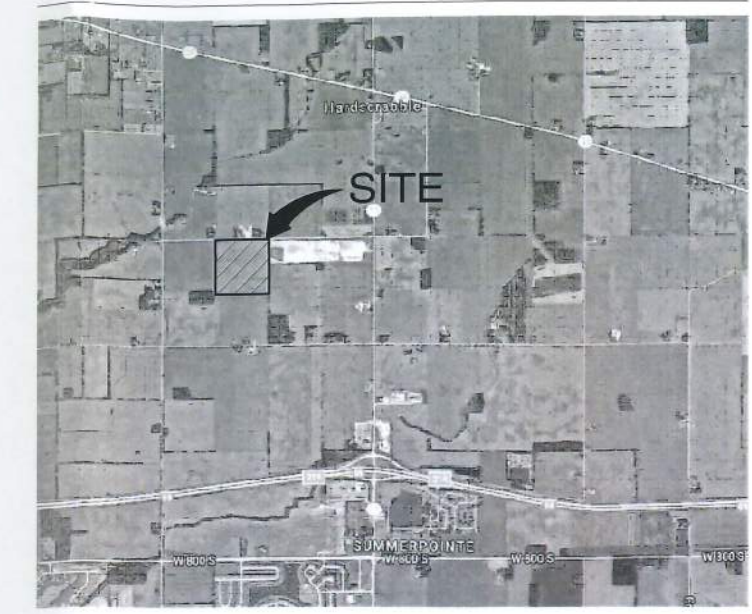
Alan Small

Bow & Arrow Investments/Weihe Construction





Project Location



Project  
**Weihe Construction Shop**

Owner  
**Bow & Arrow Investments, LLC**  
 15215 Stony Creek Way  
 Noblesville, IN 46060

Date  
 4/1/24

**Proposed Zoning Plan**

**SITE PLAN**

Scale: 1"=150'

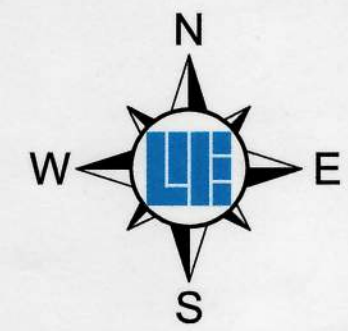




# WEIHE CONSTRUCTION SHOP

## PRIMARY PLAT

### PROPOSED SITE CONDITIONS



SCALE: 1" = 100'



#### LEGEND

- REBAR FOUND
  - 5/8" Ø REBAR WITH YELLOW PLASTIC CAP STAMPED "WEIHE ENGR. 0012" SET
  - HARRISON MONUMENT FOUND
  - PK OR MAG NAIL FOUND
  - MAG NAIL WITH WASHER STAMPED "WEIHE ENGR. 0012" SET
  - IRON PIPE FOUND
  - ⊥ TEE IRON FOUND
  - ⊥ TEMPORARY BENCH MARK
  - UTILITY POLE
  - GUY ANCHOR
  - ELECTRICAL RISER
  - ELECTRIC METER
  - COMMUNICATIONS PEDESTAL
  - GAS PIPELINE MARKER
  - ⊥ SIGN
  - ⊥ POST
  - ⊥ MAIL BOX
  - BSL PROPOSED BUILDING SETBACK LINE
  - D.E. PROPOSED DRAINAGE EASEMENT
- MIXED OR UNIDENTIFIED OVERHEAD UTILITY
- UNDERGROUND COMMUNICATIONS
- UNDERGROUND GAS
- UNDERGROUND ELECTRIC
- SANITARY FORCEMAIN
- CHAIN LINK FENCE
- BOUNDARY LINE
- SECTION LINE
- INDEX CONTOUR
- INTERMEDIATE CONTOUR
- ASPHALT
- CONCRETE (CONC)
- STONE
- DECIDUOUS TREE
- CONIFEROUS TREE
- DECIDUOUS BUSH

SOURCE OF TITLE: BOW & ARROW INVESTMENTS, LLC  
INSTRUMENT NUMBER 2023R011192

#### LAND DESCRIPTION

PER BK 142, PG. 128  
THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 18 NORTH, RANGE 6 EAST, 40 ACRES, MORE OR LESS.

#### SURVEYOR'S CERTIFICATE

I, JOSHUA DAVID WERNER, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA:

THAT THIS PLAT CORRECTLY REPRESENTS A PRIMARY PLAT BASED UPON A SURVEY COMPLETED BY JACOB T. HOFFMAN, PS NO. LS21100089 ON AUGUST 16, 2022 AND RECORDED AS INSTRUMENT NUMBER 2023R004581, THAT ALL THE MONUMENTS SHOWN THEREON ACTUALLY WILL EXIST OR BOND HAS BEEN POSTED TO COVER THE LATER INSTALLATION OF THESE MONUMENTS, AND THAT ALL OTHER REQUIREMENTS SPECIFIED HEREIN, DONE BY ME, HAVE BEEN MET.

JOSHUA DAVID WERNER, PS

REG. PS #LS21200020

DATE: MARCH 28, 2024

#### PLAN COMMISSION CERTIFICATE

UNDER AUTHORITY PROVIDED BY IC 36-7, ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THERETO, AND AN ORDINANCE ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LAPEL, MADISON COUNTY, INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE LAPEL ADVISORY PLAN COMMISSION ON THE \_\_\_\_ DAY OF \_\_\_\_ 20\_\_.

SIGNATURE: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

PRINTED: \_\_\_\_\_ PRINTED: \_\_\_\_\_  
PRESIDENT SECRETARY

IG GENERAL INDUSTRIAL ZONE

MINIMUM BUILDING SETBACKS

FRONT YARD: 60 FEET OR AS SHOWN

SIDE YARD: AS SHOWN

REAR YARD: AS SHOWN

#### PROJECT BM

5.1 MI N FROM FORTVILLE  
ABOUT 5.1 MILES NORTH ALONG STATE HIGHWAY 13 FROM THE JUNCTION OF STATE HIGHWAY 238 AT FORTVILLE, ABOUT 1.05 MILE NORTH OF CENTER SCHOOL, 1.2 MILES SOUTH OF THE INTERSECTION OF STATE HIGHWAY 38, AT AN EAST-WEST GRAVEL CROSS ROAD, 40 FEET NORTH OF THE CENTER LINE OF THE CROSS ROAD, 28.5 FEET WEST OF THE CENTER LINE OF THE HIGHWAY, 38 FEET NORTH OF POWER POLE 64-658, 32.5 FEET NORTH OF A FENCE CORNER, 1.5 FEET EAST OF THE FENCE LINE, ABOUT LEVEL WITH THE HIGHWAY AND SET IN THE TOP OF A CONCRETE POST PROJECTING 5 INCHES. NOTE- MARK IS ABOUT 4.25 MILES SOUTH OF THE JUNCTION OF STATE LA1573/HIGHWAY 132 AT LAPEL.

ELEV. 862.01 (NAVD 88)

#### SITE TBM

TBM #1  
A BENCH TIE SET ±1' UP ON SOUTH SIDE OF POWER POLE ACROSS THE STREET FROM A MAILBOX STAMPED 9548 AND APPROXIMATELY 186 FEET WEST OF THE EAST BOUNDARY LINE.

ELEV. 857.81 (NAVD 88)

TBM #2  
A BENCH TIE SET ±1' UP ON SOUTH SIDE OF POWER POLE #68-313 AND ON THE SOUTH SIDE OF CR 650 S APPROXIMATELY 460 FEET EAST OF THE WEST BOUNDARY LINE.

ELEV. 853.10 (NAVD 88)

PROPOSED SITE CONDITIONS SHOWN HEREON ARE PRELIMINARY BASED ON CONCEPTUAL PLANS AND ARE SUBJECT TO CHANGE.



This instrument prepared for:

**BOW & ARROW INVESTMENTS, LLC**

ALAN SMALL  
15215 STONY CREEK WAY  
NOBLESVILLE, IN 46060  
(317) 538-2106

This instrument prepared by: Joshua David Werner

**WEIHE**  
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Landscape Architecture

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10505 N. College Avenue  
Indianapolis, Indiana 46280  
weihe.net

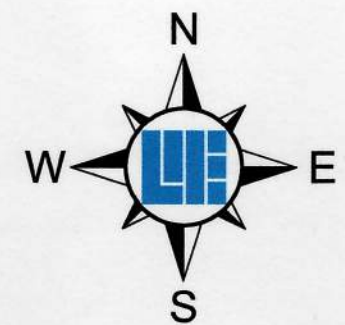
317 | 846 - 6611  
800 | 452 - 6408  
317 | 843 - 0546 fax

ALLAN H. WEIHE, P.E., L.S. - FOUNDER





# WEIHE CONSTRUCTION SHOP PRIMARY PLAT TOPOGRAPHY MAP



## LEGEND

- REBAR FOUND
- 5/8" Ø REBAR WITH YELLOW PLASTIC CAP STAMPED "WEIHE ENGR. 0012" SET
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ELEV. 853.10 (NAVD 88)

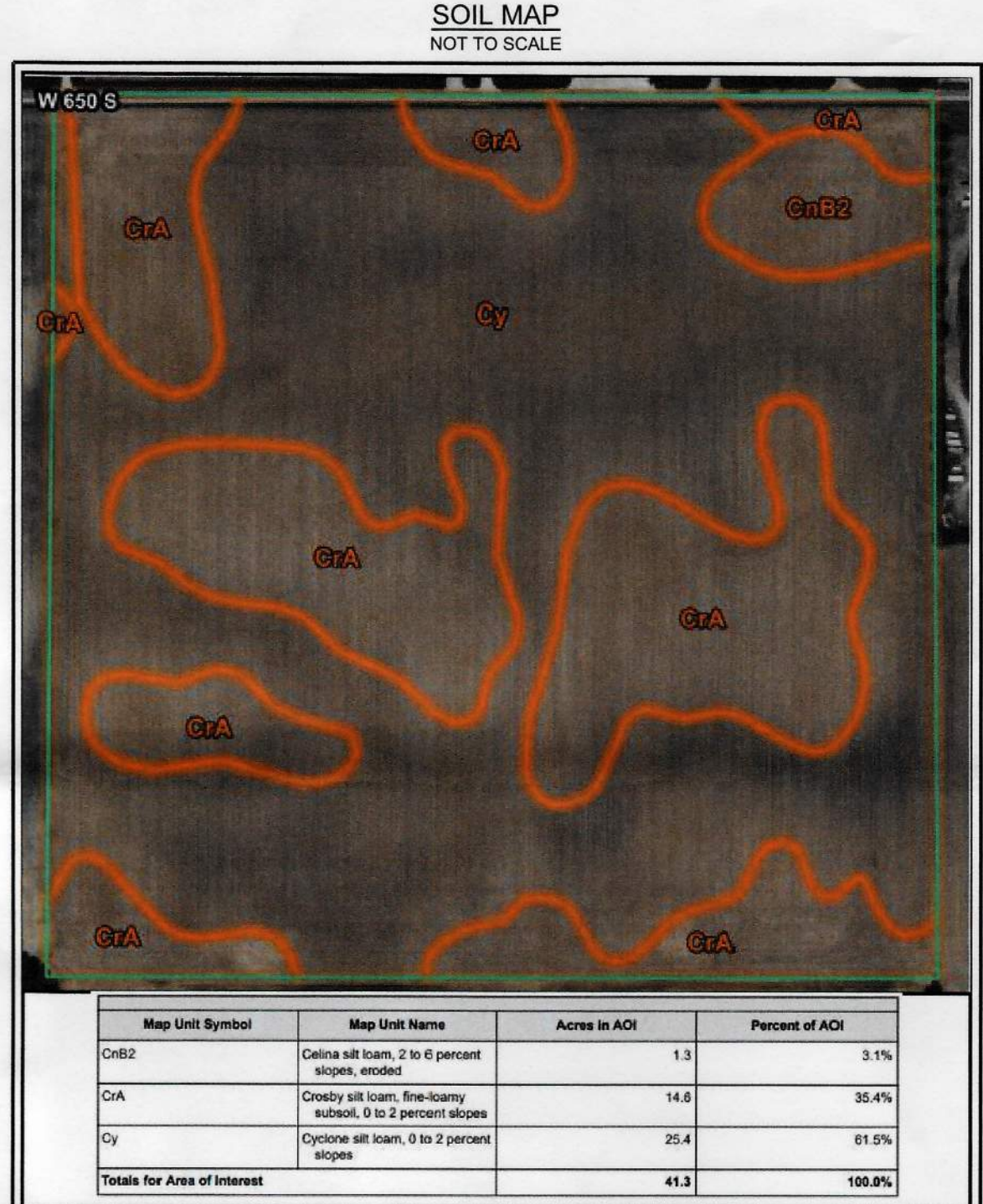
SOURCE OF TITLE: BOW & ARROW INVESTMENTS  
INSTRUMENT NUMBER 2023R011192

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ALAN SMALL  
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SHEET 2 OF 2

This instrument prepared by: Joshua David Werner

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317 | 843 - 0546 fax  
ALLAN H. WEIHE, P.E., L.S. - FOUNDER

PROJECT NO.: WXXXXX



# RECOMMENDATION: Diversify land use near and south of SR 38

