



CITY OF WESTFIELD, IN
BoardofZoningAppeals_Meeting_Agenda_03_13_2018

Tuesday, March 13, 2018 at 07:00 PM

BOARD OR COMMISSION: Board of Zoning Appeals (BZA)

MEETING DATE: Tuesday, March 13, 2018 at 07:00 PM

MEETING PLACE: Westfield City Hall, 130 Penn Street, Westfield, IN 46074

THE FOLLOWING AGENDA IS SUBJECT TO CHANGE AT THE DISCRETION OF THE BOARD OF ZONING APPEALS

OPENING OF REGULAR MEETING

Note the presence of a quorum

Election of Officers

-Chairperson

-Vice-Chairperson

-Pro-Tempore

Approval of Minutes - February 13, 2107

Documents: [BZA Minutes - February 13, 2018](#)

Review Rules & Procedures

ITEMS OF BUSINESS:

1803-VU-02 [PUBLIC HEARING]

133 W. 161st Street

Mauricio Gonzalez Reyna

The petitioner is requesting a temporary Variance of Use to allow a Construction Trade Office (Article 12) use within the AG-SF1: Agriculture / Single-Family Low Density District (Article 13.2).

(Planner: Matt Pleasant - MPleasant@westfield.in.gov)

Documents: [Exhibit 1 Staff Report](#) | [Exhibit 2 Location Map](#) | [Exhibit 3 Petitioner's Application](#)

1803-VS-03 [PUBLIC HEARING]

14758 Greyhound Pass

Texas Roadhouse Holdings, LLC by GreenbergFarrow

The petitioner is requesting Variances of Development Standard to change the required lot standards (Article 4.16(D), 4.16(E)), relief from the US Highway 31 Overlay District

(Article 5.2), Architectural Standards (Article 6.3), Landscaping Standards (Article 6.8), and Signage Standards (Article 6.17) within the GB: General Business District (Article 4.16).

(Planner: Matt Pleasant - MPleasant@westfield.in.gov)

Documents: [Exhibit 1 Staff Report](#) | [Exhibit 2 Location Map](#) | [Exhibit 3 Site Plan](#) | [Exhibit 4 Landscape Plan](#) | [Exhibit 5 Sign Plan](#) | [Exhibit 6 Petitioner's Application](#)

1803-VS-04 [PUBLIC HEARING]

16133 Haddam Lane

Gennadiy Kelmanson by Raymond J. Hafseten, Jr.

The petitioner is requesting Variances of Development Standard to change the required Lot Standards (Article 4.2(C) and Article 4.2(D)) and amend the previously approved variance (99-V-28) to allow a fifth lot in Block A of the Woodshire subdivision within the Agriculture / Single-Family Rural District (Article 4.2).

(Planner: Matt Pleasant - MPleasant@westfield.in.gov)

Documents: [Exhibit 1 Staff Report](#) | [Exhibit 2 Location Map](#) | [Exhibit 3 Site Plan](#) | [Exhibit 4 99-V-28](#) | [Exhibit 5 Petitioner's Application](#)

1609-AA-01 [CONTINUED]

14939 Ditch Road

The petitioner is appealing an Administrative Determination (1604-AD-02) regarding standards applicable to a concrete business pursuant to a previously approved Variance of Use (79-V-12).

(Planner: Kevin Todd - KTodd@westfield.in.gov)

1803-AA-01 [CONTINUED]

16708 Dean Road (Bob's Garage)

Esler Properties, LLC by Morse & Bickel, P.C.

The petitioner is appealing an Administrative Determination (1712-AD-04) regarding the revocation of a variance (1603-VU-03).

(Planner: Pam Howard - PHoward@westfield.in.gov)

REPORTS/COMMENTS:

Plan Commission Liaison

Economic and Community Development Department

ADJOURNMENT

MINUTES

Westfield-Washington Board of Zoning Appeals

Minutes of the February 13, 2018 BZA Meeting

Presented for approval: March 13, 2018

Page 1 of 4

The Westfield-Washington Township Board of Zoning Appeals met at 7:00 p.m. on Tuesday, February 13, 2018, at Westfield City Hall.

Members present: Jeannine Fortier, Ken Kingshill, Martin Raines, Dave Schmitz, and Robert Smith.

City staff present: Amanda Rubadue, Associate Planner; Caleb Ernest, Associate Planner; and Brian Zaiger, City Attorney.

ROLE CALL

Noted presence of a quorum.

ELECTION OF OFFICERS

- Chairperson: Continued to next meeting
- Vice-Chairperson: Continued to next meeting
- Pro-Tempore: Continued to next meeting

APPROVAL OF MINUTES

Motion: move to approve the December 12, 2017 meeting minutes as presented.

Motion: Schmitz; Second: Raines. Motion passed. Vote 5-0.

REVIEW OF RULES AND PROCEDURES

Rubadue reviewed BZA rules and procedures.

ITEMS OF BUSINESS

1802-VS-02

[PUBLIC HEARING]

18464 Idlewind Court

Andy & Stephanie Weber by Havencrest Homes

The petitioner is requesting a Variance of Standard to reduce the Minimum Rear Yard Setback to accommodate the installation of a pool on 0.39 acres +/- in the Andover PUD District (Exhibit 7 of Ordinance 03-40).

Ernest presented an overview of this Variance of Standard request to accommodate an in ground pool.

Marcy Lewis of Havencrest Homes, representing the petitioners, gave a presentation and overview of the need for the setback.

Kingshill asked if neighbors had made comments.

Lewis said that a certified letters to all properties within an eighth of a mile, as well as a notice in the front yard. No comments have been received.

Smith asked if the HOA was fine with this plan, if the view of the pool was blocked from the street.

Lewis said the HOA has already approved this plan.

Public Hearing for 1802-VS-02: Opened at 7:12 p.m.

No public comment.

Public Hearing for 1802-VS-02: Closed at 7:13 p.m.

Kingshill asked for confirmation of the setback.

Smith asked if the pool would be fenced in.

Lewis responded that the requirement is a fence or a cover. This pool is set to have a cover.

Motion:

Kingshill motioned to approve 1802-VS-02.

Raines seconded. Motion passed. Vote 5-0.

Motion:

Schmitz moved to adopt the Department's recommended findings of facts.

Raines seconded. Motion passed. Vote 5-0.

1802-VU-01**[PUBLIC HEARING]****17767 Sun Park Drive**

Full Circle Renovation by Century 21 Scheetz

The petitioner is requesting a Variance of Use to allow a Construction Trade Office (Article 12) use within the US Highway 31 Overlay District (Article 13.2).

Rubadue presented a summary of this request for a Variance of Use.

Brian Sanders with Century 21, Scheetz Realty, on behalf of the petitioners, presented an overview of the business and its request.

Kingshill asked about the long term plan for this business on this property in relation to its location in the US 31 Overlay and if the petitioner would be willing to revisit the BZA for variance renewal.

Adam Henderson, business owner, said that he would like to keep and grow his business in the Westfield area.

Sanders said that the petitioner is looking forward to growing the business and would be willing to revisit the BZA for variance renewal in accordance with the Comprehensive Plan.

Public Hearing for 1802-VU-0: Opened at 7:37 p.m.

No public comment.

Public Hearing for 1802-VU-01: Closed at 7:37 p.m.

Schmitz asked for clarification about existing zoning and overlay as well asked about changes to be made to the building.

Rubadue addressed the zoning/overlay boundaries.

Petitioners indicated that they would be making cosmetic changes to the exterior and more extensive modifications to the interior.

Fortier asked about the future of the company's Nora location.

Petitioner responded that this is still under consideration; but, most likely will sell it and consolidate in Westfield.

Motion:

Schmitz motioned to approve 1802-VU-01 with staff's three conditions:

1. The Variance of Use shall have an expiration date of December 31, 2023,
2. The Business Owner shall submit a compliant Landscape Plan to be reviewed and approved by the Department no later than December 31, 2018 and installed June 31, 2019,
3. The Business Owner shall submit compliant building elevations to be reviewed and approved by the Department no later than December 31, 2018 and installed June 31, 2019.

Raines seconded. Motion passed. Vote 5-0.

Motion:

Schmitz moved to adopt the Department's recommended findings of facts.

Raines seconded. Motion passed. Vote 5-0.

1609-AA-01

[CONTINUED]

14939 Ditch Road

Indiana Structural Foundations, LLC

The petitioner is appealing an Administrative Determination (1604-AD-02) regarding standards applicable to a concrete business pursuant to a previously approved Variance of Use (79-V-12).

REPORTS/COMMENTS

Plan Commission Liaison Report.

Economic and Community Development Department—no report

MINUTES

Westfield-Washington Board of Zoning Appeals

Minutes of the February 13, 2018 BZA Meeting

Presented for approval: March 13, 2018

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Motion:

Kingshill motioned to adjourn the meeting.

Raines seconded. Motion passed. Vote 5-0.

The meeting adjourned at 7:52 p.m.

Chairperson

Robert Smith, Esq.

Secretary

Matthew S. Skelton, Esq., AICP
Director



WESTFIELD-WASHINGTON
BOARD OF ZONING APPEALS

March 13, 2018

1803-VU-02

Exhibit 1

Petition Number: 1803-VU-02

Subject Site Address: 133 W. 161st Street (The "Property")

Petitioner: Mauricio Gonzalez Reyna (The "Petitioner")

Request: The Petitioner is requesting a Variance of Use to allow for a Construction Trade Office (Article 12) use in the AG-SF1: Agriculture / Single-Family Rural District (Article 13.2)

Current Zoning: AG-SF1: Agriculture / Single-Family Rural District

Current Land Use: Residential

Approximate Acreage: 2.5 acres+/-

Exhibits:

1. Staff Report
2. Location Map
3. Petitioner's Application

Staff Reviewer: Matt Pleasant, Associate Planner

OVERVIEW

Location: The subject Property is 2.5 acres +/- and is located at 133 W. 161st Street (see **Exhibit 2**). The Property is currently a residential use. The surrounding properties east, west, and south are zoned AG-SF1 and both residential (SF-3 Cluster) and commercial (Spring Mill Station Northeast Quadrant PUD) uses to the north. The property to the south is a farmed field that has been used as a local airport in the past.

Variance Request: The Petitioner is requesting a variance to allow a Construction Trade Office use to store vehicles and trailers for their business.

SUMMARY OF VARIANCES

The Petitioner is requesting the temporary use within the definition of an Office, Construction Trade¹ on the Property to allow the storage of vehicles used by their construction business. Chapter 13 of the Westfield-Washington Township Unified Development Ordinance (the "UDO")

¹ Chapter 12 of the UDO defines "Office, Construction Trade" as: "electrical contractors, general contractors or construction offices, home remodeling companies, septic system contractors, heating and cooling contractors, painting contractors, **landscaping contractors**, and plumbing contractor offices, and the like, where such use is typically characterized to include some or all of the following aspects: storage of product for sale or for installation, storage of materials related to the business, storage of equipment or other implements, office space, **parking of company vehicles**, service areas for equipment and vehicles, warehouse space, showroom space, and/or retail sales."



Use Table only allows an Office, Construction Trade use to be in zoned Enclosed Industrial and Open Industrial by right and General Business with the approval of a Special Exception.

The Petitioner lives at the Property and has been operating the business on the Property since 2012. The Petitioner currently parks the business trucks and equipment behind the house located on the Property. The Petitioner is requesting this variance to have a time limit of three (3) years to find a permanent location to operate the business.

COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan: The Land Use Plan contemplates the Property of a “Local Commercial” and/or a “Suburban Residential” land use classification. Since the Comprehensive Plan Land Use Concept Map² is not bound to the parcel, both classifications shall be analyzed for this request.

The Existing Suburban³ classification is designed to “...preserve and protect the stability and integrity of the area as it fills in.” The Existing Suburban encourages some of the following development policies:

- Encourage only compatible infill development on vacant parcels in existing neighborhoods as a means to avoid sprawl,
- Ensure that new development adjacent to existing suburban is properly buffered,
- Land Uses include detached dwellings, attached dwellings, institutional uses, and recreational uses.

The Local Commercial⁴ classification is characterized by architecture having a residential or suburban feel with attractive signs and extensive landscaping. The classification is designed to:

“...provide goods and services used by nearby residents on a day-to-day basis, as opposed to attracting customers or clients from a large geographic area. Examples include but not limited to banks, beauty salons, drug stores, convenience stores, automobile service stations, video stores, dry cleaners, restaurants, and convenient stores.”

Local Commercial classification encourages some of the following development policies:

- Locate local commercial development only in planned centers and only on streets classified as arterials or on frontage roads as depicted on the Land Use Concept Map.
- Require commercial uses to be dispersed, but also to be focused on key nodes, avoiding strip patterns, which are inefficient from an access point.

² Page 24; Chapter 2: Land Use Classifications and Development Policies; Westfield-Washington Township Comprehensive Plan.

³ Page 38-39; Chapter 2: Land Use Plan: Suburban Residential; Westfield-Washington Township Comprehensive Plan.

⁴ Page 47-49; Chapter 2: Land Use Plan: Commercial; Westfield-Washington Township Comprehensive Plan.



- Use attached residential, offices, and similar uses as transitions between more intensive and less intensive uses.
- Require effective buffering between commercial uses and adjacent residential uses.
- Prevent commercial uses from encouraging into residential areas.

Spring Mill Station Plan: The area surrounding the intersection of 161st Street and Spring Mill Road borders the southeast corner of the Spring Mill Station Addendum (the “Addendum”) to the Comprehensive Plan⁵. The southeast corner is intended to be a transition from commercial to residential:

“...would allow for residential and commercial development to include a large buffer and landscape area to provide transition between newly developed areas and adjacent development⁶.”

The Comprehensive Plan is not law; rather, it is intended to serve as a guide in making land use decisions.

Thoroughfare Plan: The plan identifies 161st Street as a Primary Arterial and expected widening of the street is not anticipated to begin in the immediate future. The plan also identifies this road as a future “Cycle Corridor⁷.”

PROCEDURAL

Public Notice: The Board of Zoning Appeals is required to hold a public hearing on its consideration of a Variance of Use. This petition is scheduled to receive its public hearing at the March 13, 2018, Board of Zoning Appeals meeting. Notice of the public hearing was properly advertised in accordance with Indiana law and the Board of Zoning Appeals’ Rules of Procedure.

Conditions: The UDO⁸ and Indiana law provide that the Board of Zoning Appeals may impose reasonable conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of the UDO upon any Lot benefited by a variance as may be necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the subject Lot or upon public facilities and services. Such conditions shall be expressly set forth in the order granting the variance.

Acknowledgement of Variance: If the Board of Zoning Appeals approves this petition, then the UDO⁹ requires that the approval of the variance shall be memorialized in an acknowledgement of variance instrument prepared by the Department. The acknowledgement shall: (i) specify the granted variance and any commitments made or conditions imposed in granting of the variance;

⁵ Page 17; Chapter 4: Planning Area; Spring Mill Station Plan Addendum

⁶ Page 19; Chapter 4: Planning Area; Spring Mill Station Plan Addendum

⁷ Appendix B of the Westfield Thoroughfare Plan; Resolution 11-14.

⁸ Article 10.14(I) Processes and Permits; Variances; Conditions of the UDO.

⁹ Article 10.14(K) Processes and Permits; Variances; Acknowledgement of Variance of the UDO.



(ii) be signed by the Director, Property Owner and Applicant (if Applicant is different than Property Owner); and (iii) be recorded against the subject property in the Office of the Recorder of Hamilton County, Indiana. A copy of the recorded acknowledgement shall be provided to the Department prior to the issuance of any subsequent permit or commencement of uses pursuant to the granted variance.

Variances of Use: The Board of Zoning Appeals shall approve or deny variances from the terms of the UDO. A variance may be approved under Indiana Code § 36-7-4-918.4 only upon a determination in writing that:

- 1) The approval will not be injurious to the public health, safety, morals, and general welfare of 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;
- 3) The need for the variance arises from some condition peculiar to the property involved;
- 4) The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property; and
- 5) The approval does not interfere substantially with the Comprehensive Plan.

DEPARTMENT COMMENTS

Approval: If the Board is inclined to approve the Variance of Use (1707-VU-01), then the Department recommends the Variance of Use (1707-VU-01) approval with the following condition:

- **The Variance of Use shall expire on December 31, 2021;**

In addition, the Department recommends the following written findings of fact related to the Variance of Use:

Recommended Findings for Approval:

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

Finding: It is unlikely that allowing storage of landscape vehicles to locate on the Property for a temporary period will increase density or traffic, nor alter the current characteristics of the Property or the surrounding community since the business has been operating at the Property since 2012. The Property will be primarily used as a single-family residence.

- 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: It is unlikely the use and value of adjacent property will be affected in a substantially adverse manner. The proposed variance should not have a negative impact



WESTFIELD-WASHINGTON
BOARD OF ZONING APPEALS

March 13, 2018

1803-VU-02

Exhibit 1

on surrounding properties. The business has been storing their trucks and equipment since 2012. All such parking areas will be appropriately screened from view of 161st Street.

- 3) *The need for the variance of use arises from some condition peculiar to the property involved.*

Finding: The variance would allow some time to search for a permanent location for the business to operate. Not allowing the variance will result in ceasing all operations of the business.

- 4) *The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property:*

Finding: The Property has substantial space for this low impact and temporary use of only storing the company commercial vehicles behind the existing buildings. This location is necessary during the searching and relocation of the business.

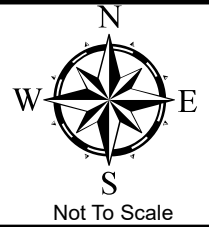
- 5) *The approval does not interfere substantially with the comprehensive plan:*

Finding: This use does not substantially alter the characteristics of the property and will maintain the current residential character of the property.

Denial: If the Board is inclined to deny the requested variance, then the Department recommends denying the variance, and then tabling the adoption of findings until the Board's next meeting with direction to the Department to prepare the findings pursuant to the public hearing evidence and Board discussion.



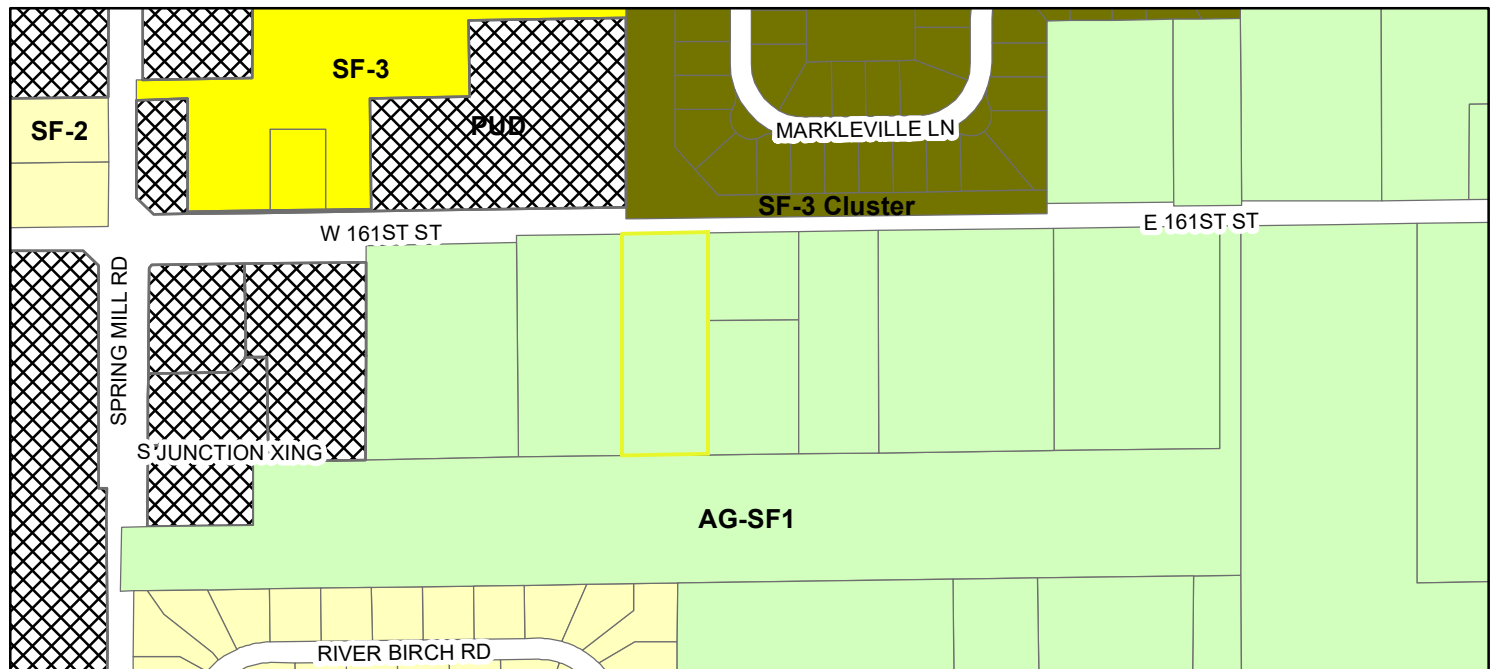
Property Location Map
1804-VU-02
133 W. 161st Street



Aerial Location Map



Zoning Map



Legend

- | | |
|--|--------------------------|
| AG-SF1 (Agriculture - Single Family - 1) | SF-3 (Single Family - 3) |
| PUD (Planned Unit Development) | SF-3 Cluster |
| SF-2 (Single Family - 2) | |



VARIANCE APPLICATION

OFFICE
USE ONLY
 DOCKET #: 1803-VU-02 FILING DATE: 1-29-18
 FILING FEE: \$ _____ FEE PLUS \$ _____ PER ADDITIONAL VARIANCE (@ _____) = \$ _____

PRE-FILING CONFERENCE

 PRE-FILING CONFERENCE WITH: Matt Pleasant (STAFF NAME) DATE: 1/19/18

PRIOR OR RELATED DOCKET NUMBERS

CHANGE OF ZONING: _____ AMENDMENTS: _____ DEVELOPMENT PLAN: _____

PRIMARY PLAT: _____ SECONDARY PLAT: _____ VARIANCE(S): _____

APPLICANT INFORMATION

 APPLICANT'S NAME: Mauricio Gonzalez Reyna TELEPHONE: 317-313-0659
 ADDRESS: 133 W 161st St, Westfield IN 46074 EMAIL: gonzalez-construction@hotmail.com

 PROPERTY OWNER'S NAME: same TELEPHONE: _____

ADDRESS: _____ EMAIL: _____

REPRESENTATIVE'S NAME: _____ TELEPHONE: _____

COMPANY: _____ EMAIL: _____

ADDRESS: _____

PROPERTY AND PROJECT INFORMATION

ADDRESS OR PROPERTY LOCATION: _____

 COUNTY PARCEL ID #(S): 08-09-11-00-00-023,005

 EXISTING ZONING DISTRICT(S): AGSF1 EXISTING LAND USE(S): residence

VARIANCE REQUEST

☒ VARIANCE OF LAND USE CODE CITATION: _____

☐ VARIANCE OF DEVELOPMENT STANDARD(S) CODE CITATION: _____

 FINDINGS OF FACT: (PLEASE SEE ATTACHED)

STATEMENT OF INTENT (EXPLANATION OF REQUEST - ATTACH SEPARATE SHEET IF NECESSARY):

permission for temporary operation of construction business

FINDINGS OF FACT (VARIANCE OF USE)

APPLICANT: Mauricio Gonzalez Reyna DOCKET #: _____

In taking action on a variance request, the Board of Zoning Appeals uses the following decision criteria to approve or deny a variance, as established by Indiana Code, and the Board may impose reasonable conditions as part of its approval. The applicant must address the criteria below. A variance of land use may be approved by the Board of Zoning Appeals only upon a determination that the Board finds all of the following to be true:

- A. The use will not be injurious to the public health, safety, morals, and general welfare of the community because: Since we have been in business, our services have ~~been~~ only been completed at the customer's home or business. We conduct home improvement services and other commercial services that are strictly performed at the customer's address. There ~~is~~ is no physical work or production being conducted at our home address of 133 W 161st St, Westfield IN 46074. Any material needed for each project is delivered directly to the jobsite, we do not store anything at our property.
- B. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because: With this petition we are not asking to modify the property, nor are we asking to be able to conduct physical ~~work~~ labor at this location. We are simply asking to be able to park our company vehicles in the back of our property. The trucks are not on public land nor are close to anyone else's property. We own 2.5 acres.
- C. The need for the variance arises from some condition particular to the property involved because: We would like to file for a variance because we do not conduct any physical work here. We also do not hold appointments or meetings here. I physically go to my customer's home or business and provide estimates there, we complete the job there, and we pick up payment from their location too. The reason we need the variance is because we cannot afford to park our company vehicles at a new location. The cost would be greater than the profit. ~~Any~~ ~~will~~
- D. The strict application of the terms of the Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought because: If we have to move our business, we would be greatly affected because our principal income is thru this business. We have 5 daughters, one in college and two are about to be in college. Having to rent or lease or purchase a new location for our business at the moment is out of our budget. Our entire family would be affected and our employees might be too. If I cannot afford to keep them on our team because of additional business cost.
- E. The variance of use does not interfere substantially with the Comprehensive Plan because: The variance would not interfere with the comprehensive plan because in recent years, the entire intersection of Spring Mill Rd and 161st Street has become commercial business zone we are located right across the street from Kroger and all the other businesses. We see semi trucks and delivery vehicles that are much bigger and more frequent than our vehicles. We believe that our trucks and business fits right into this location.

**APPLICANT AFFIDAVIT**

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath says that above information is true and correct as he/she is informed and believes and that Applicant owns or controls the property involved in this application.

Applicant/Representative (signature)

Mauricio Gonzalez Reyna
Applicant/Representative (printed)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the above party, who having been duly sworn acknowledged the execution of the foregoing Application.

Witness my hand and Notarial Seal this ____ day of _____, 20____.

State of _____, County of _____, SS:

Notary Public Signature_____
Notary Public (printed)**PROPERTY OWNER AFFIDAVIT**

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath says they are the owners of the property involved in this application and that they hereby acknowledge and consent to the foregoing Application.

Property Owner (signature)*Mauricio Gonzalez Reyna
Property Owner (printed)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the Property Owner, who having been duly sworn acknowledged and consents to the execution of the foregoing Application.

Witness my hand and Notarial Seal this ____ day of _____, 20____.

State of _____, County of _____, SS:

Notary Public Signature_____
Notary Public (printed)

*A signature from each party having interest in the property involved in this application is required. If the Property Owner's signature cannot be obtained on the application, then a notarized statement by each Property Owner acknowledging and consenting to the filing of this application is required with the application.

WESTFIELD-WASHINGTON TOWNSHIP APPLICATION FORM

VARIANCE APPLICATIONS



GENERAL INSTRUCTIONS

- A. **Pre-Filing Conference:** A pre-filing conference is required for all petitions. An appointment must be made with the Economic and Community Development Department (the "Department") to discuss a petition prior to filing. An application will not be considered filed until a pre-filing conference has occurred. Applicants are encouraged to incorporate the Department's comments into the application prior to filing.
- B. **Filing Petition:** A petition shall be filed with the Department by the filing deadline in accordance with the Schedule of Meeting and Filing Dates. In order to be deemed a complete petition, a petition shall include the following:
- | | |
|--|--|
| ☐ Completed Application | ☐ Legal Description |
| ☐ Draft Public Notice | ☐ List of Adjoining Property Owners (as provided by County) |
| ☐ Property Owner Consent | ☒ TAC Delivery Affidavit (if TAC is determined to be necessary) |
| ☒ Site Plan (to scale) | ☐ Copy of Property Deed |
| ☐ Statement of Intent | ☒ Elevations, photographs or other supporting information necessary to explain the nature of the requested variance(s) |
- C. **Filing Fee Check:** After the filing of an application, the Department will advise the applicant of the applicable filing fee amount, which is due and payable (checks made out to "City of Westfield") within two (2) weeks of filing.
- D. **Technical Advisory Committee (TAC):** The applicant is responsible for submitting a copy of the application and related information to Technical Advisory Committee members prior to filing, if determined by the Department to be necessary. An affidavit confirming delivery of information is required to be completed and signed by the applicant and submitted with the petition. Technical Advisory Committee meetings are held in the City Services Building (2728 East 171st Street, Westfield, IN 46074) in accordance with the Schedule of Meeting and Filing Dates. A representative must be present at this meeting.
- E. **Public Hearing and Notice:** All variance petitions require a public hearing by the Board of Zoning Appeals. The public hearing is held at City Hall, 130 Penn Street, Westfield, Indiana, in accordance with the Schedule of Meeting and Filing Dates. Notice of the hearing is required in accordance with the Board's [Rules of Procedure](#):
1. **Newspaper Publication:** Notice of the hearing will be published in the Hamilton County Reporter and The Times. The Department will handle the newspaper publication requirement.
 2. **Mailed Public Notice:** The applicant is responsible to send public notice by certified mail with proof of mailing (certificate of mailing) to all interested parties, postmarked at least ten (10) days prior to the hearing. A list of adjacent property owners may be obtained from the **Hamilton County Auditor, Office of Transfers and Mapping** (33 North 9th Street, Noblesville, IN 46060, (317) 776-9624), and shall include all owners of property to a depth of two (2) ownerships of no direct or indirect financial or other interest to the applicant or property owner or one-eighth of a mile (1/8), whichever is less.
 3. **Public Notice Sign:** The applicant is responsible to post a public notice sign(s) on the property at least ten (10) days prior to the public hearing. The Department will determine sign locations and will make signs available for the applicant to obtain in the office of the Department.
 4. **Affidavit of Notice of Public Hearing:** The applicant shall deliver a copy of the mailed notice and a signed affidavit, verifying that the notices were mailed and the public notice sign(s) was posted on the subject property, to the Department at least four (4) calendar days prior to the public hearing.
- F. **Ex-parte Communication:** In no event shall applicants or other interested parties contact or attempt to communicate with members of the Board in regard to a filed variance petition prior to the public hearing.
- G. **Revised Materials:** If the applicant wishes to submit additional or revised information than what is filed, then the applicant shall submit those to the Department no later than ten (10) days prior to the public hearing.
- H. **Board's Consideration:** Following the public hearing, the Board may either approve, approve with conditions, deny or continue the petition.
- I. **Resource:** Please see the Board's [Rules of Procedure](#) for more detailed procedural information.

WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Westfield-Washington Township Advisory Plan Commission will hold a public hearing on Monday, _____, 20____, at 7:00 pm at Westfield City Hall, 130 Penn Street, Westfield, IN, to consider petition # _____, filed by Mauricio Gonzalez Reyna. The request pertains to real estate comprising approximately 2.5 acres and generally located at 133 W 161st Street, Washington Township, Westfield, Indiana.

The request is for a change of zoning request to allow _____.

Specific details regarding this request, including the application, file, and property legal description, may be obtained from the Westfield Economic and Community Development Department, or by calling 317-804-3170.

Written suggestions or objections relative to the request may be filed with the Westfield Economic and Community Development Department, at or before public hearing. Interested persons desiring to present their views upon the request, either in writing or verbally, will be given the opportunity to be heard at the above-mentioned time and place, which may be continued from time to time as may be found necessary.

Applicant:

MAURICIO GONZALEZ REYNA

133 W 161st Street

Westfield, IN 46074

317-313-0659

CITY OF WESTFIELD:

Economic and Community Development Department

2728 East 171st Street

Westfield, IN 46074

Telephone: 317-804-3170

www.westfield.in.us

WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Westfield-Washington Township Advisory Board of Zoning Appeals will hold a public hearing on Tuesday, _____, 20____, at 7:00 pm at Westfield City Hall, 130 Penn Street, Westfield, IN, to consider petition # _____, filed by Mauricio Gonzalez Reyna. The request pertains to real estate comprising approximately 2.5 acres and generally located at 133 W 161st Street, Washington Township, Westfield, Indiana.

The request is for a change of zoning request to allow _____.

Specific details regarding this request, including the application, file, and property legal description, may be obtained from the Westfield Economic and Community Development Department, or by calling 317-804-3170.

Written suggestions or objections relative to the request may be filed with the Westfield Economic and Community Development Department, at or before public hearing. Interested persons desiring to present their views upon the request, either in writing or verbally, will be given the opportunity to be heard at the above-mentioned time and place, which may be continued from time to time as may be found necessary.

Applicant:

MAURICIO GONZALEZ REYNA

133 W 161st Street

Westfield, IN 46074

317-313-0659

CITY OF WESTFIELD:

Economic and Community Development Department

2728 East 171st Street

Westfield, IN 46074

Telephone: 317-804-3170

www.westfield.in.us

01/25/18

To Whom this May Concern:

Ref: 133 W 161st Street, Westfield, IN 46074.

My name is Mauricio Gonzalez; I live at 133 W 161st Street, Westfield, IN 46074.

I own a construction company, Gonzalez Home Improvement and Construction, Inc.

With this letter, I would like to take the opportunity to request a Variance of Use to allow a Construction Trade Office to be permitted in AG:SF-1 zoning.

The reason I am requesting this variance is that I would like to be able to park my work vehicles and store my work machines on my property. I have been parking my work vehicles on my property since the beginning of 2012. I have not made any changes to the land ever since we bought it. The detached garage where I store my vehicles and my machinery was already there when I purchased the property. The only changes I have made to my home have been approved by the City and have been compliant with all permits and inspections.

Everything we do related to my construction company is done at the customer's home or business; I do not have any customer traffic at my house nor do I store any material there either. I understand that my house is in an Agricultural/Residential area and that there are conditions and limitations and I believe that parking our vehicles on our property is not harmful to the area or the community in any way.

Thank you in advance for your time and consideration on this matter.

Please feel free to contact me at any time; I look forward to hearing from you.

A handwritten signature in dark ink, appearing to read "Mauricio", is written over a series of light, diagonal, wavy lines that serve as a background for the signature.

Mauricio Gonzalez Reyna

317-313-0659

133 W 161st St

Parcel #: 08-09-11-00-00-023.005

State #: 29-09-11-000-023.005-015

Current Owner [as of January 19, 2018](#)

This information is updated 5 times a week.

PROPERTY ADDRESS:

133 W 161st St
Westfield, IN 46074

DEEDED OWNER

Reyna, Mauricio Gonzalez & Cecilia Pelayo
133 W 161ST ST
Westfield, IN 46074

SUMMARY INFORMATION:

Parcel Number: 08-09-11-00-00-023.005
State Parcel Number: 29-09-11-000-023.005-015

Legal Description:

Acreage 2.50 Section 11, Township 18, Range 3

Section/Township/Range:

11/18/3

Subdivision Name:

Not Available

Subdivision Section:

Not Available

Deeded Acres:

2.5

Political Township:

Washington

Lot Number(s):

Not Available

Last Recorded Date:

3/1/2007

Legal Description

Disclaimer: This program allows you to view and print certain public records. **Each section reflects information as of a specific date**, so the information provided in different sections or reports may not match. All information has been derived from public records that are constantly undergoing change and is not warranted for content or accuracy. It may not reflect the current information pertaining to this property of interest.

INDIANA

[Contact Us](#)[Go to: Home](#) > [Transfer and Mapping Home Page](#) > **Auditor Online**

Auditor Online

Adjoiner Request

Online Submission Receipt

Adjoiner list

This receipt may not display at a future date or time. Please print this page for your records or make note of the Confirmation Number.

Date of Submission: Jan 21, 2018
Confirmation #: AR-2018-0015

PAYMENT SUMMARY:

Payment Status: Fees have been paid.
County Fee: \$25.00
** LoGO Portal Fee: \$1.52
LoGO Total: \$26.52

TRANSACTION SUMMARY:

Adjoiner Request
Owner: Mauricio Gonzalez Reyna
Contact's Name: Mauricio Gonzalez Reyna
Number of Subject Parcels: 1
Parcel Number of Property: 08-09-11-00-00-023.005

DELIVERY:

Transfer and Mapping will email this request when it is ready.

** PLEASE NOTE:

The Portal Fee is charged by LoGO Local Indiana, the third party that processed the online payment.

Credit Card payments will appear as a single combined transaction on your credit card statement.

E-check (ACH) payments will appear as a single combined transaction on your bank statement.

CONTACT US:

To discuss any problems with this transaction, please contact:

Hamilton County Transfer and Mapping Department
Phone: (317) 776-9624

Screen ID: 629882

[Website Suggestions or Issues](#)
[Accessibility Statement](#)
[Privacy Policy](#)
[Terms of Use](#)
Copyright 2012-2018 Hamilton County, Indiana

Michael Crussel

From: INTERNETGUEST
Sent: Sunday, January 21, 2018 10:26 PM
To: Plat Auditor
Subject: Online Adjoiner Request

POSSE Job #: AR-2018-0015
Zoning Authority: Westfield
Parcel # of Property: 0809110000023005
Additional Parcel #: , , , , , , , , , ,

Owner: Mauricio Gonzalez Reyna
Petitioner: Mauricio Gonzalez Reyna
Contact: Mauricio Gonzalez Reyna
Contact Phone: 3173130659
Contact Email: gonzalez-construction@hotmail.com

HAMILTON COUNTY AUDITOR

I, ROBIN M. MILLS, AUDITOR OF HAMILTON COUNTY, INDIANA, CERTIFY MY OFFICE HAS SEARCHED OUR RECORDS AND BASED ON THAT SEARCH, IT APPEARS THAT THE PROPERTY OWNERS MARKED AS NEIGHBORS ARE THE PROPERTY OWNERS THAT ARE TWO PROPERTIES OR 660' FEET FROM THE REAL ESTATE MARKED AS SUBJECT PROPERTY.

THIS DOCUMENT DOES NOT CERTIFY THAT THE ATTACHED LIST OF PROPERTY OWNERS IS ACCURATE OR INCLUDES ALL PROPERTY OWNERS ENTITLED TO NOTICE PURSUANT TO LOCAL ORDINANCE. ANY PERSON SEEKING A MORE ACCURATE SEARCH OF THE REAL ESTATE RECORDS OF THE COUNTY SHOULD SEEK THE OPINION OF A TITLE INSURANCE COMPANY.

ROBIN M. MILLS, HAMILTON COUNTY AUDITOR

DATED:

Barton Griesenauer 1/24/2018

SUBJECT PROPERTY:

08-09-11-00-00-023.005	Subject
Reyna, Mauricio Gonzalez & Cecilia Pelayo	
133 W 161ST ST	
Westfield	IN 46074

Pursuant to the provisions of Indiana Code 5-14-3-3-(e), no person other than those authorized by the County may reproduce, grant access, deliver, or sell any information obtained from any department or office of the County to any other person, partnership, or corporation. In addition any person who receives information from the County shall not be permitted to use any mailing list, addresses, or databases for the purpose of selling, advertising, or soliciting the purchase of merchandise, goods, services, or to sell, loan, give away, or otherwise deliver the information obtained by the request to any other person.

HAMILTON COUNTY NOTIFICATION LIST

PLEASE NOTIFY THE FOLLOWING PERSONS

08-09-11-00-00-016.002	Neighbor
------------------------	----------

Ferraro, Joseph P Jr & Georgia A

211 E 161ST ST

Westfield	IN	46074
-----------	----	-------

08-09-11-00-00-017.000	Neighbor
------------------------	----------

Walters, Todd W & Denise J

209 E 161ST ST

Westfield	IN	46074
-----------	----	-------

08-09-11-00-00-020.000	Neighbor
------------------------	----------

Ferraro, Joseph P Jr & Georgia A

211 E 161ST ST

Westfield	IN	46074
-----------	----	-------

08-09-11-00-00-022.000	Neighbor
------------------------	----------

Sandlin, Daniel W & Natalya G Kotelnikova h&w

101 W 161ST ST

Westfield	IN	46074
-----------	----	-------

08-09-11-00-00-022.001	Neighbor
------------------------	----------

Sandlin, Daniel W & Natalya G Kotelnikova h&w

101 W 161ST ST

Westfield	IN	46074
-----------	----	-------

08-09-11-00-00-022.003	Neighbor
------------------------	----------

Sandlin, Daniel W & Natalya G Kotelnikova h&w

101 W 161ST ST

Westfield	IN	46074
-----------	----	-------

08-09-11-00-00-023.006	Neighbor
------------------------	----------

Ruddock, John M & Carol S

141 W 161ST ST

Westfield	IN	46074
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08-09-11-00-00-023.007	Neighbor
------------------------	----------

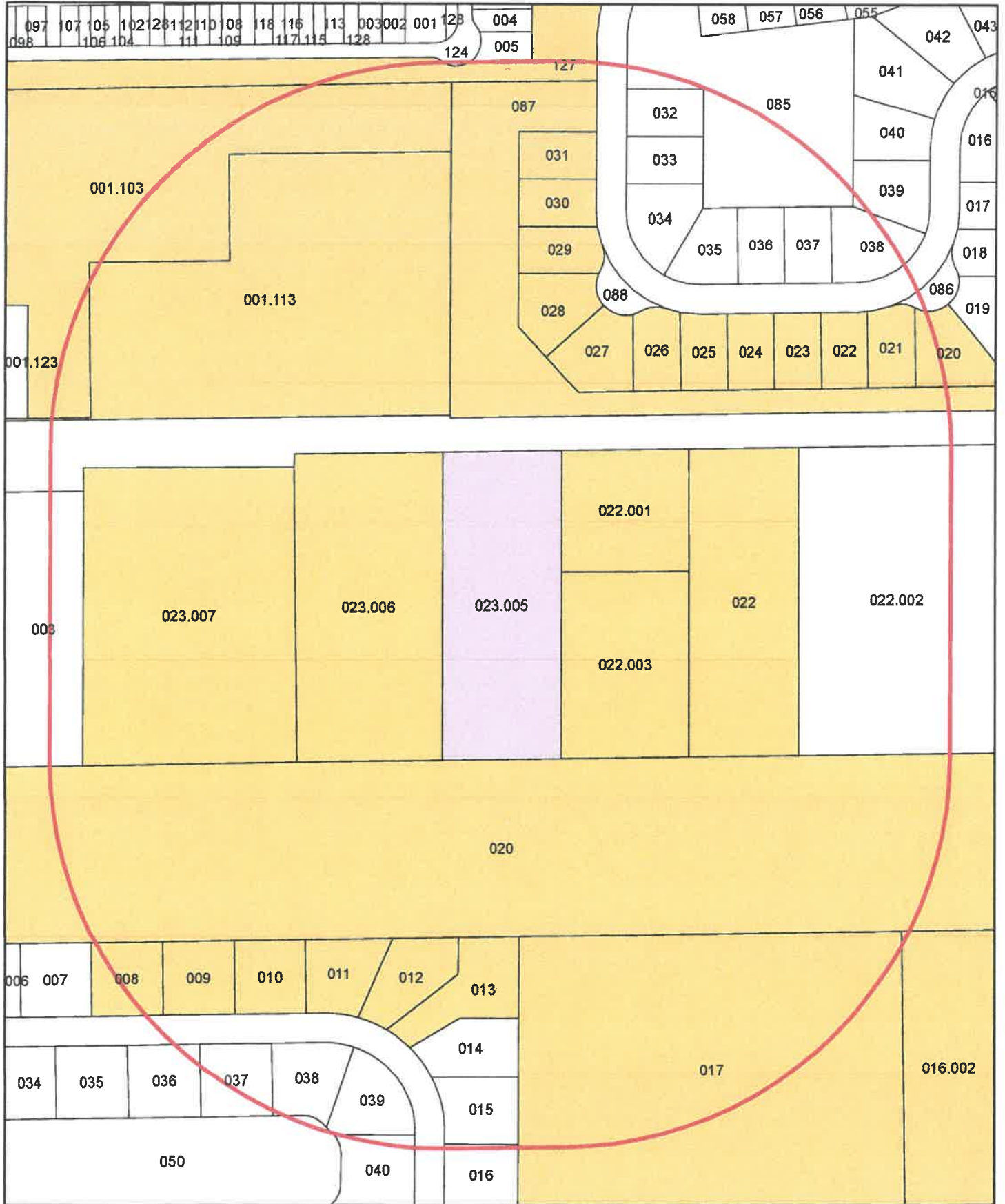
Carmel Bible Methodist Church

5220 Dellwood Dr			
Indianapolis	IN		46235
08-09-11-00-03-008.000			Neighbor
Totten, Trevor J			
15861 RIVER BIRCH RD			
Westfield	IN		46074
08-09-11-00-03-009.000			Neighbor
ONeal, Christopher S & Tabitha L			
15857 RIVER BIRCH RD			
Westfield	IN		46074
08-09-11-00-03-010.000			Neighbor
Koenig, Jerald L & Patricia J			
15853 RIVER BIRCH RD			
Westfield	IN		46074
08-09-11-00-03-011.000			Neighbor
Vitello, Eric			
15849 RIVER BIRCH RD			
Westfield	IN		46074
08-09-11-00-03-012.000			Neighbor
Drake, Joshua E & Karlene E			
15845 RIVER BIRCH RD			
Westfield	IN		46074
08-09-11-00-03-013.000			Neighbor
Leniski, Bryan D & Natalie H			
15841 River Birch Rd			
Westfield	IN		46074
09-09-11-00-00-001.103			Neighbor
Commercial Development Properties LLC			
5332 Temple Ave N			
Indianapolis	IN		46220
09-09-11-00-00-001.113			Neighbor
Kroger Limited Partnership I			
1014 Vine St			

Cincinnati	OH	45202
09-09-11-00-14-020.000		Neighbor
Schnadenberg, Steven J		
15441 Slateford Rd		
Noblesville	IN	46062
09-09-11-00-14-021.000		Neighbor
Biljanic, Matthew G & Trisha A		
51 Markleville Ln		
Westfield	IN	46074
09-09-11-00-14-022.000		Neighbor
Casanova, Kelly Alyse & Lawrence Adrian		
53 Markleville Ln		
Westfield	IN	46074
09-09-11-00-14-023.000		Neighbor
Thompson, Andrew & Ashlyn Carter		
55 Markleville Ln		
Westfield	IN	46074
09-09-11-00-14-024.000		Neighbor
HPA Borrower 2017 1 LLC		
180 N Stetson Ste 3650		
Chicago	IL	60601
09-09-11-00-14-025.000		Neighbor
Lian, Yong H & Lan Y Xiao h&w		
59 Markleville Ln		
Westfield	IN	46074
09-09-11-00-14-026.000		Neighbor
Zands, Jason S		
61 Markleville Ln		
Westfield	IN	46074
09-09-11-00-14-027.000		Neighbor
Wright, Zachary K, Nichole P Wright & Karen V Paradiso jtrs		
63 Markleville Ln		

Westfield	IN	46074
09-09-11-00-14-028.000		Neighbor
Schetzle, Deanna J		
65 Markleville Ln		
Westfield	IN	46074
09-09-11-00-14-029.000		Neighbor
Frigge, Shelley		
67 Markleville Ln		
Westfield	IN	46074
09-09-11-00-14-030.000		Neighbor
Frederick, Brian S & Jessica L		
69 Markleville Ln		
Westfield	IN	46074
09-09-11-00-14-031.000		Neighbor
Nguyen, Quang & Thanh Vu		
71 Markleville Ln		
Westfield	IN	46074
09-09-11-00-14-087.000		Neighbor
Countryside Homeowners Association Inc		
PO Box 30797		
Indianapolis	IN	46230 0797
09-09-11-00-16-127.000		Neighbor
Countryside Homeowners Association Inc		
PO BOX 30797		
Indianapolis	IN	46230 0797

Adjoiner Notification Map



Legend

- Buffer
- Notify
- Subject



Parcel No *	Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Parcel
08-09-11-00-00-020.000	Ferraro, Joseph P Jr & Georgia A	211 E 161ST ST	Westfield	IN	46074	20
08-09-11-00-00-023.007	Carmel Bible Methodist Church	5220 Dellwood Dr	Indianapolis	IN	46235	23.007
08-09-11-00-00-023.006	Ruddock, John M & Carol S	141 W 161ST ST	Westfield	IN	46074	23.006
08-09-11-00-00-022.001	Sandlin, Daniel W & Natalya G Kotelnikova h&w	101 W 161ST ST	Westfield	IN	46074	22.001
08-09-11-00-00-016.002	Ferraro, Joseph P Jr & Georgia A	211 E 161ST ST	Westfield	IN	46074	16.002
08-09-11-00-00-022.000	Sandlin, Daniel W & Natalya G Kotelnikova h&w	101 W 161ST ST	Westfield	IN	46074	22
08-09-11-00-00-022.003	Sandlin, Daniel W & Natalya G Kotelnikova h&w	101 W 161ST ST	Westfield	IN	46074	22.003
08-09-11-00-00-017.000	Walters, Todd W & Denise J	209 E 161ST ST	Westfield	IN	46074	17
09-09-11-00-14-031.000	Nguyen, Quang & Thanh Vu	71 Markleville Ln	Westfield	IN	46074	31
09-09-11-00-14-023.000	Thompson, Andrew & Ashlyn Carter	55 Markleville Ln	Westfield	IN	46074	23
09-09-11-00-14-024.000	HPA Borrower 2017 1 LLC	180 N Stetson Ste 3650	Chicago	IL	60601	24
09-09-11-00-14-022.000	Casanova, Kelly Alyse & Lawrence Adrian	53 Markleville Ln	Westfield	IN	46074	22
09-09-11-00-14-030.000	Frederick, Brian S & Jessica L	69 Markleville Ln	Westfield	IN	46074	30
09-09-11-00-14-025.000	Lian, Yong H & Lan Y Xiao h&w	59 Markleville Ln	Westfield	IN	46074	25
09-09-11-00-14-021.000	Biljanic, Matthew G & Trisha A	51 Markleville Ln	Westfield	IN	46074	21
09-09-11-00-14-026.000	Zands, Jason S	61 Markleville Ln	Westfield	IN	46074	26
09-09-11-00-14-029.000	Frigge, Shelley	67 Markleville Ln	Westfield	IN	46074	29
09-09-11-00-14-028.000	Schetzsl, Deanna J	65 Markleville Ln	Westfield	IN	46074	28
09-09-11-00-14-020.000	Schnadenberg, Steven J	15441 Slateford Rd	Noblesville	IN	46062	20
09-09-11-00-14-027.000	Wright, Zachary K, Nichole P Wright & Karen V Paradiso jtrs	63 Markleville Ln	Westfield	IN	46074	27
09-09-11-00-00-001.113	Kroger Limited Partnership I	1014 Vine St	Cincinnati	OH	45202	1.113
09-09-11-00-00-001.103	Commercial Development Properties LLC	5332 Temple Ave N	Indianapolis	IN	46220	1.103
09-09-11-00-14-087.000	Countryside Homeowners Association Inc	PO Box 30797	Indianapolis	IN	46230 0797	87
09-09-11-00-16-127.000	Countryside Homeowners Association Inc	PO BOX 30797	Indianapolis	IN	46230 0797	127
08-09-11-00-03-009.000	O'Neal, Christopher S & Tabitha L	15857 RIVER BIRCH RD	Westfield	IN	46074	9
08-09-11-00-03-010.000	Koenig, Jerald L & Patricia J	15853 RIVER BIRCH RD	Westfield	IN	46074	10
08-09-11-00-03-013.000	Leniski, Bryan D & Natalie H	15841 River Birch Rd	Westfield	IN	46074	13
08-09-11-00-03-008.000	Totten, Trevor J	15861 RIVER BIRCH RD	Westfield	IN	46074	8
08-09-11-00-03-011.000	Vitello, Eric	15849 RIVER BIRCH RD	Westfield	IN	46074	11
08-09-11-00-03-012.000	Drake, Joshua E & Karlene E	15845 RIVER BIRCH RD	Westfield	IN	46074	12

DULY ENTERED FOR TAXATION
Subject to final assessment for transfer

1 day of FEBRUARY, 2007

Robin M. Mills Auditor of Hamilton County

Parcel # 08-09-11-00-00-023-005

TRUSTEE'S DEED

2007011558 TRD \$16.00
03/01/2007 09:30:55A 1 PGS
Jennifer J Hayden
HAMILTON County Recorder IN
Recorded as Presented

THIS INDENTURE WITNESSETH, that William P. Hess, Trustee of the William P. Hess Revocable Living Trust, dated January 18, 2001 (hereinafter called "Grantor"), does hereby BARGAIN, SELL and CONVEY unto Mauricio Gonzalez Reyna and Cecilia Pelayo, husband and wife (Hereinafter called "Grantee"), for the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate in Hamilton County, Indiana (hereinafter called the "Real Estate"):

Part of the Southwest Quarter of Section 11, Township 18 North, Range 3 East in Hamilton County, Indiana, described as follows:

Beginning on the North line of the Southwest Quarter of Section 11, Township 18 North, Range 3 East 1190.03 feet North 88 degrees 47 minutes 42 seconds East (assumed bearing) of the Northwest corner thereof; thence North 88 degrees 47 minutes 42 seconds East on and along said North line 201.29 feet; thence South 00 degrees 15 minutes 08 seconds parallel with the East line of said Southwest Quarter 541.07 feet; thence South 88 degrees 47 minutes 42 seconds West parallel with the North line aforesaid 201.29 feet; thence North 00 degrees 15 minutes 08 seconds West parallel with the East line aforesaid 541.07 feet to the Beginning point.

Commonly known as: 133 West 161st Street Westfield, IN 46074 (TAX TO:)

TO HAVE AND TO HOLD The Real Estate to the said Grantee and said Grantees heirs and assigns forever; and Grantor, as such Trustee, and not for it's self covenants that the Real Estate is free of any encumbrance made or suffered by said Grantor, and that said Grantor shall warrant and defend the same to said Grantee and said Grantees heirs and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the said Grantor, but against none other.

The Trustee certifies that he/she has all of the powers conferred upon a Trustee by the Indiana Trust Code and nothing in the Trust Indenture restricts or limits those powers in any way. The Grantee has no duty or responsibility with respect to the propriety of the Trustee's actions conveying this said real estate or any act done by virtue of the Trust Indenture. Grantor warrants and states that no act has occurred which would have caused said trust to be terminated. Grantor further certifies that the real estate which is the subject hereof, is not subject to the requirements of the Indiana Responsible Property Transfer Act, IC 13-11-2-174

IN WITNESS WHEREOF, Grantor executed this deed, this 14 day of February, 2007.

William P. Hess
William P. Hess, Trustee

STATE OF INDIANA)
COUNTY OF Hamilton) SS:

Before me, a Notary Public in and for said County and State, personally appeared William P. Hess, Trustee of the William P. Hess Revocable Living Trust, dated January 18, 2001, who acknowledged the execution of the foregoing Trustee's Deed, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 14 day of February, 2007.

My Commission Expires



LISA A. TAYLOR
Not. of Hamilton Co.
Comm. Exp. 3-31-08

Signature [Signature]
Printed _____
Resident of _____ County, Indiana

This instrument prepared by Leroy D. Medley, Attorney at Law
Address: 30 East Main Street, Carmel, IN 46032

Return Deed to First American Title
Send tax bills to _____

I AFFIRM UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

Lisa Taylor
NAME

Leroy D. Medley, Attorney at Law



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

March 13, 2018

1803-VS-03

Exhibit 1

Petition Number: 1803-VS-03

Subject Site Address: 14758 Greyhound Plaza (The "Property")

Petitioner: Texas Roadhouse Holdings, LLC (The "Petitioner")

Representative: GreenbergFarrow

Request: The Petitioner by GreenbergFarrow request Variance of Development Standard to change the required Lot Standards (Article 4.16(D), 4.16(E)), relief from the US Highway 31 Overlay District (Article 5.2), Landscaping Standards (Article 6.8), and Signage Standards (Article 6.17) within the GB: General Business District (Article 4.16).

Current Zoning: GB: General Business

Current Land Use: Commercial/Vacant

Property History: 98-AP-20 (Don Pablos)
98-IP-449
1803-DDP-09 (*Pending*)

Approximate Acreage: 0.91 acres +/-

Exhibits: 1. Staff Report
2. Location Map
3. Site Plan
4. Landscape Plan
5. Sign Plan
6. Petitioner's Application

Staff Reviewer: Matt Pleasant, Associate Planner

OVERVIEW

Location: The subject Property is 0.91 acres +/- in size and is located at 14758 Greyhound Plaza (see **Exhibit 2**) zoned GB: General Business. The Property is currently vacant previously known as the Don Pablo's restaurant. The surrounding properties are zoned GB with the US Highway 31 bordering the east.

Property History: Don Pablo's restaurant Development Plan was approved and built in 1998.

Variance Request: The Petitioner wishes to demolish the existing structure and build a restaurant closer to their brand. The Westfield-Washington Township Unified Development Ordinance (the "UDO") standards affected by the requests include lot standards, complete relief from the US Highway 31 Overlay District, landscaping standards, and sign standards further described below.

SUMMARY OF VARIANCES

The Petitioner is requesting the following changes to allow the construction of the restaurant:

- 1) Lot Standards¹ (see **Exhibit 3**):

	UDO Standard	Variance Request
Front Yard Setback	60'	0'
Side Yard Setback	20'	0'
Rear Yard Setback	20'	0'
Lot Frontage	80'	0'

- 2) Complete relief from the US Highway 31 Overlay District²:

- a. Setback Requirements,
- b. Maximum Lot Coverage,
- c. Landscaping

Comment: The site and the surrounding area is developed. The 31 Overlay standards would inhibit the construction of a new building at this site.

- 3) Minimum Lot Landscaping³ (see **Exhibit 4**):

	UDO Standard	Variance Requested
Lot Landscaping Standard	9 Shade Trees + 9 Ornamental/Evergreen Trees + 23 Shrubs	5 Shade Trees + 0 Ornamental/Evergreen Trees + 93 Shrubs

- 4) Interior Parking Area Landscaping⁴:

	UDO Standard	Variance Requested
% of Parking Area to be Islands	7.5%	6%
Interior Parking Area Island Design	Minimum 120sqft, 7' in width	83sqft and 5' wide as proposed on Landscape Plan.

¹ Article 4.16 of the UDO.

² Article 5.2 of the UDO.

³ Article 6.8(K) of the UDO.

⁴ Article 6.8(O)(1)(b) of the UDO.



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

March 13, 2018

1803-VS-03

Exhibit 1

5) Signage⁵ (see **Exhibit 5**):

	UDO Standard	Variance Requested
Sign Allocation: 1sqft of sign per 1 liner foot of building fronting on a public right of way	182sqft of signage	256.03sqft of signage as proposed on the Sign Plan.

COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan shows the project designated in the Regional Commercial and Highway Corridor⁶.

The Regional Commercial designation encourages commercial development that intend to benefit the economic health of the community. These uses should be located only on arterial streets designed to carry large traffic volumes and within a planned commercial center. Uses include big-box retail, offices, and attached residential dwellings. Large masses of asphalt are discouraged by requiring parking areas to be broken up with landscaping or by being located on more than one side of the buildings⁷.

Some general guidelines for development in this Regional Commercial Area includes: buildings must be unique to Westfield, develop alternative transportation facilities, landscaped parking, and appropriately scaled transitional uses from retail to office to residential.

The Highway Corridor designation along US Highway 31 encourages large-scale employment-intensive office uses by offering both economic activity and aesthetic value. Alternative transportation regional facilities are encouraged⁸.

PROCEDURAL

Public Notice: The Board of Zoning Appeals is required to hold a public hearing on its consideration of a Variance of Development Standard. This petition is scheduled to receive its public hearing at the March 13, 2018, Board of Zoning Appeals meeting. Notice of the public hearing was properly advertised in accordance with Indiana law and the Board of Zoning Appeals' Rules of Procedure.

⁵ Article 6.17(J)(8) of the UDO.

⁶ Page 24; Chapter 2: Land Use Plan: Land Use Classifications and Development Policies; Westfield-Washington Township Comprehensive Plan.

⁷ Pages 50-52; Chapter 2: Land Use Plan: Commercial; Westfield-Washington Township Comprehensive Plan.

⁸ Pages 53-55; Chapter 2: Land Use Plan: Highway Corridors; Westfield-Washington Township Comprehensive Plan.



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

March 13, 2018

1803-VS-03

Exhibit 1

Conditions: The UDO⁹ and Indiana law provide that the Board of Zoning Appeals may impose reasonable conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of the UDO upon any Lot benefited by a variance as may be necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the subject Lot or upon public facilities and services. Such conditions shall be expressly set forth in the order granting the variance.

Acknowledgement of Variance: If the Board of Zoning Appeals approves this petition, then the UDO¹⁰ requires that the approval of the variance shall be memorialized in an acknowledgement of variance instrument prepared by the Department. The acknowledgement shall: (i) specify the granted variance and any commitments made or conditions imposed in granting of the variance; (ii) be signed by the Director, Property Owner and Applicant (if Applicant is different than Property Owner); and (iii) be recorded against the subject property in the Office of the Recorder of Hamilton County, Indiana. A copy of the recorded acknowledgement shall be provided to the Department prior to the issuance of any subsequent permit or commencement of uses pursuant to the granted variance.

Variances of Development Standard: The Board of Zoning Appeals shall approve or deny variances from the development standards (such as height, bulk, or area) of the underlying zoning ordinance. A variance may be approved under Indiana Code § 36-7-4-918.5 only upon a determination in writing that:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of 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; and
3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property.

DEPARTMENT COMMENTS

Approval: If the Board is inclined to approve the Variance of Development Standards (1803-VS-03), then the Department recommends the Variance of Development Standards (1803-VS-03) approval with the following written findings of fact related to the Variance of Development Standards:

Recommended Findings for Approval:

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

⁹ Article 10.14(I) Processes and Permits; Variances; Conditions of the UDO.

¹⁰ Article 10.14(K) Processes and Permits; Variances; Acknowledgement of Variance of the UDO.



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

March 13, 2018

1803-VS-03

Exhibit 1

Finding: The proposed improvements will require the demolition of the existing building and minimal reconfiguration of the adjacent parking stalls. These changes will not result in any negative impact to the public health, safety, morals or general welfare of the community. The scope of work and code requirements will improve the infrastructure.

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

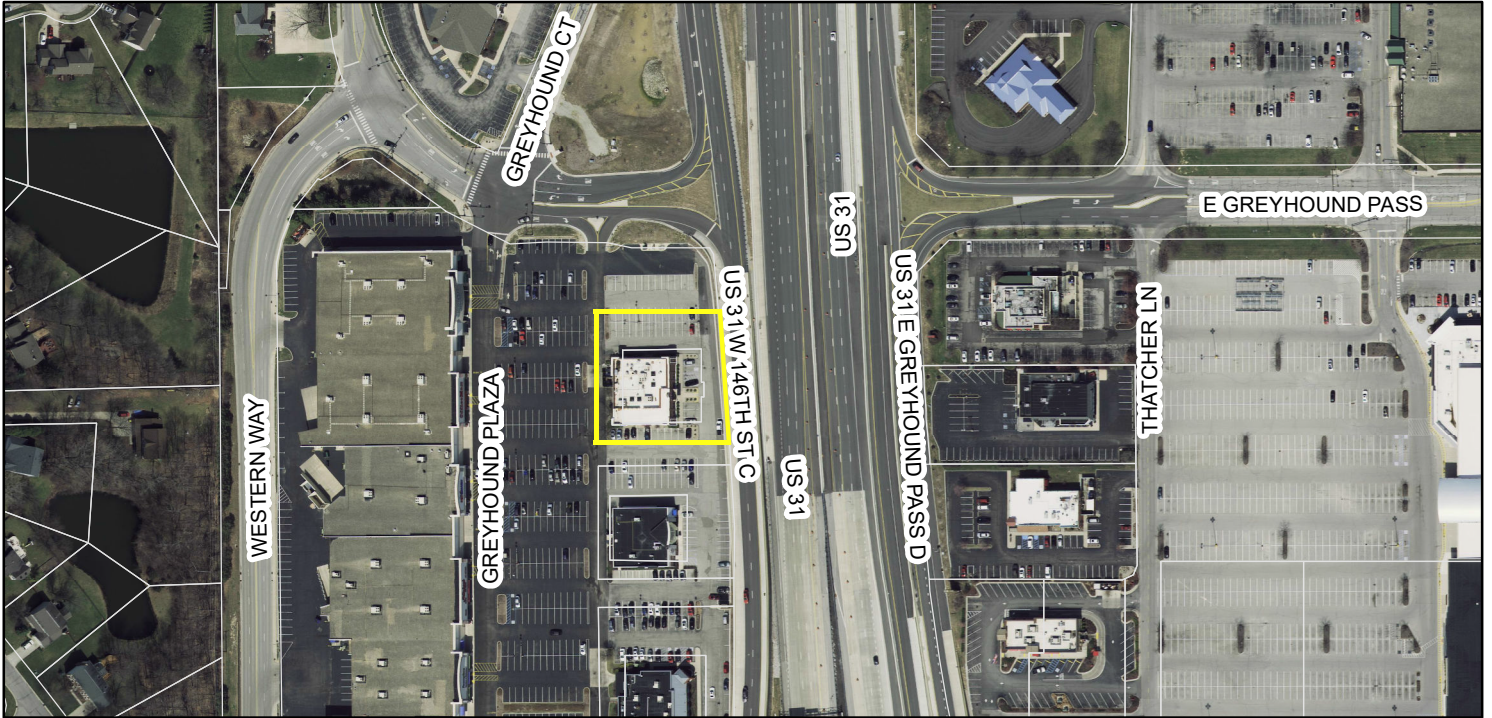
Finding: It is unlikely the use and value of adjacent property will be affected in a substantially adverse manner. The proposed variance should not have a negative impact on surrounding properties because the continued use and improvement of the property in a manner substantially consistent with the quality and character of the surrounding area and Comprehensive Plan.

- 3) **Criteria:** *The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property:*

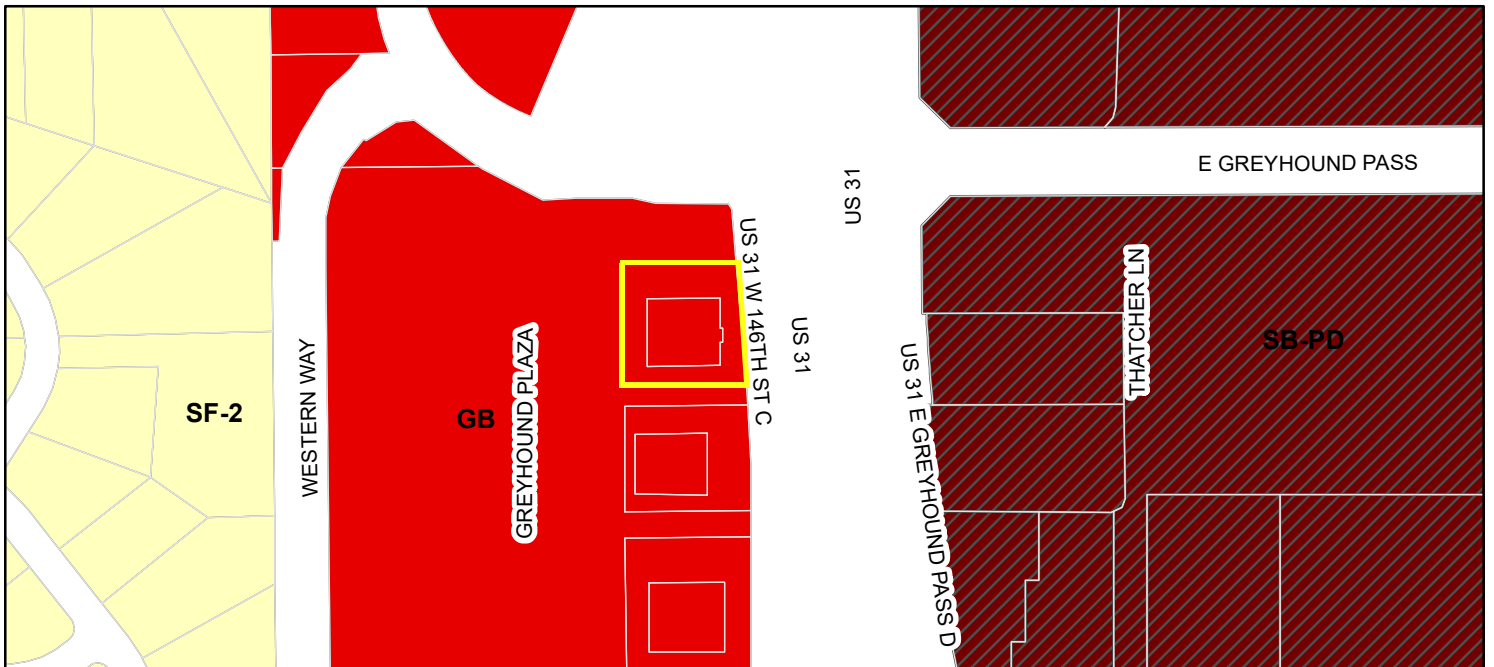
Finding: Strict adherence to the zoning ordinance would result in the inability to improve the property, as proposed, in accordance with the UDO. Due to existing conditions, the variations are necessary for any future redevelopment of this site.

Denial: If the Board is inclined to deny the requested variance, then the Department recommends denying the variance, and then tabling the adoption of findings until the Board's next meeting with direction to the Department to prepare the findings pursuant to the public hearing evidence and Board discussion.

Aerial Location Map



Zoning Map



Legend

- | | |
|--|--|
|  Parcel |  SB-PD (Special Business - Planned Development) |
|  GB (General Business) |  SF-2 (Single Family - 2) |

GENERAL SITE NOTES:

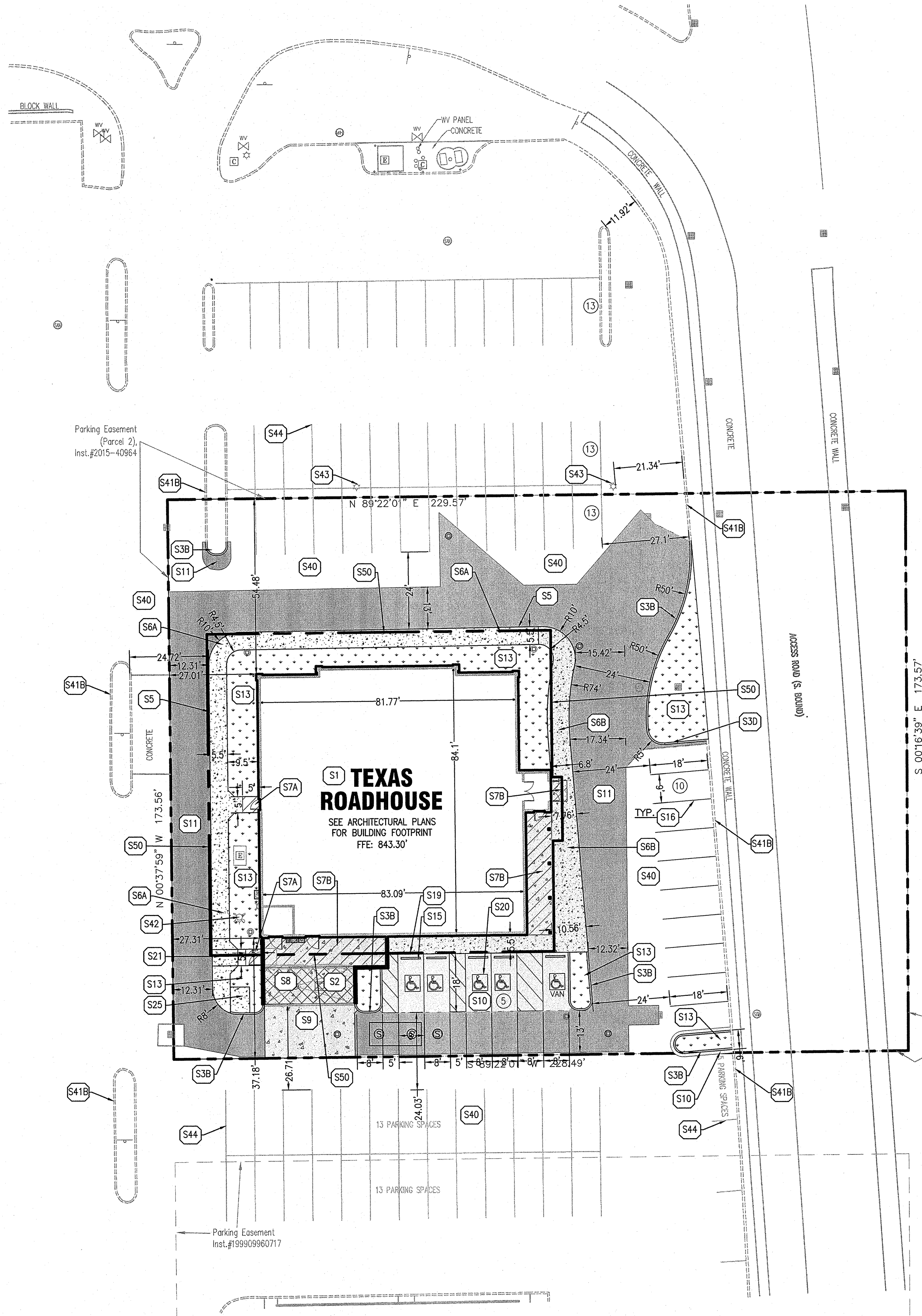
1. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO COMMENCEMENT OF CONSTRUCTION.
2. CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING SAFE AND ADEQUATE WORKING CONDITIONS THROUGHOUT THE DURATION OF CONSTRUCTION OF THE PROPOSED SITE IMPROVEMENTS.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION OF ALL SITE SETBACKS, EASEMENTS AND DIMENSIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION.
4. ALL CONSTRUCTION MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE LATEST STATE AND LOCAL GOVERNMENT CONSTRUCTION STANDARDS AND SPECIFICATIONS.
5. ALL HANDICAP ACCESSIBLE SITE IMPROVEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH ALL FEDERAL, STATE AND LOCAL CODES AND REQUIREMENTS.
6. IF DURING THE COURSE OF CONSTRUCTION THE CONTRACTOR FINDS ANY DISCREPANCIES OR CONFLICTS BETWEEN THE PROPOSED SITE IMPROVEMENTS INDICATED ON THE PLANS AND THE PHYSICAL CONDITIONS OF THE SITE, OR ANY ERRORS OR OMISSIONS WITHIN THE PLANS OR IN THE SITE LAYOUT AS PROVIDED BY THE ENGINEER, IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO IMMEDIATELY NOTIFY THE ENGINEER. UNTIL AUTHORIZED TO PROCEED, ANY WORK PERFORMED BY THE CONTRACTOR AFTER SUCH A DISCOVERY WILL BE AT THE CONTRACTOR'S SOLE RISK AND EXPENSE.
7. CONTRACTOR SHALL COORDINATE ALL SITE IMPROVEMENTS WITH ARCHITECTURAL PLANS. ARCHITECTURAL PLANS SHALL BE USED FOR BUILDING STAKEOUT.
8. CONTRACTOR SHALL COORDINATE ALL LANDSCAPE IMPROVEMENTS, INCLUDING NEW PLANTINGS AND TURF AREA RESTORATION REQUIREMENTS, WITH LANDSCAPE PLANS.
9. CONSTRUCTION SURVEY AND STAKEOUT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
10. ALL DIMENSIONS SHOWN ARE MEASURED FROM FACE OF CURB TO FACE OF CURB OR EDGE OF PAVEMENT TO EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.
11. ALL CURB RADI ARE MEASURED AT THE FACE OF CURB UNLESS OTHERWISE NOTED.
12. ALL NEW ASPHALT AND/OR CONCRETE PAVING SHALL MATCH EXISTING PAVEMENTS FLUSH.
13. CONTRACTOR SHALL RESTORE ALL DISTURBED AREAS OUTSIDE OF CONSTRUCTION LIMITS TO ORIGINAL CONDITION OR BETTER.
14. CONTRACTOR SHALL REPAIR AT HIS EXPENSE ANY DAMAGE TO EXISTING ASPHALT, CONCRETE, CURBS, SIDEWALKS, ETC. RESULTING FROM CONSTRUCTION TRAFFIC AND/OR OPERATIONS. REPAIRS SHALL BE MADE TO THE SATISFACTION OF THE OWNER AND/OR ENGINEER.
15. ALL DETECTABLE WARNING PLATES SHALL BE PREFORMED PLASTIC INSERTS UNLESS OTHERWISE NOTED.
16. SEE GENERAL NOTES SHEET FOR ADDITIONAL INFORMATION AND REQUIREMENTS.

SITE PLAN NOTES:

1. REFER TO THE GEOTECHNICAL ENGINEERING REPORT PREPARED BY TERRACON AND DATED 10/26/17 FOR ADDITIONAL INFORMATION REGARDING THE EXISTING SOIL CONDITIONS AND SUBGRADE PREPARATION REQUIREMENTS AND PROPOSED PAVEMENT RECOMMENDATIONS (PROJECT NO. N175368).
2. SEE CONSTRUCTION DETAILS SHEET C7.0 FOR PAVEMENT SECTION DETAILS.
3. SEE GENERAL NOTES SHEET C1.0 FOR EXISTING LEGEND.

SITE KEY NOTES:

- S1 PROPOSED TEXAS ROADHOUSE BUILDING (SEE ARCHITECTURAL AND STRUCTURAL PLANS FOR ADDITIONAL INFORMATION AND DETAILS)
- S2 PROPOSED TRASH ENCLOSURE (SEE ARCHITECTURAL AND STRUCTURAL PLANS FOR ADDITIONAL INFORMATION AND DETAILS)
- S3B PROPOSED CONCRETE BARRIER CURB
- S3D PROPOSED 4" CURB CUT (0" CURB HEAD)
- S4 PROPOSED REVERSE PITCH CONCRETE CURB AND GUTTER (TBD)
- S5 PROPOSED MONOLITHIC CONCRETE CURB AND SIDEWALK
- S6A PROPOSED CONCRETE SIDEWALK
- S6B PROPOSED INTEGRAL BLACK CONCRETE SIDEWALK
- S7A PROPOSED CONCRETE LANDING (SEE STRUCTURAL PLANS FOR ADDITIONAL INFORMATION AND DETAILS)
- S7B PROPOSED INTEGRAL BLACK COLORED CONCRETE LANDING (SEE STRUCTURAL PLANS FOR ADDITIONAL INFORMATION AND DETAILS)
- S8 PROPOSED HEAVY DUTY INTEGRAL BLACK COLORED CONCRETE (SEE STRUCTURAL PLANS FOR ADDITIONAL INFORMATION AND DETAILS)
- S9 PROPOSED HEAVY DUTY INTEGRAL BLACK COLORED CONCRETE SLAB (SEE GEOTECHNICAL REPORT FOR ADDITIONAL INFORMATION AND DETAILS)
- S10 PROPOSED ASPHALT PAVEMENT
- S11 PROPOSED HEAVY DUTY ASPHALT PAVEMENT
- S12 PROPOSED DETECTABLE WARNING PLATE (TYP.)
- S13 PROPOSED LANDSCAPE AREA (SEE LANDSCAPE PLANS FOR ADDITIONAL INFORMATION AND DETAILS)
- S15 PROPOSED PRECAST CONCRETE WHEEL STOP (TYP. OF 5)
- S16 PROPOSED 4" PAVEMENT STRIPING PER LOCAL CODE
- S19 PROPOSED HANDICAP ACCESSIBLE PARKING SIGN PER LOCAL CODE (TYP. OF 5)
- S20 PROPOSED HANDICAP ACCESSIBLE PARKING STALL STRIPING AND SYMBOL PER LOCAL CODE (TYP.)
- S21 PROPOSED HANDICAP ACCESSIBLE CURB RAMP AT 12:1 MAXIMUM SLOPE PER LOCAL CODES
- S22 PROPOSED CONCRETE TRANSFORMER PAD WITH STEEL BOLLARD PROTECTION (CONTRACTOR SHALL COORDINATE CONCRETE TRANSFORMER PAD LOCATION, SIZE AND THICKNESS WITH ELECTRIC COMPANY PRIOR TO INSTALLATION)
- S25 PROPOSED BIKE RACKS WITH BLACK POWDER COATED FINISH (TOTAL OF 2 BIKE RACKS PROVIDING 4 BICYCLE PARKING SPACES - SEE DETAIL ON SHEET C7.2)
- S40 EXISTING ASPHALT PAVEMENT TO REMAIN
- S41B EXISTING CONCRETE CURB TO REMAIN
- S42 EXISTING FIRE HYDRANT TO REMAIN
- S43 EXISTING LIGHT POLE TO REMAIN
- S44 EXISTING PAVEMENT STRIPING TO REMAIN
- S50 INTERNAL PARCEL LINE OF "DON PABLOS"



PROPOSED LEGEND:

- PROPERTY LINE
- ===== PROPOSED CONCRETE CURB AND GUTTER
- ===== PROPOSED REVERSE PITCH CURB AND GUTTER
- ===== PROPOSED DEPRESSED CURB AND GUTTER
- 7 PROPOSED PARKING STALL COUNT
- PROPOSED CONCRETE WHEEL STOP
- PROPOSED SIGN
- PROPOSED PYLON SIGN
- PROPOSED LIGHT POLE
- PROPOSED STORM SEWER STRUCTURES
- PROPOSED STORM SEWER GREASE INTERCEPTOR
- PROPOSED SANITARY SEWER STRUCTURES
- PROPOSED SANITARY SEWER GREASE INTERCEPTOR
- PROPOSED FIRE HYDRANT
- PROPOSED FIRE DEPARTMENT CONNECTION (FDC)
- PROPOSED TAPPING SLEEVE AND VALVE
- PROPOSED WATER METER AND VAULT
- PROPOSED GATE VALVE AND VALVE BOX
- PROPOSED WATER SERVICE TAP
- PROPOSED BACK FLOW PREVENTOR
- PROPOSED FIRE SERVICE AND DOMESTIC METER VAULT
- PROPOSED TRANSFORMER PAD AND STEEL BOLLARDS
- PROPOSED GAS METER
- PROPOSED ELECTRIC METER, CT CABINET AND DISCONNECT

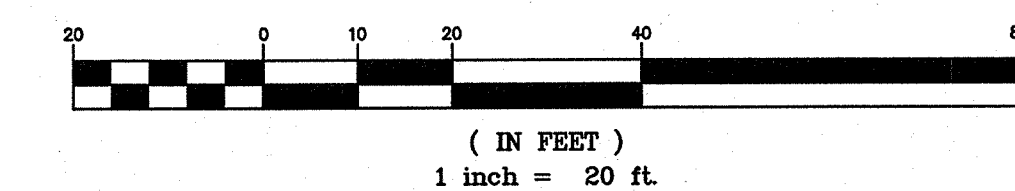
PAVEMENT HATCH LEGEND:

- S6A PROPOSED CONCRETE SIDEWALK
5" PORTLAND CEMENT CONCRETE
4" AGGREGATE BASE (INDOT NO. 53)
- S6B PROPOSED INTEGRAL BLACK CONCRETE SIDEWALK
5" PORTLAND CEMENT CONCRETE
4" AGGREGATE BASE (INDOT NO. 53)
- S7A PROPOSED CONCRETE LANDING
6" PORTLAND CEMENT CONCRETE
(SEE STRUCTURAL PLANS FOR REINFORCEMENT, AGGREGATE, AND SUBGRADE REQUIREMENTS)
- S7B PROPOSED INTEGRAL BLACK COLORED CONCRETE LANDING
6" PORTLAND CEMENT CONCRETE
(SEE STRUCTURAL PLANS FOR REINFORCEMENT, AGGREGATE, AND SUBGRADE REQUIREMENTS)
- S8 PROPOSED HEAVY DUTY INTEGRAL BLACK COLORED CONCRETE
7" PORTLAND CEMENT CONCRETE
(SEE STRUCTURAL PLANS FOR REINFORCEMENT, AGGREGATE, AND SUBGRADE REQUIREMENTS)
- S9 PROPOSED HEAVY DUTY INTEGRAL BLACK COLORED CONCRETE SLAB
7" PORTLAND CEMENT CONCRETE
4" AGGREGATE BASE (INDOT NO. 53)
(SEE GEOTECHNICAL REPORT)
- S10 PROPOSED ASPHALT PAVEMENT
1.5" ASPHALT SURFACE COURSE
1.5" ASPHALT BASE COURSE
6" AGGREGATE BASE (INDOT NO. 53)
(SEE GEOTECHNICAL REPORT)
- S11 PROPOSED HEAVY DUTY ASPHALT PAVEMENT
1.5" ASPHALT SURFACE COURSE
3.5" ASPHALT BASE COURSE
8" AGGREGATE BASE (INDOT NO. 53)
(SEE GEOTECHNICAL REPORT)
- S13 PROPOSED LANDSCAPE AREA
(SEE LANDSCAPE PLANS FOR ADDITIONAL INFORMATION AND DETAILS)

PROJECT INFORMATION:

SITE AREA:	0.91± ACRES
ZONED:	GB
PROPOSED BUILDING AREA:	6,994 SQ. FT.
PROPOSED USE:	RESTAURANT
BUILDING HEIGHT:	25'-6"
PARKING REQUIRED:	82 STALLS (1 STALL PER 3 SEATS - 245 SEATS TOTAL)
PARKING PROVIDED:	28 STALLS (INCLUDING 5 ADA STALLS)
BIKE PARKING REQUIRED:	3 SPACES (1 SPACE PER 30 VEHICULAR PARKING STALLS)
BIKE PARKING PROVIDED:	4 SPACES

GRAPHIC SCALE



GreenbergFarrow

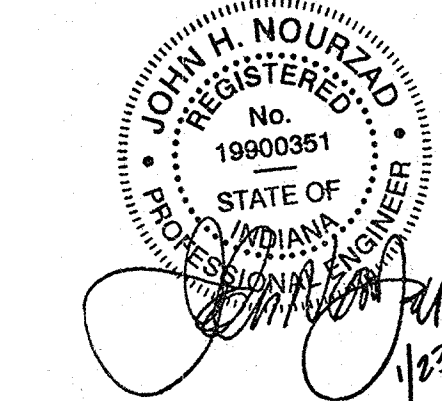
1430 W. Peachtree St. NW
Suite 200
Atlanta, GA 30309
t: 404 601 4000 f: 404 601 3970

PROJECT TEAM

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ISSUE/REVISION RECORD

DATE	DESCRIPTION
11/30/17	CITY SUBMISSION
01/19/18	REVISED CITY SUBMISSION



PROFESSIONAL IN CHARGE

JOHN NOURZAD
PROFESSIONAL ENGINEER
LICENSE NO. PE19900351

PROJECT MANAGER

JEFF RATH

QUALITY CONTROL

LARRY DIEHL

DRAWN BY

MATTHEW H. BUDE

PROJECT NAME

TEXAS
ROADHOUSE

CARMEL
INDIANA

14758 N. MERIDIAN STREET



PROJECT NUMBER

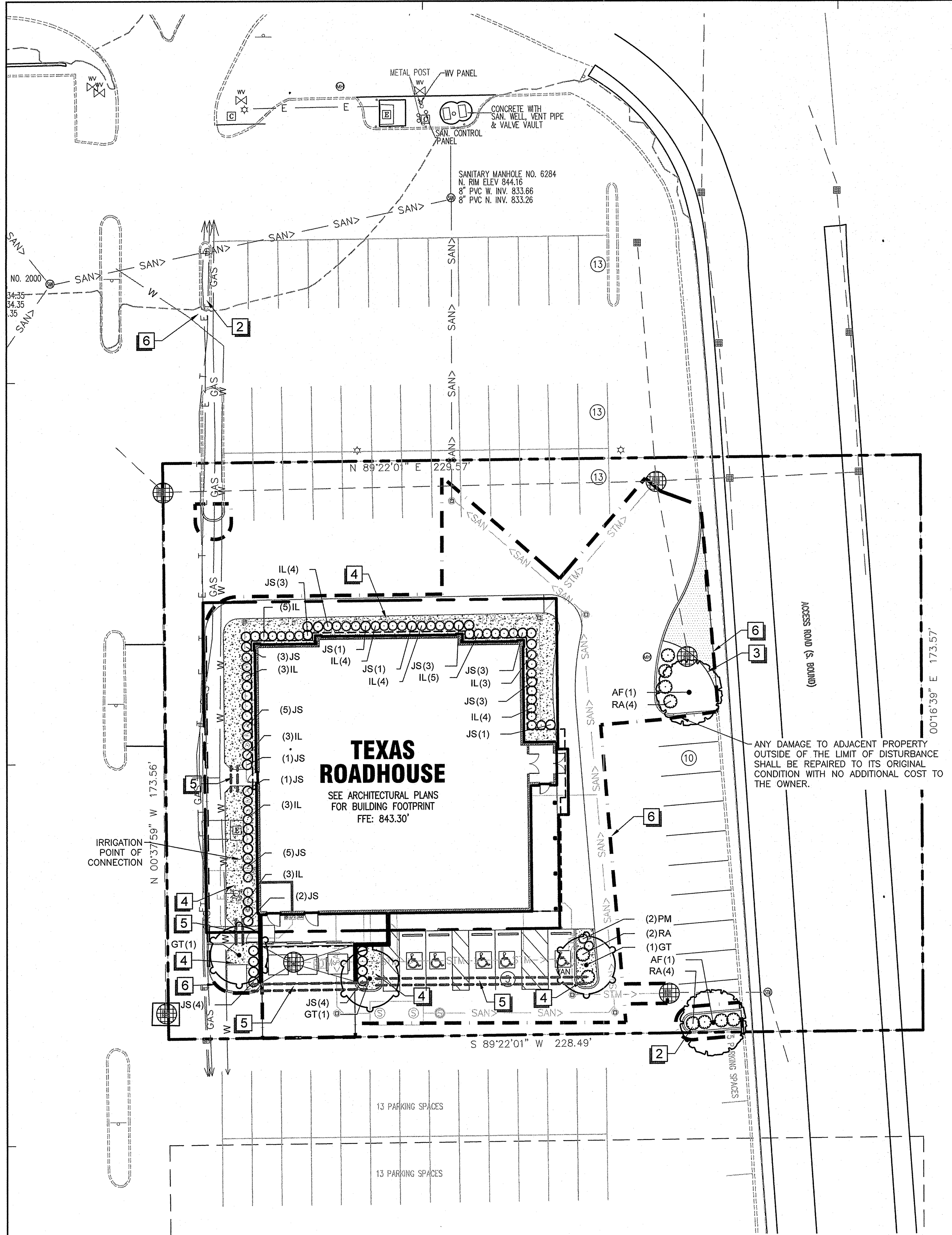
20170746.0

SHEET TITLE

SITE
PLAN

SHEET NUMBER

C3.0



LANDSCAPE PLAN

LANDSCAPE CALCULATIONS:

REQUIRED:		PROVIDED:	REQUIRED:		PROVIDED:
FOUNDATION LANDSCAPING			LOT LANDSCAPING		
1 SHRUB/12 LF OF BUILDING FACADE	28 SHRUBS (7 SHRUBS FOR EACH FACADE) (328 LF/12 LF=27.33)	79 SHRUBS	10 SHADE TREES/ACRE	9 SHADE TREES (10 X 0.91 ACRES=9.1)	5 SHADE TREES
INTERIOR PARKING LANDSCAPING			10 ORNAMENTAL TREES/ACRE		
7.5% LANDSCAPING FOR 50 OR MORE SPACES	1,256 SF, 7.5% (16,742 SF*.075 = 1,256 SF)	1,013 SF, 6% (1,013 SF/16,742 SF = .060)	25 SHRUBS/ACRE	9 ORNAMENTAL TREES (10 X 0.91 ACRES=9.1)	0 ORNAMENTAL TREES
PARKING ISLANDS	1 TREE AND 4 SHRUBS PER ISLAND	YES		23 SHRUBS (25 X 0.91 ACRES=22.75)	93 SHRUBS

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION
1	ALL LAWN AREAS TO BE ESTABLISHED BY SEEDING WITH KENTUCKY BLUEGRASS BLEND.
2	INSTALL 3" DEPTH OF SHREDDED HARDWOOD MULCH ON WEED BARRIER IN ALL ISLANDS AND LANDSCAPE BEDS (TYP.)
3	CULTIVATED BEDLINE 4" DEPTH.
4	INSTALL RIVER ROCK MULCH 5"-7" DIAMETER ON WEED BARRIER IN PLANT BED ADJACENT TO BUILDING FOUNDATION AND WHERE INDICATED ON PLAN. RIVER ROCK MULCH TO BE INSTALLED FLUSH WITH TOP OF SIDEWALK.
5	4", SCHEDULE 40 PVC IRRIGATION SLEEVE
6	ANY DAMAGE TO ADJACENT PROPERTY OUTSIDE OF THE LIMIT OF DISTURBANCE SHALL BE REPAIRED TO ITS ORIGINAL CONDITION WITH NO ADDITIONAL COST TO THE OWNER.

PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL
AF	2	Acer x freemanii	Freeman Maple	B & B	2.5"Cal	
GT	3	Gleditsia triacanthos 'Skyline'	Skyline Honey Locust	B & B	2.5"Cal	
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	HEIGHT
IL	41	Ilex glabra 'Shamrock'	Inkberry	Cont.	36" Ht. Min.	
JS	40	Juniperus chinensis 'Spartan'	Spartan Juniper	B & B	7' Ht. Min.	
PM	2	Picea pungens 'Montgomery'	Montgomery Blue Spruce	Cont.	18" HT. MIN.	
RA	10	Rhus aromatica 'Gro-Low'	Gro-Low Fragrant Sumac	Cont.	18" HT. MIN.	
GROUND COVERS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	
PP	298 sf	Lawn Grasses	Kentucky Bluegrass Blend	seed		

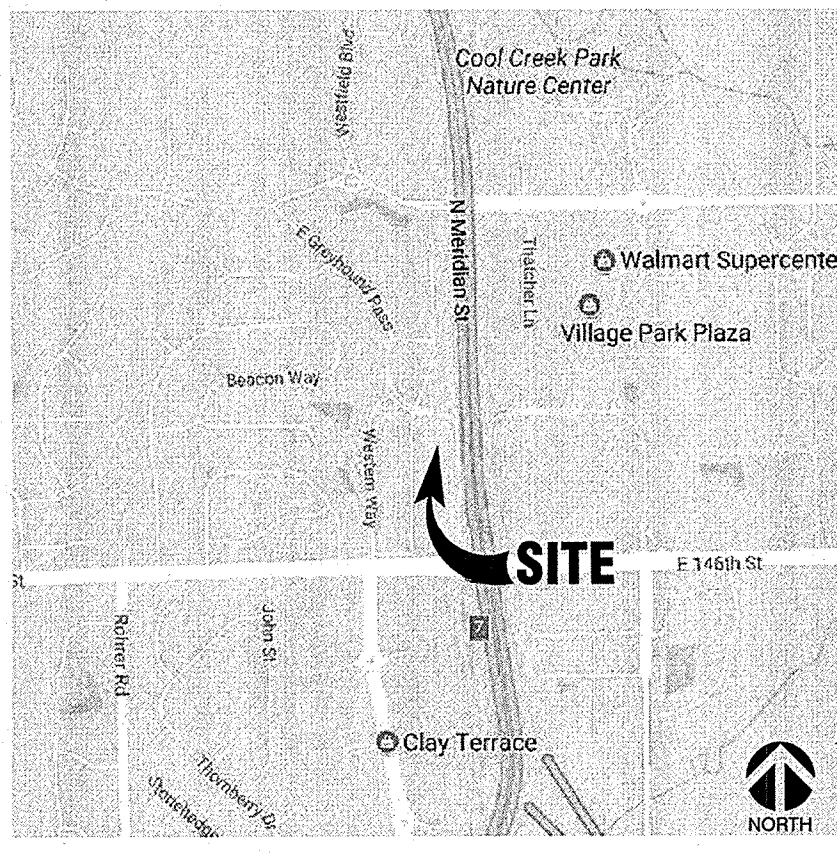
SHRUB HEIGHT MEASUREMENTS ARE TO BE AS MEASURED FROM TOP OF ROOTBALL (TYP.)

GENERAL NOTES:

- GRAPHIC SYMBOLS TAKE PRECEDENCE OVER WRITTEN QUANTITIES AND KEYS ON PLAN.
- CONTRACTOR TO REPAIR AND REPLACE ANY PLANT MATERIAL DAMAGED BY THIS CONSTRUCTION OUTSIDE PROJECT LIMITS. ANY EXISTING PLANT MATERIAL DAMAGED BY CONTRACTOR DURING CONSTRUCTION SHALL BE REPLACED WITH LIKE MATERIAL OF SIMILAR SPECIES AND SIZE AT THE CONTRACTOR'S EXPENSE WITH NO ADDITIONAL COST TO OWNER OR TENANT.
- TWO WEEKS PRIOR TO PLANTING, THE CONTRACTOR SHALL SUBMIT TO THE OWNER / OWNER'S REPRESENTATIVE A PLANT PHOTO SUBMITTAL FOR APPROVAL. IF REQUESTED, BY THE OWNER, THE LANDSCAPE ARCHITECT WILL TAG THE MATERIAL.
- EACH PHOTO SHALL CLEARLY SHOW THE SIZE, FORM, AND BRANCHING STRUCTURE AND QUALITY OF THE PLANT.
- EACH PHOTO SHALL HAVE THE PLANT NAME, SIZE AND SPECIFICATIONS LABELED ON THE PHOTO.
- ANY PHOTO SHOWING A GROUP OF PLANTS CLOSE TOGETHER WILL NOT BE ACCEPTED.
- NO PARTIAL OR INCOMPLETE SUBMITTAL WILL BE ACCEPTED FOR REVIEW. ANY REJECTED SPECIES WILL BE SUBJECT TO RESUBMITTAL.
- SAMPLES OF RIVER ROCK COBBLESTONE ARE TO BE PROVIDED TO OWNER/TENANT FOR REVIEW AND APPROVAL TWO (2) WEEKS PRIOR TO CONSTRUCTION. NO COBBLESTONE IS TO BE INSTALLED WITHOUT PRIOR APPROVAL FROM TEXAS ROADHOUSE.
- REFER TO THE LATEST CIVIL PLANS FOR DISTURBED AREAS TO BE RESTORED. ADDITIONAL RESTORATION MAY BE NEEDED DUE TO FIELD CONDITIONS. SEE CIVIL SITE PLAN.
- CONTRACTOR TO PROVIDE SITE IRRIGATION FOR LANDSCAPE AREAS AROUND BUILDING PERIMETER ONLY. IRRIGATION FOR THIS AREA TO PROVIDE 100% COVERAGE OF ALL PLANTED AREAS. SHRUB BEDS TO BE WATERED WITH SUBSURFACE IRRIGATION. LAWN AREAS TO BE KEPT ON SEPARATE ZONES FROM SHRUB BEDS, DO NOT SPRAY ONTO BUILDING. IRRIGATION SYSTEM TO BE DESIGNED/INSTALLED PER ALL LOCAL, STATE AND FEDERAL CODES.

MAINTENANCE OF LANDSCAPING:

THE OWNER, TENANT, OR AGENT, IF ANY, SHALL BE RESPONSIBLE FOR PROVIDING, PROTECTING AND MAINTAINING ALL LANDSCAPING IN HEALTHY GROWING CONDITIONS, REPLACING IT WHEN NECESSARY TO ENSURE CONTINUOUS CONFORMANCE WITH THESE GUIDELINES AND KEEPING IT FREE FROM REFUSE AND DEBRIS. MAINTENANCE SHALL INCLUDE THE REPLACEMENT OF ALL DEAD PLANT MATERIAL WITHIN THE GUARANTEED CONTRACT PERIOD.



LOCATION MAP

GreenbergFarrow

1430 W. Peachtree St. NW
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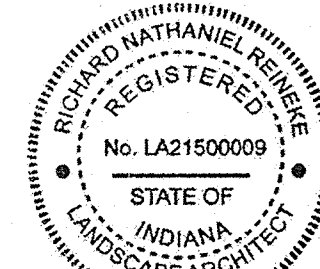
PROJECT TEAM

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ISSUE/REVISION RECORD

DATE	DESCRIPTION
12/01/17	DDP SUBMITTAL
01/19/18	REVISED CITY SUBMISSION

PROFESSIONAL SEAL



01/19/18

PROFESSIONAL IN CHARGE
RICHARD REINWEKE
PROFESSIONAL LANDSCAPE ARCHITECT
LICENSE NO. LA21500009

PROJECT MANAGER
JEFF RATH

QUALITY CONTROL
SARAH DREIER

DRAWN BY
JEAN SHI

PROJECT NAME

TEXAS ROADHOUSE

CARMEL INDIANA

14758 N. MERIDIAN ST.



HOLEY MOLEY SAYS
"DON'T DIG BLIND"



"IT'S THE LAW"
CALL 2 WORKING DAYS BEFORE YOU DIG
1-800-382-5544

CALL TOLL FREE
PER INDIANA STATE LAW IS-69-1991.
IT IS AGAINST THE LAW TO EXCAVATE WITHOUT NOTIFYING THE UNDERGROUND LOCATION SERVICE TWO (2) WORKING DAYS BEFORE COMMENCING WORK.

PROJECT NUMBER

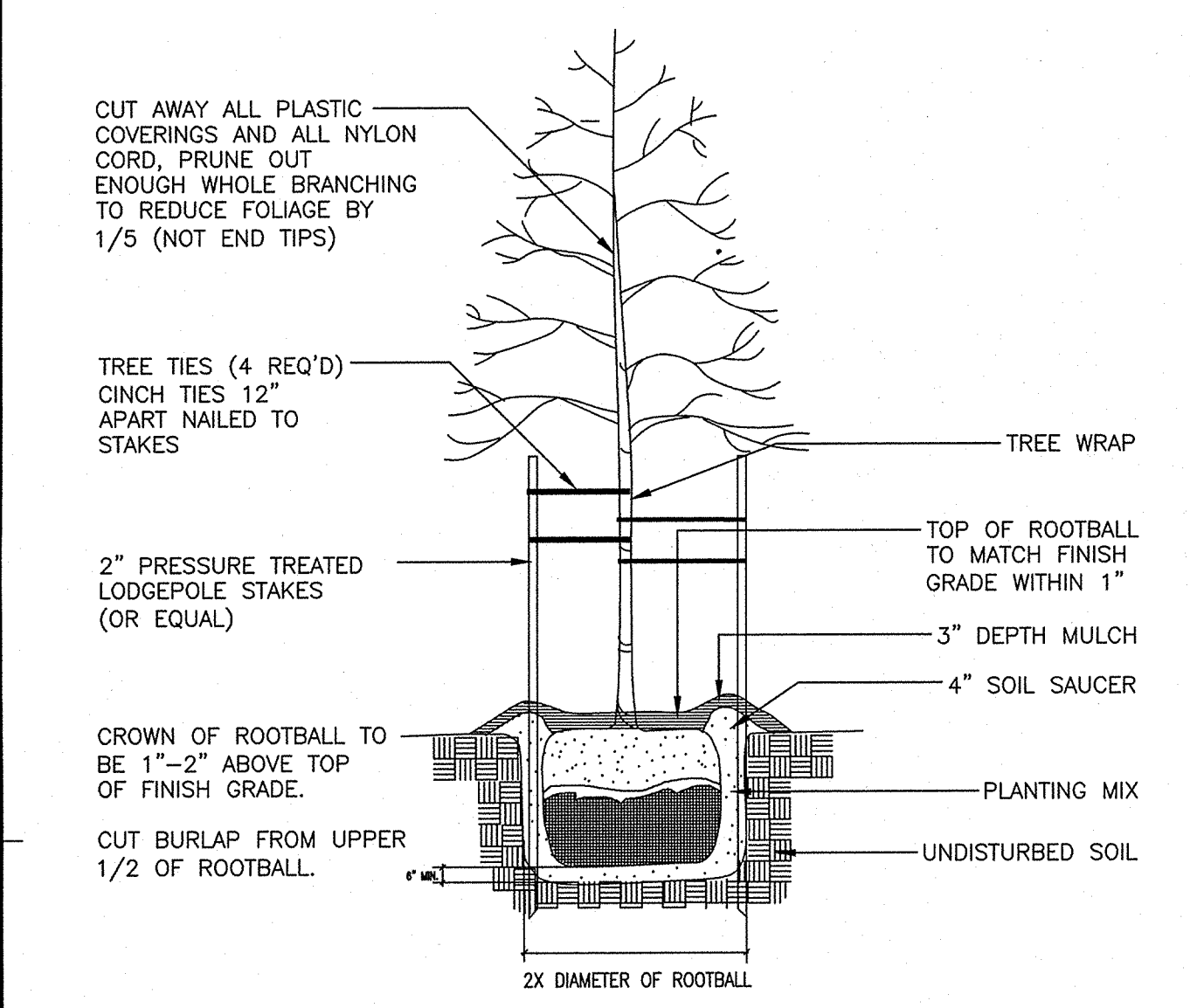
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SHEET TITLE

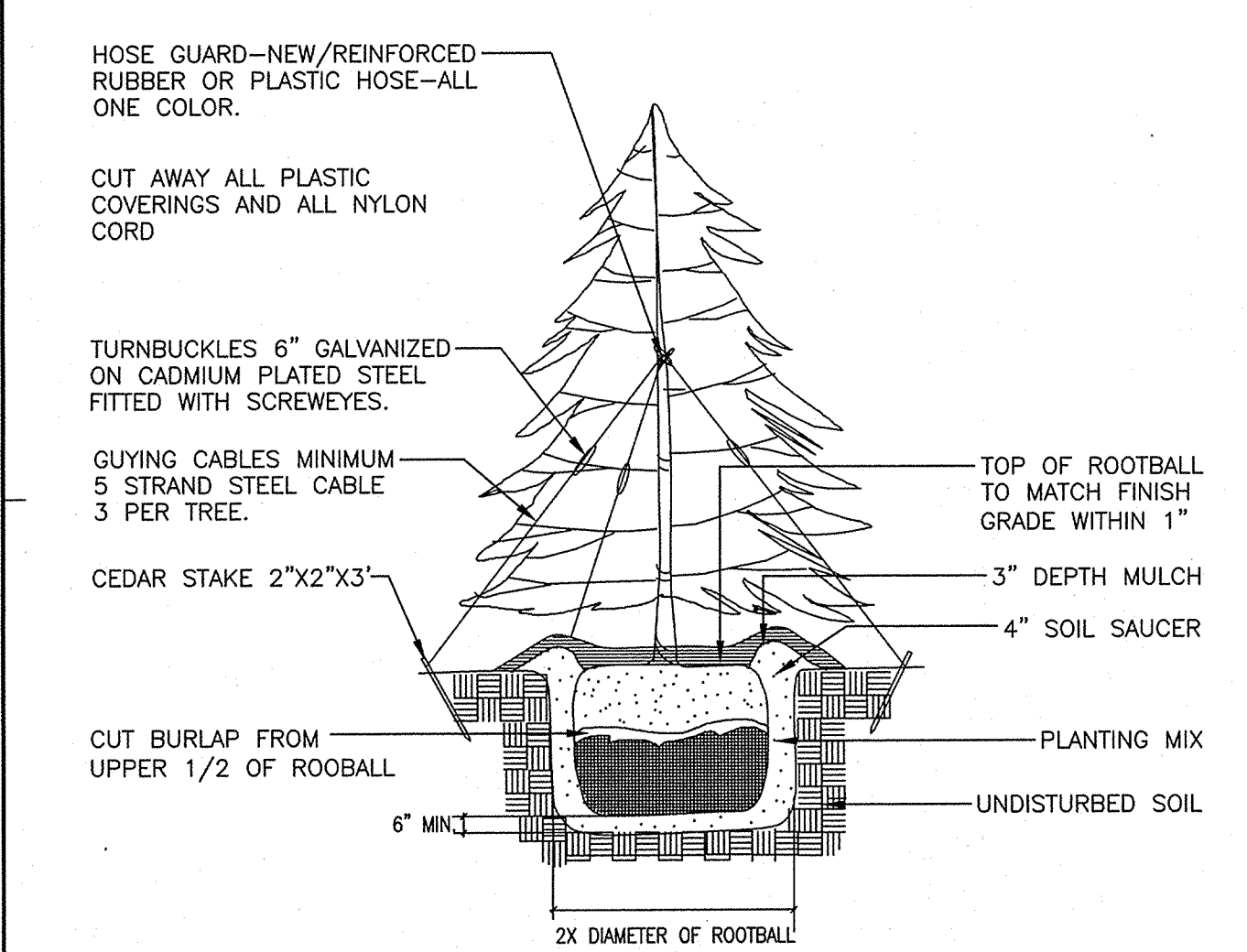
LANDSCAPE PLAN

SHEET NUMBER

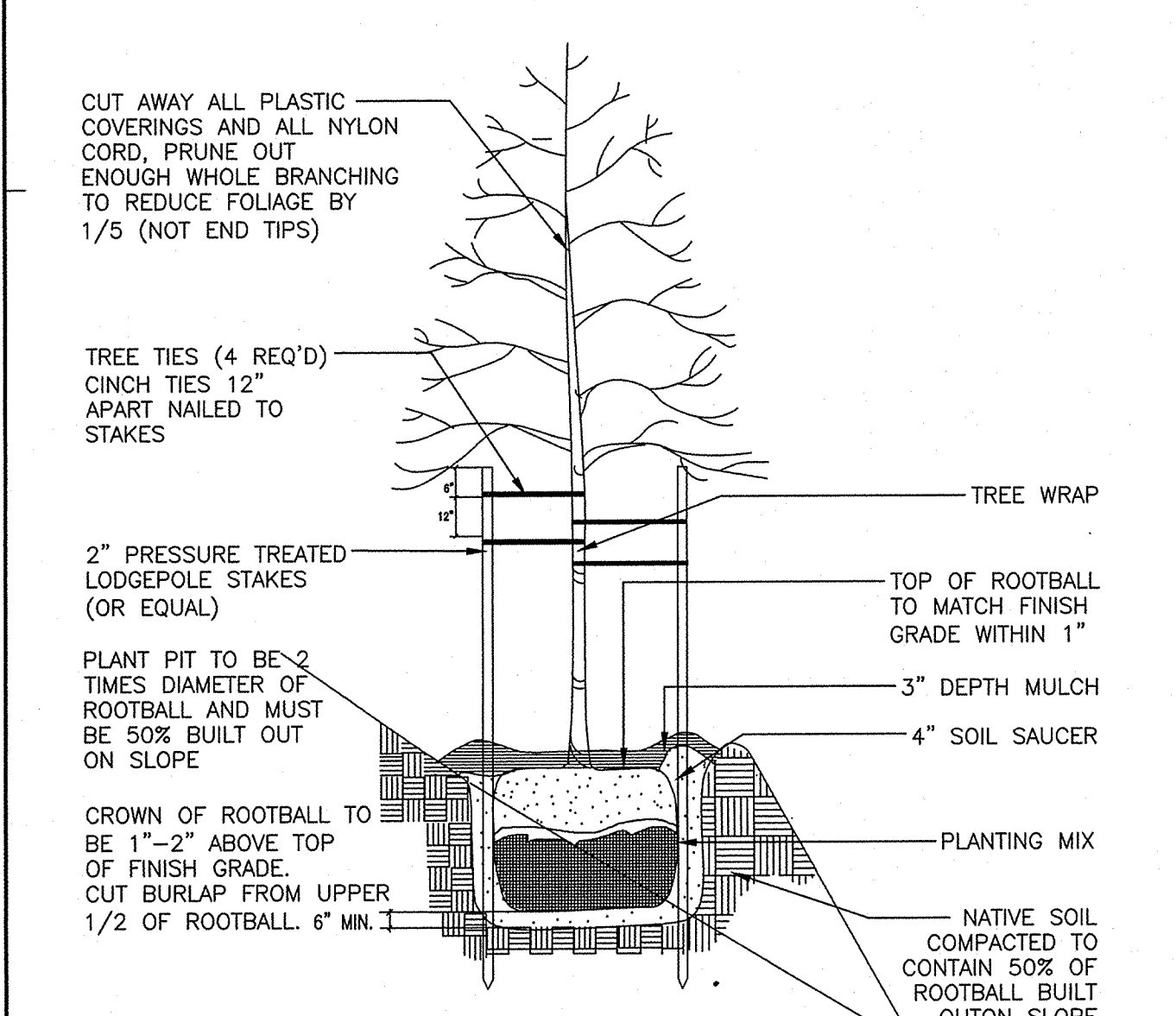
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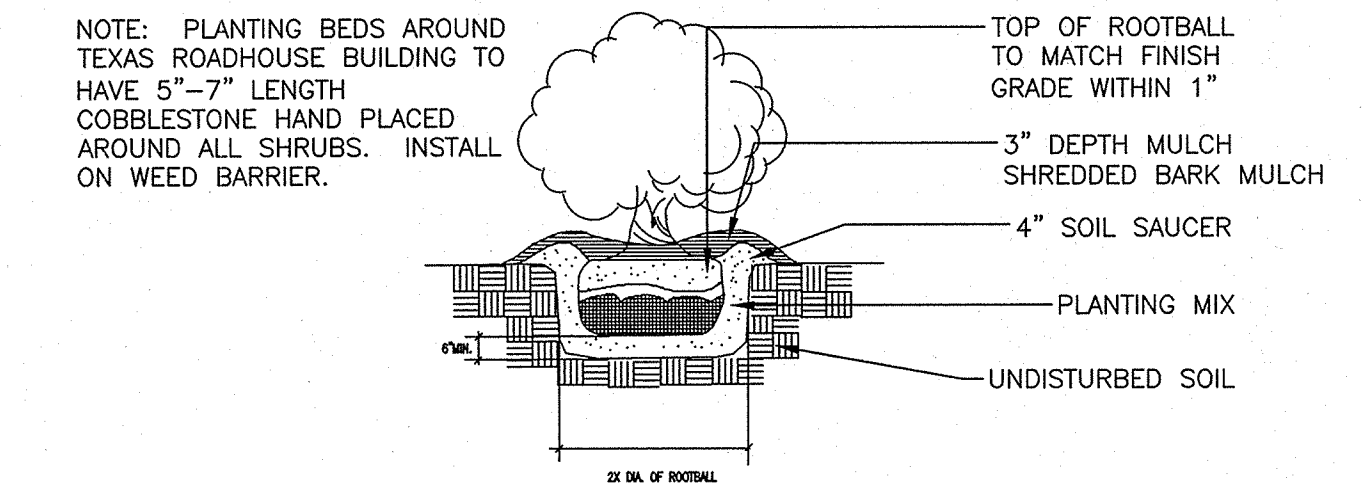
1 TREE PLANTING DETAIL
NOT TO SCALE 329343.39-01



2 EVERGREEN TREE PLANTING DETAIL
1" = 1" 329343.46-01



3 TREE PLANTING DETAIL (SLOPE)
NOT TO SCALE 329343.39-02



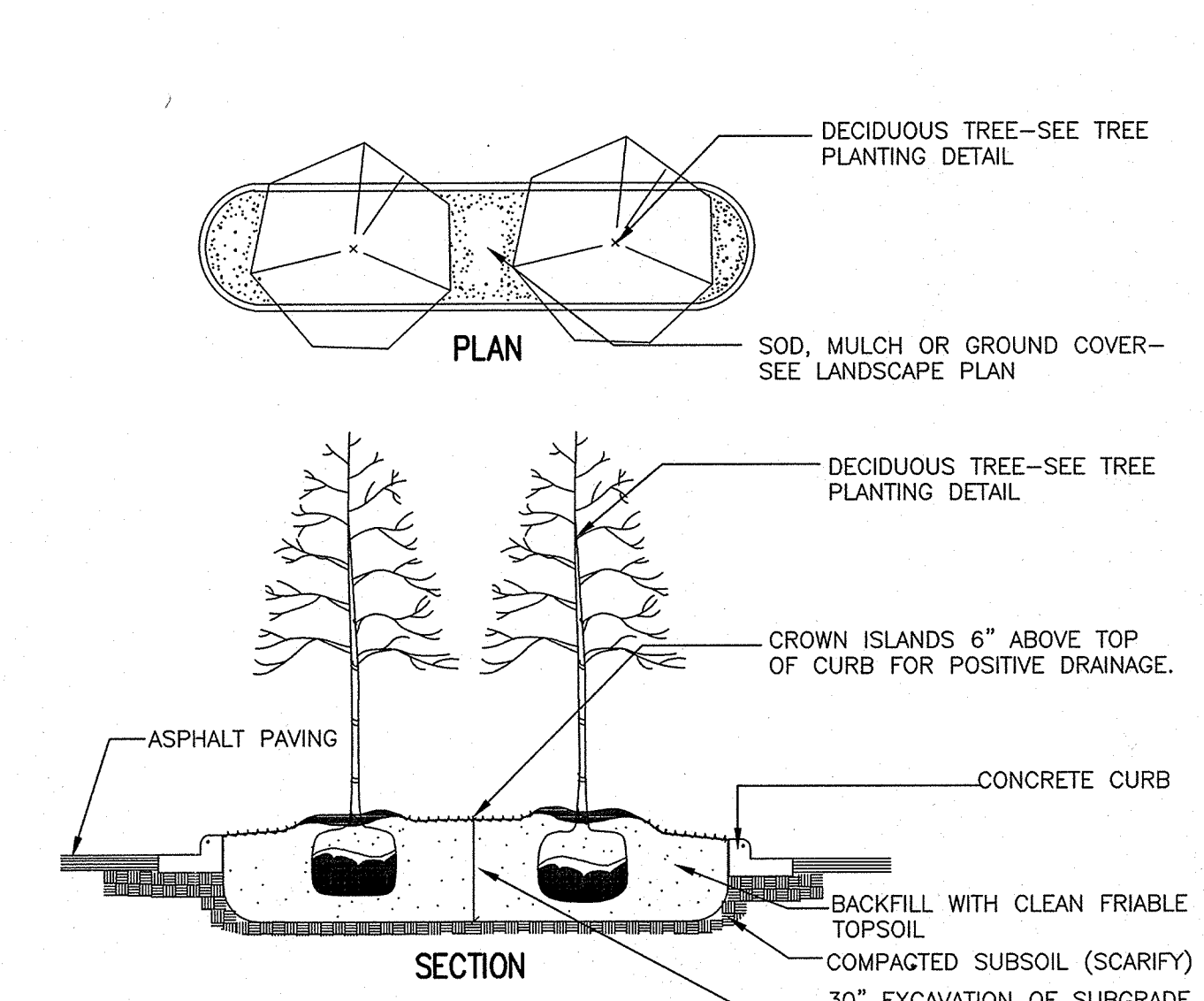
4 SHRUB PLANTING DETAIL
NOT TO SCALE 329333.16-01

GROUND COVER TO BE PLANTED ON EQUIDISTANT TRIANGULAR GRID

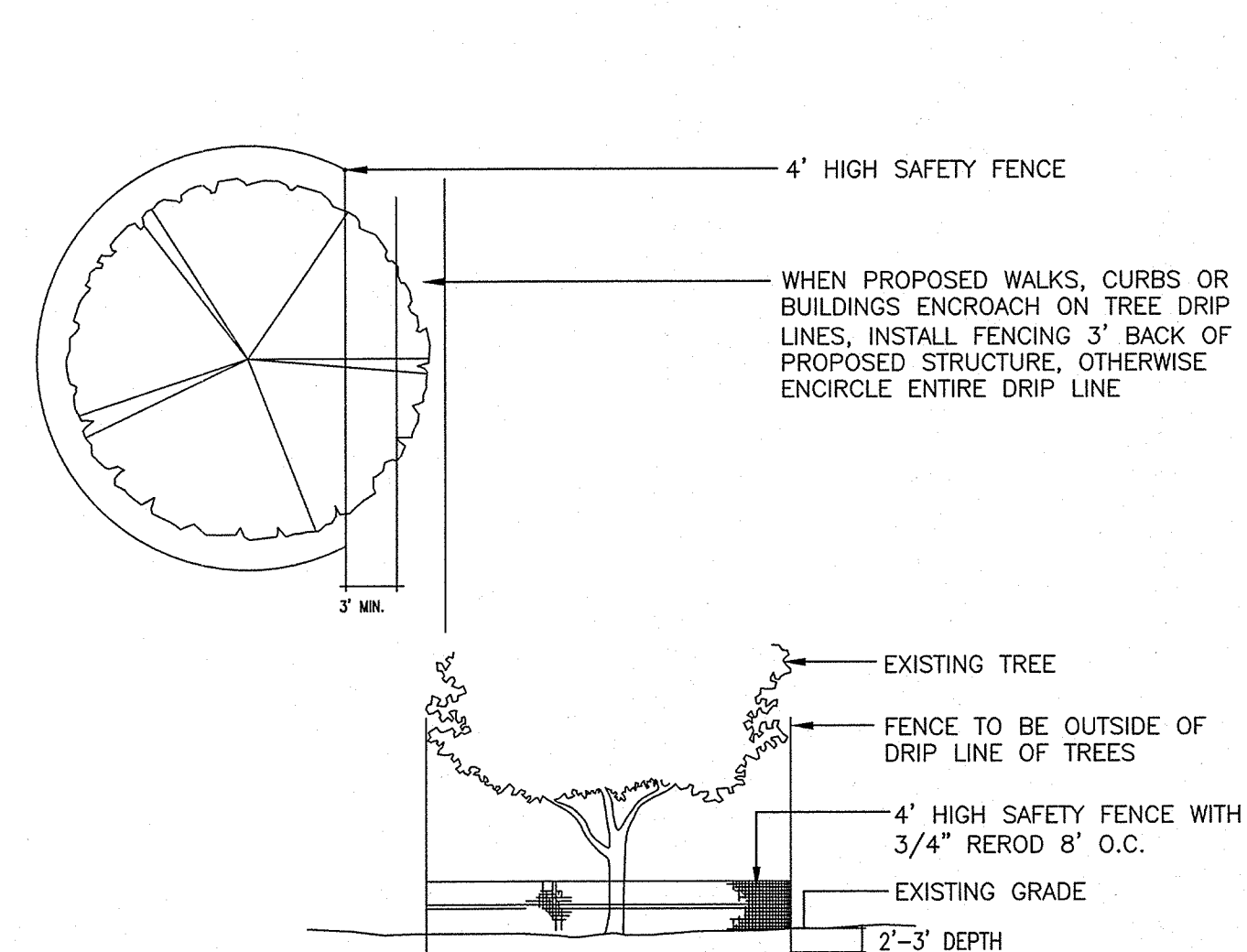
**SEE PLAN FOR REQUIRED SPACING

SPACING "D"	ROW WIDTH "A"	NO. OF PLANTS/SF
6" O.C.	5.20"	4.61
8" O.C.	6.93"	2.60
10" O.C.	8.66"	1.66
12" O.C.	10.44"	1.15
15" O.C.	13.00"	.738
18" O.C.	15.60"	.512
24" O.C.	20.80"	.330

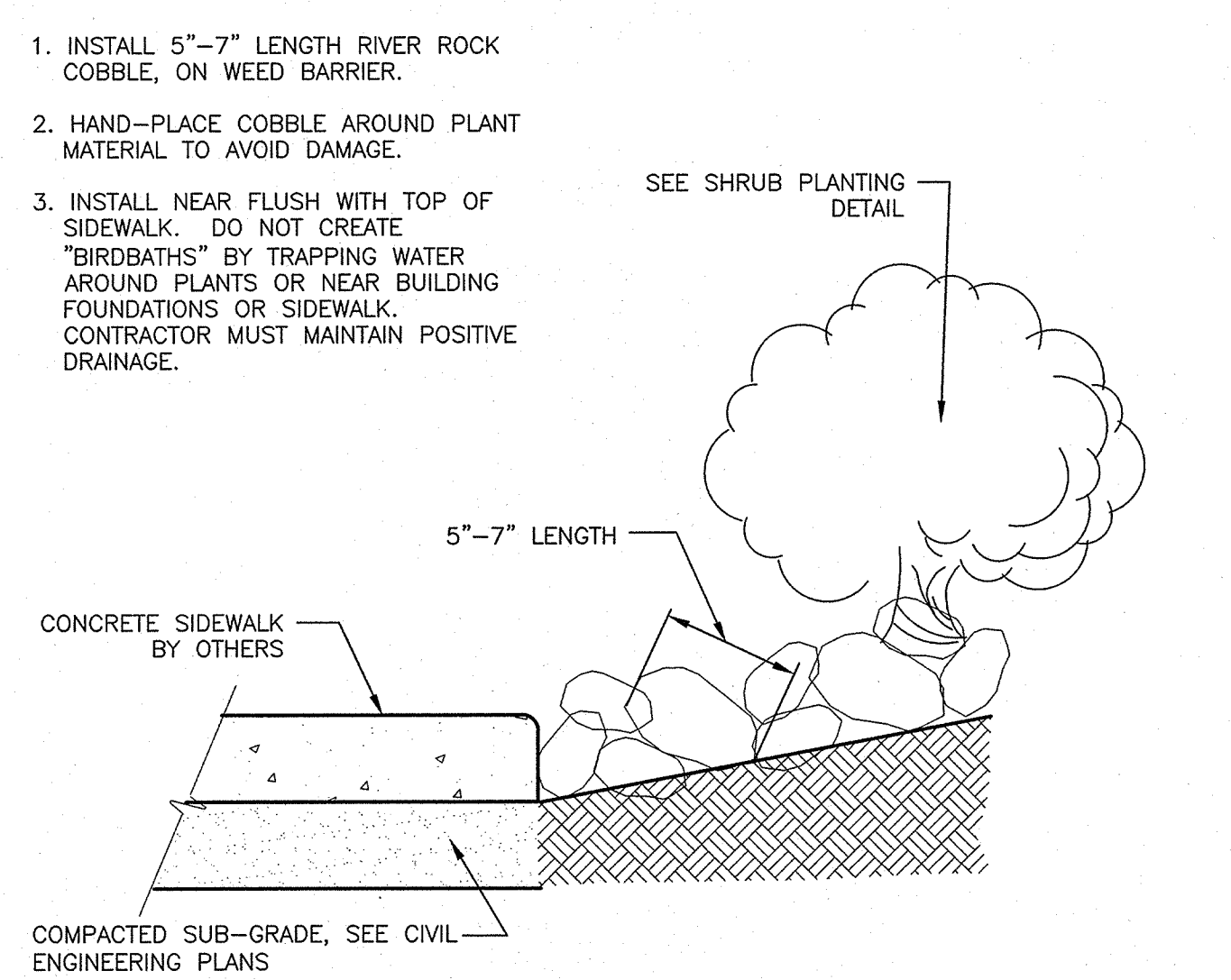
5 GROUND COVER PLANTING DETAIL
NOT TO SCALE 329333.83-01



6 TYPICAL ISLAND PLANTING DETAIL
NOT TO SCALE 329343.69-01



7 TREE PROTECTION DETAIL
NOT TO SCALE 329343.67-01



8 5"-7" LENGTH RIVER ROCK COBBLE DETAIL
1 1/2" = 1'-0" 321313.13-11

NOTES:

- LANDSCAPE PLANTING
- THE LANDSCAPE CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE SITE CONDITIONS AND VERIFY THEM TO HIS SATISFACTION. THE LANDSCAPE CONTRACTOR SHALL ACCEPT THE SITE CONDITIONS AND DO THE WORK SPECIFIED WITHOUT ADDITIONAL COMPENSATION FOR POSSIBLE VARIATION FROM GRADES AND CONDITIONS SHOWN.
 - PRIOR TO CONSTRUCTION THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING CONSTRUCTION. SHOULD THE LANDSCAPE CONTRACTOR CAUSE DAMAGE TO ANY UTILITIES HE SHALL MAKE NECESSARY REPAIRS AS QUICKLY AS POSSIBLE WITHOUT ADDITIONAL COMPENSATION.
 - ALL PLANT MATERIAL SIZES AND MEASUREMENTS, INCLUDING TRUNK, HEAD, AND SPREAD SIZES, CONTAINER AND ROOTBALL SIZES, QUALITY AND CONDITION SHALL CONFORM TO THE STANDARDS SET FORTH IN THE CURRENT ISSUE OF, "AMERICAN STANDARDS FOR NURSERY STOCK" (ANSI Z60.1).
 - ALL PLANT MATERIAL ARE SUBJECT TO THE APPROVAL BY THE OWNER, AND MAY BE INSPECTED AT THE PLACE OF GROWTH OR ON SITE PRIOR TO PLANTING. LANDSCAPE ARCHITECT RETAINS THE RIGHT TO REJECT ANY PLANT MATERIAL WHICH IS NOT TO HIS SATISFACTION.
 - THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING, IN FULL, ALL LANDSCAPE PLANTING WORK (INCLUDING WATERING, SPRAYING FOR INSECTS AND DISEASE, MULCHING, MOWING, FERTILIZING, CULTIVATING, EDGING AND WEEDING) FOR A PERIOD OF 90 DAYS AFTER ACCEPTANCE BY THE OWNER.
 - THE LANDSCAPE CONTRACTOR SHALL COMPLETELY GUARANTEE ALL LANDSCAPE PLANTING WORK AND MATERIALS FOR A PERIOD OF ONE (1) FULL YEAR FROM THE DATE THE WORK HAS BEEN APPROVED BY THE OWNER AS INSTALLED. ALL PLANT MATERIAL NOT HEALTHY GROWING CONDITION SHALL BE REMOVED IMMEDIATELY AND REPLACED AS SOON AS POSSIBLE WITH LIKE KIND AND SIZE AT NO CHARGE TO THE OWNER.
 - THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING SOIL SAMPLES FROM SOIL AND NATIVE OR FULL SOILS AT THE SITE AND SUBMITTING THEM TO AN APPROVED SOIL TESTING LABORATORY, AND OBTAIN ANALYSES AND RECOMMENDATIONS FOR AMENDING THESE SOILS AND FERTILIZATION OF SPECIFIED PLANT MATERIAL AT A MINIMUM ALL PLANTING AREAS SHALL BE FERTILIZED WITH 12 LBS. /1000 SF OF 10-10-10 FERTILIZER.
 - ALL PLANTING AREAS, SHRUB BEDS AND TREES SHALL BE MULCHED WITH A MINIMUM COMPACTED DEPTH OF THREE (3) INCHES OF MULCH AS SPECIFIED. PRIOR TO MULCHING APPLY A PRE-EMERGENT HERBICIDE (APPROVED BY OWNER) AS RECOMMENDED BY THE MANUFACTURER, TO PREVENT RECURRING WEED AND GRASS GROWTH.
 - PLANT BEDS ADJACENT TO TEXAS ROADHOUSE BUILDING ARE TO HAVE 5"-7" LENGTH COBBLESTONE INSTALLED ON WEED BARRIER. STONES TO BE HAND PLACED SO AS NOT TO DAMAGE PLANT MATERIAL DURING INSTALLATION.
 - CONTRACTOR IS TO TAKE SPECIAL CARE WHEN INSTALLING NEW PLANT MATERIAL SO AS NOT TO DISTURB ANY EXISTING PLANTINGS DESIGNATED TO REMAIN. ANY EXISTING PLANT MATERIAL DAMAGED BY CONTRACTOR DURING CONSTRUCTION SHALL BE REPLACED WITH LIKE MATERIAL OF SIMILAR SPECIES AND SIZE AT THE CONTRACTOR'S EXPENSE AND NO ADDITIONAL COST TO OWNER.

- TREES AND LAWNS
- TALL DISTURBED AREAS SHALL RECEIVE 4" MINIMUM OF TOPSOIL (COMPACTED) AND GRASSED WITH SOD OR SEED AS INDICATED ON PLAN. LANDSCAPE CONTRACTOR TO COORDINATE HIS/HER WORK WITH OTHER TRADES REGARDING FINISH GRADING. IF AVAILABLE CONTRACTOR IS TO USE STOCKPILED TOPSOIL ONSITE. IF NOT AVAILABLE THE LANDSCAPE CONTRACTOR WILL BE RESPONSIBLE FOR IMPORTING THE TOPSOIL NECESSARY TO MEET FINISH GRADE.
 - TOPSOIL, SHALL BE FERTILE, FRIABLE AND REPRESENTATIVE OF LOCAL PRODUCTIVE SOIL, CAPABLE OF SUSTAINING VIGOROUS PLANT GROWTH AND FREE OF CLAY LUMPS, SUBSOIL, NOXIOUS WEEDS OR OTHER FOREIGN MATTER SUCH AS STONES, ROOTS, STICKS AND OTHER EXTRANEOUS MATERIALS. NOT FROZEN OR MUDDY. PH OF TOPSOIL TO RANGE BETWEEN 5.5 AND 7.5.
 - SODDED AREAS SHALL BE GRASSED KENTUCKY BLUEGRASS SOD. SOD SHALL BE LAID WITH CLOSE, TIGHT FITTING JOINTS, WHICH SHALL BE LAID IN ROWS PARALLEL TO THE CONTOUR LINES. ALL SODDED AREAS SHALL BE ROLLED TO ACHIEVE A SMOOTH, UNIFORM LAWN.
 - SEEDDED AREAS SHALL BE GRASSED WITH KENTUCKY 31 TALL FESCUE AND BLUEGRASS AT A RATE OF (5) POUNDS PER 1000 SQ. FT. OF GRASSSED AREA. SEED MAY BE APPLIED EITHER BY A MECHANICAL SPREADER OR HYDROSEEDING. WHICHEVER METHOD IS CHOSEN A THICK STAND OF GRASS SHALL BE ACHIEVED WITHIN 21 DAYS OR A SECOND OVERSEEDING WILL BE REQUIRED.
 - FERTILIZATION AND SOIL AMENDMENTS FOR ALL GRASSSED AREAS SHALL BE AS PER LABORATORY ANALYSIS. HYDROSEEDING MAY BE SUBSTITUTED FOR MECHANICAL SEEDING BY MIXING SEED, FERTILIZER AND PULVERIZED MULCH IN WATER, USING EQUIPMENT SPECIFICALLY DESIGNED FOR HYDROSEED APPLICATION. MIX UNTIL UNIFORMLY BLENDED INTO HOMOGENEOUS SLURRY SUITABLE FOR HYDRAULIC APPLICATION. APPLY UNIFORMLY AT A RATE AS REQUIRED TO OBTAIN SPECIFIED SEEDING RATE.
 - ANY EXISTING LAWN AREA DISTURBED BY CONSTRUCTION IS TO BE REPAIRED TO ITS ORIGINAL CONDITION BY SEEDING AT NO ADDITIONAL COST TO THE OWNER.
 - REFER TO THE LATEST CIVIL PLANS FOR DISTURBED AREAS TO BE RESTORED. ADDITIONAL RESTORATION MAY BE NEEDED DUE TO FIELD CONDITIONS. SEE CIVIL SITE PLAN.

- TREES AND SHRUBS
- ALL TREES LOCATED IN GRASSSED AREAS SHALL BE PLANTED AS PER DETAIL AND MULCHED WITH AT LEAST FOUR (4) FOOT DIAMETER OF SHREDDED BARK MULCH, TO A MINIMUM 3" DEPTH.
 - SHRUB BEDS SHALL BE MOUNDED WITH TOPSOIL A MINIMUM OF 6" ABOVE TOP OF CURB AND SHALL BE MULCHED WITH A 3" DEPTH OF SHREDDED BARK MULCH.
 - TREES SHALL BE PLANTED NO CLOSER THAN FIVE (5) FEET FROM BACK OF SIDEWALK OR BUILDING STRUCTURE.
 - LOCATION AND LAYOUT OF ALL SHRUBS AND TREES SHALL BE APPROVED BY LANDSCAPE ARCHITECT.
 - ALL TREE PROTECTION DEVICES ARE TO BE INSTALLED PRIOR TO START OF LAND DISTURBANCE AND MAINTAINED UNTIL FINAL LANDSCAPING IS INSTALLED.
 - ALL TREES ARE TO BE STAKED AND GUYED PER PLANTING DETAILS.

GreenbergFarrow

1430 W. Peachtree St. NW
Suite 200
Atlanta, GA 30309
t: 404 601 4000 f: 404 601 3970

PROJECT TEAM

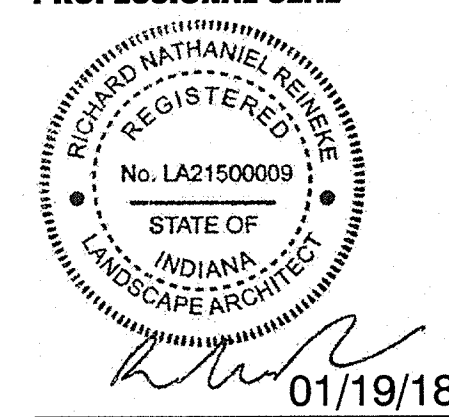
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ISSUE/REVISION RECORD

DATE	DESCRIPTION
12/01/17	DDP SUBMITTAL
01/19/18	REVISED CITY SUBMISSION

PROFESSIONAL SEAL



PROFESSIONAL IN CHARGE
RICHARD REINEKE
PROFESSIONAL LANDSCAPE ARCHITECT
LICENSE NO. LA21500009

PROJECT MANAGER
JEFF RATH

QUALITY CONTROL
SARAH DREIER

DRAWN BY
JEAN SHI

PROJECT NAME

TEXAS ROADHOUSE

CARMEL INDIANA

14758 N. MERIDIAN ST.



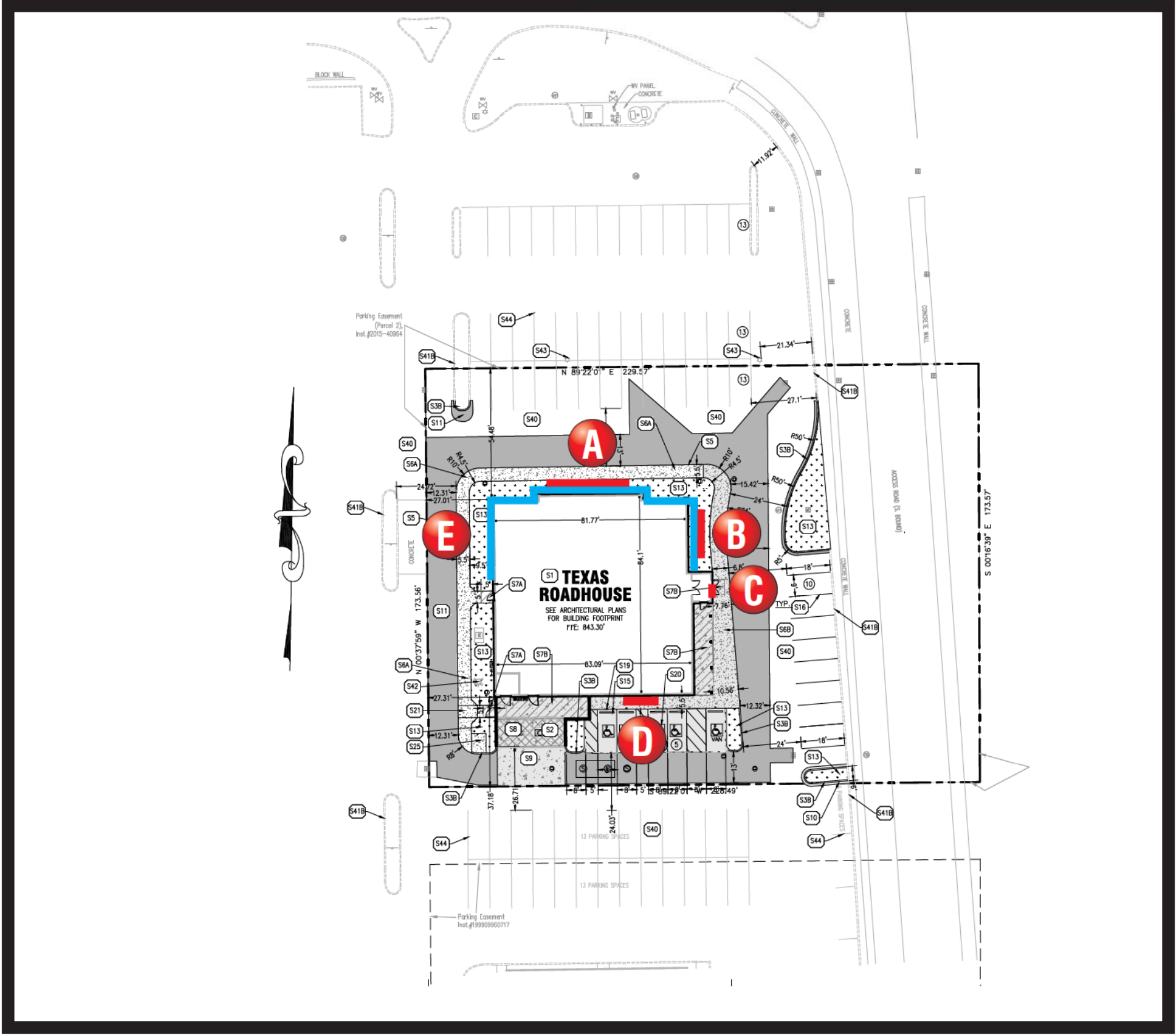
PROJECT NUMBER
20170746.0

SHEET TITLE

LANDSCAPE NOTES AND DETAILS

SHEET NUMBER

L2.0



- A** 32" Channel letters w/ 6' Logo
98.6 Square Feet
- B** 30" Channel letters w/ 5' Logo
81 Square Feet
- C** 3'3" x 5'7" Single Faced Wall Sign.
18.1 Square Feet
- D** 5'10" x 10'-0" Single Faced Wall Sign.
58.3 Square Feet
- E** White Border LED

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Revisions:

R1:1/17/18-SM: UPDATED SITE PLAN/	

Colors Depicted In This Rendering May Not Match Actual Finished Materials. Refer To Product Samples For Exact Color Match

Client Approval/Date: _____

Landlord Approval/Date: _____

Account Rep: **Randy Cearlock**

Project Manager: **S. Maeser**

Drawn By: **S. Maeser**

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Project / Location:

**NWQ W 146 ST. AND US HWY 131
CARMEL, IN**

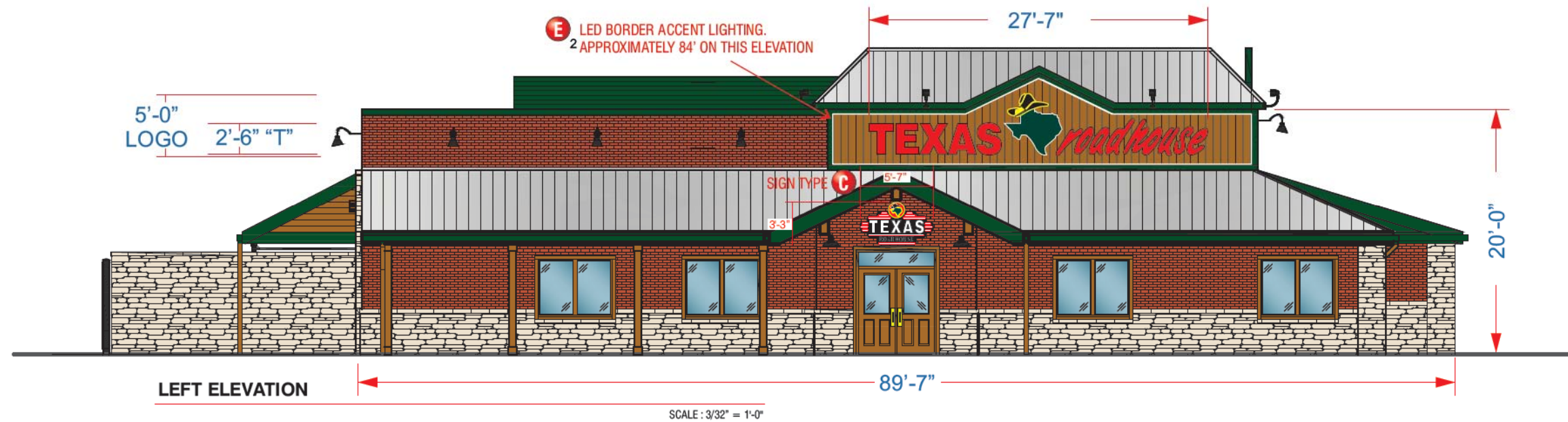
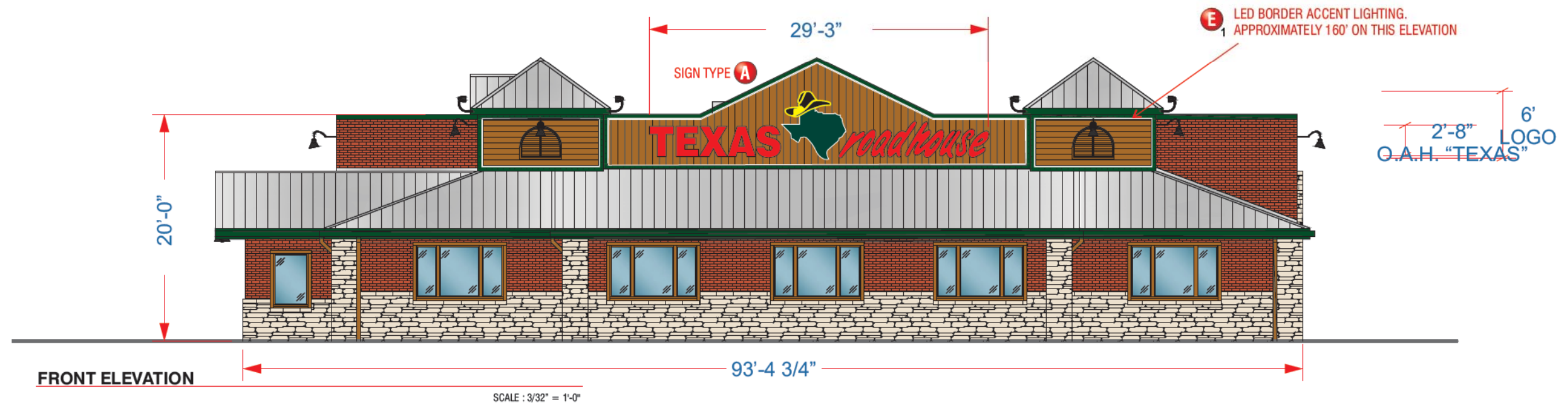
Job Number: **23-44493-10**

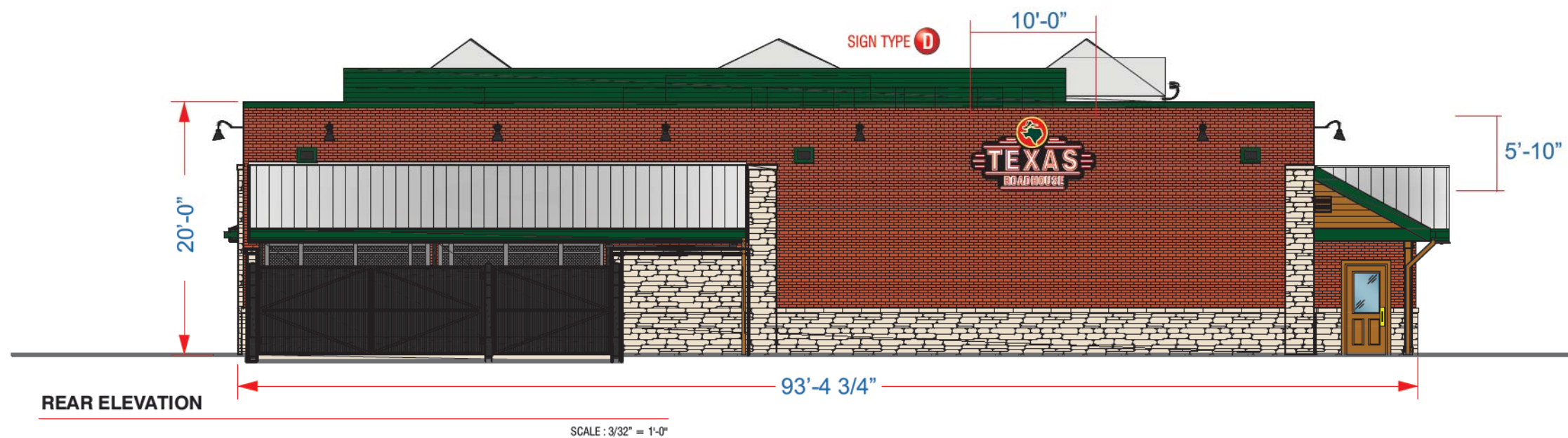
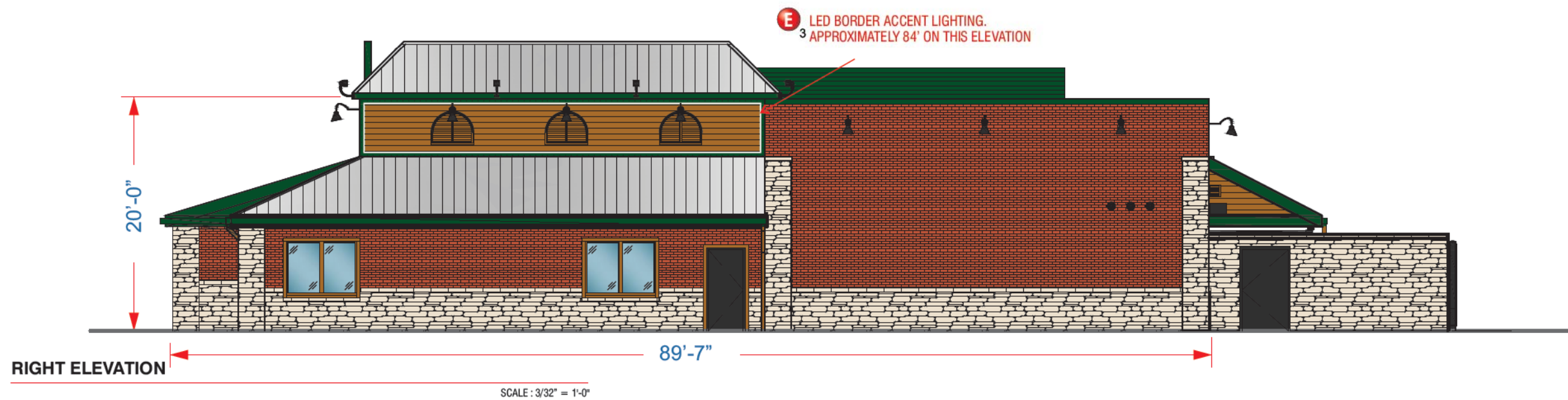
Date: **SEPTEMBER 5, 2017**

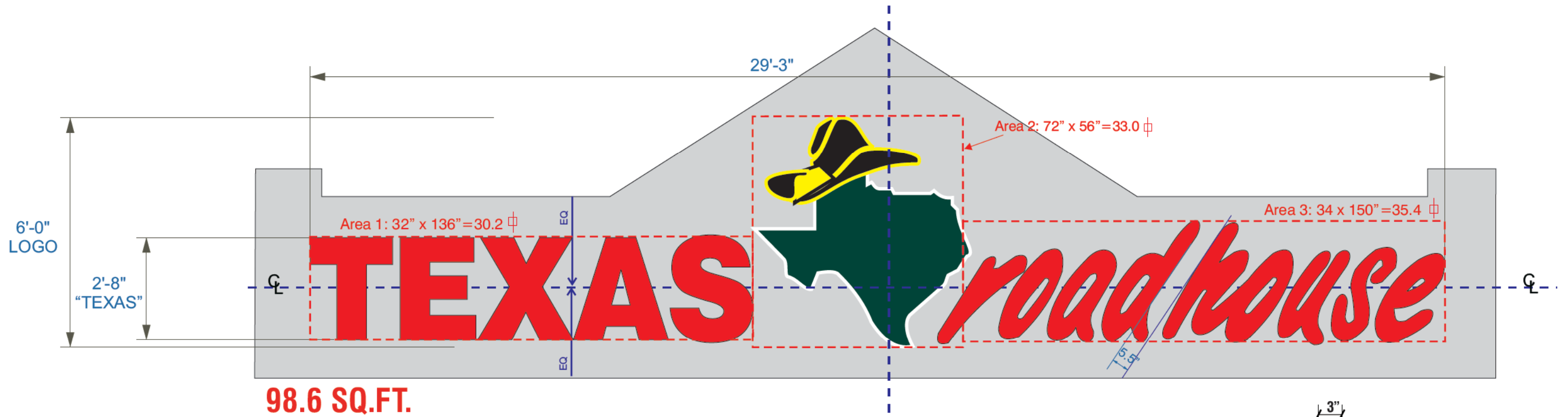
Sheet Number: **1** Of **8**

Design Number: **23-44493-10R1**

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SIGN TYPE **A**

Individual Lighted Channel Letters- One (1) Set Req'd.

SCOPE OF WORK:

Manufacture and install channel letters having remote transformers located in accessible area behind wall.

SCALE : 3/8" = 1'-0"

INSTALLER IS RESPONSIBLE FOR:

PROVIDING AND INSTALLING ALL COMPONENTS REQUIRED TO RUN SECONDARY WIRING (CONNECTORS, GTO CONDUIT, ETC.) TO BE DETERMINED BY LOCAL CODE AND SITE CONDITIONS.
PROVIDING ALL NEEDED INSTALLATION HARDWARE AS DETERMINED BY LOCAL CODE AND SITE CONDITIONS.

ELECTRICAL REQUIREMENTS PER SIGN

Total: 16.8 Amps

(2) 120V 20A Circuit Required .

ALL BRANCH CIRCUITS SHALL BE DEDICATED TO SIGNS (INCLUDING GROUND AND NEUTRAL) AND SHALL NOT BE SHARED WITH OTHER LOADS.

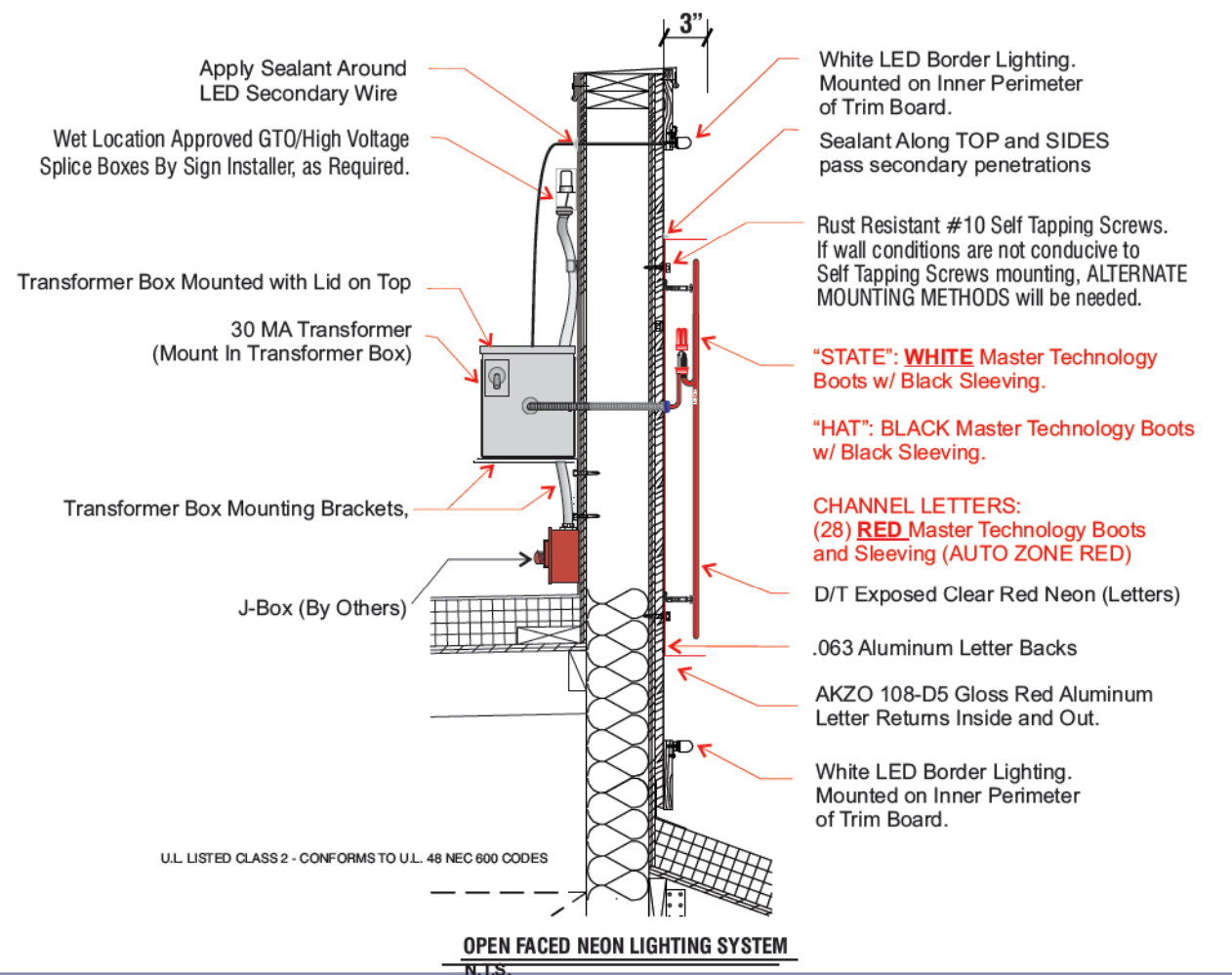
MATERIAL FINISH COLORS

 Letters: Returns and Face	 Letters	 Logo: "State" Returns and Face	 Logo: "State"	 Logo: "State"	 Logo: "Hat" Returns & Face.	 Logo: "Hat"	 Logo: "Hat"
--	--	---	--	--	--	--	--

CUSTOMER TO PROVIDE:

ALL BRANCH (PRIMARY ELECTRICAL SERVICE) CIRCUITS & FINAL CONNECTION TO EACH SIGN (WITHIN 5 FT.) TO BE BY CERTIFIED ELECTRICIAN:
A. All branch circuits for signs must be totally dedicated to signs (including dedicated ground and dedicated neutral per circuit).
B. Sign circuits must not be shared with other loads such as lighting, air conditioning, and other equipment.
C. Properly sized ground wire that can be traced back to the breaker panel must be provided.
D. Number and size of circuits for each sign to meet Federal Heath Sign's requirement.
Any deviation from the above recommendations may result in:
1. Damage to or improper operation of the sign(s).
2. Delays and additional costs.

Notes:
• Certain electrical components of signs will fail prematurely if signs are not shut-off for a period of time, once, each day. For best performance, we recommend signs to be connected to an automatic controlling device such as an Energy Management System, Time Clock or Photo Cell that will automatically shut-off the sign for a period of time, each day. Failure to do so will cause damage to the electrical components of the sign and will void the warranty.
• Some dimming devices will also adversely affect sign electrical components, causing failure. Any dimming of the sign without consultation with Federal Heath Sign Co. will void the warranty.



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Revisions:

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Client Approval/Date:

Landlord Approval/Date:

Account Rep: Randy Cearlock

Project Manager: S. Maeser

Drawn By: S. Maeser

UL Underwriters Laboratories Inc. NEC ELECTRICAL TO USE U.L.-48 LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS

Project / Location:


NWQ W 146 ST. AND US HWY 131
CARMEL, IN

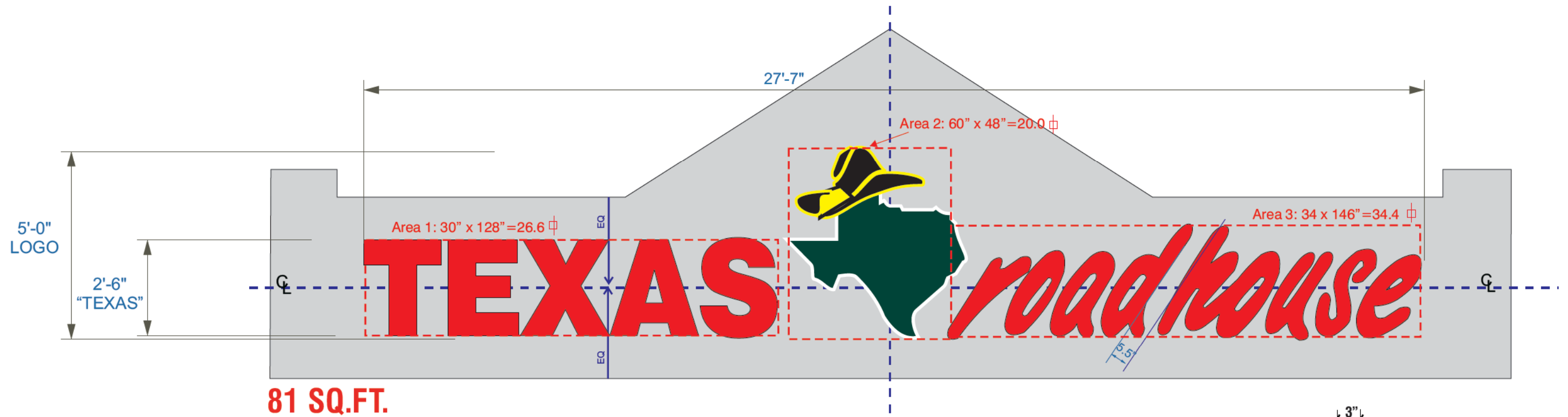
Job Number: 23-44493-10

Date: SEPTEMBER 5, 2017

Sheet Number: 4 Of 8

Design Number: 23-44493-10R1

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SIGN TYPE B Individual Lighted Channel Letters- One (1) Set Req'd.

SCOPE OF WORK:

Manufacture and install channel letters having remote transformers located in accessible area behind wall.

SCALE : 3/8" = 1'-0"

INSTALLER IS RESPONSIBLE FOR:

PROVIDING AND INSTALLING ALL COMPONENTS REQUIRED TO RUN SECONDARY WIRING (CONNECTORS, GTO CONDUIT, ETC.) TO BE DETERMINED BY LOCAL CODE AND SITE CONDITIONS.
PROVIDING ALL NEEDED INSTALLATION HARDWARE AS DETERMINED BY LOCAL CODE AND SITE CONDITIONS.

ELECTRICAL REQUIREMENTS PER SIGN

Total: 16.8 Amps

(2) 120V 20A Circuit Required .

ALL BRANCH CIRCUITS SHALL BE DEDICATED TO SIGNS (INCLUDING GROUND AND NEUTRAL) AND SHALL NOT BE SHARED WITH OTHER LOADS.

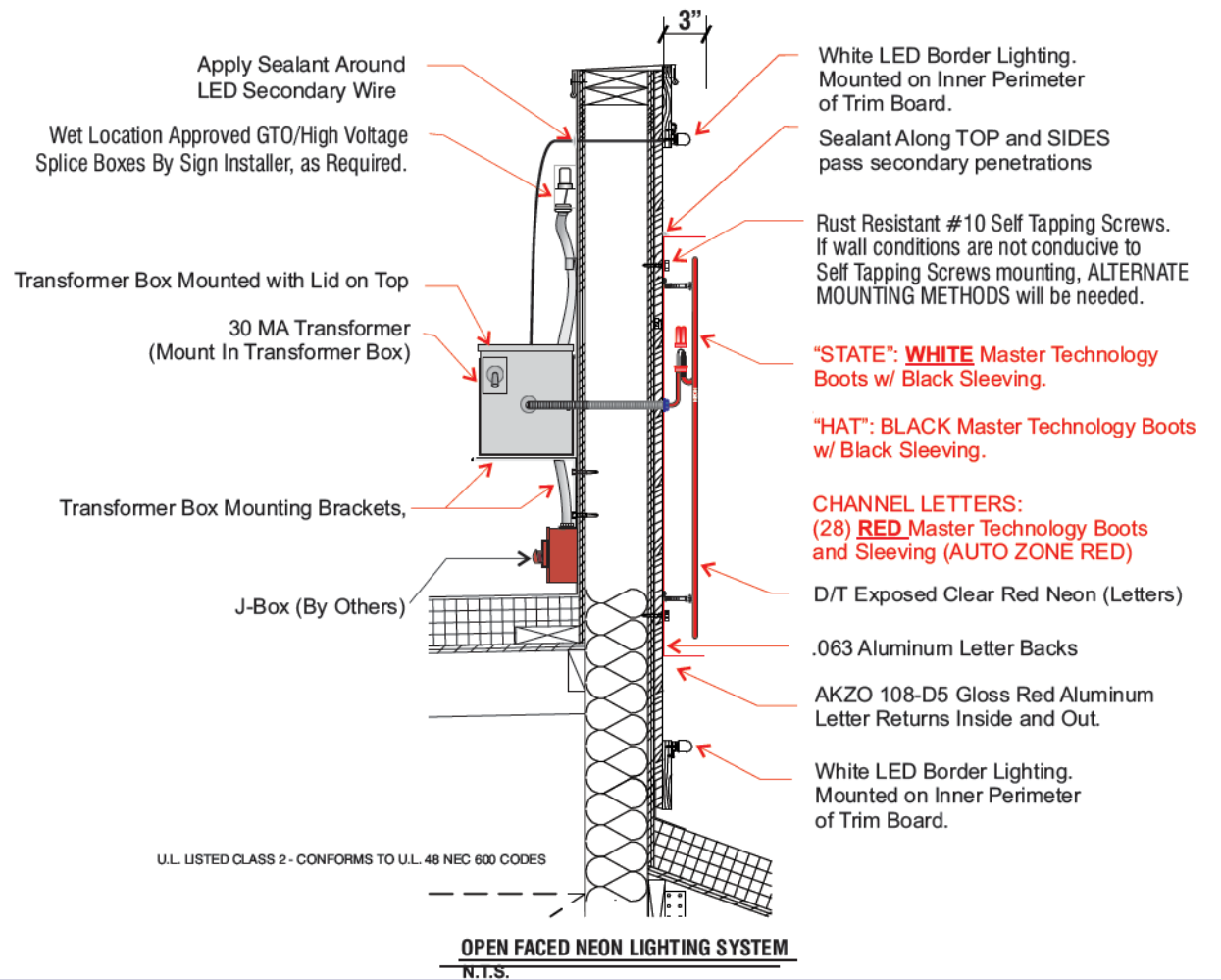
MATERIAL FINISH COLORS

 AKZO 108-D5 Gloss Red	 Double Tube Clear Red Neon	 AKZO Gloss White	 2100-24 Dk. Green Vinyl Applied to White Face Leaving White Outline.	 Outlined W/ 6500Brite White Argon Tubing.	 Match PMS-122	 2100-03 Black Vinyl elements Applied to Yellow Bkgd. Leaving Yellow Outline.	 Overlay "Hat" w/ Single tube Clear Brite Yellow Argon Tubing.
Letters: Returns and Face	Letters	Logo: "State"Returns and Face	Logo: "State"	Logo: "State"	Logo: "Hat" Returns & Face.	Logo: "Hat"	Logo: "Hat"

CUSTOMER TO PROVIDE:

ALL BRANCH (PRIMARY ELECTRICAL SERVICE) CIRCUITS & FINAL CONNECTION TO EACH SIGN (WITHIN 5 FT.) TO BE BY CERTIFIED ELECTRICIAN:
A. All branch circuits for signs must be totally dedicated to signs (including dedicated ground and dedicated neutral per circuit).
B. Sign circuits must not be shared with other loads such as lighting, air conditioning, and other equipment.
C. Properly sized ground wire that can be traced back to the breaker panel must be provided.
D. Number and size of circuits for each sign to meet Federal Heath Sign's requirement.
Any deviation from the above recommendations may result in:
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2. Delays and additional costs.

Notes:
• Certain electrical components of signs will fail prematurely if signs are not shut-off for a period of time, once, each day. For best performance, we recommend signs to be connected to an automatic controlling device such as an Energy Management System, Time Clock or Photo Cell that will automatically shut-off the sign for a period of time, each day. Failure to do so will cause damage to the electrical components of the sign and will void the warranty.
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Landlord Approval/Date:

Account Rep: Randy Cearlock

Project Manager: S. Maeser

Drawn By: S. Maeser

UL Underwriters Laboratories Inc. NEC ELECTRICAL TO USE U.L.-48 LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS

Project / Location:


NWQ W 146 ST. AND US HWY 131
CARMEL, IN

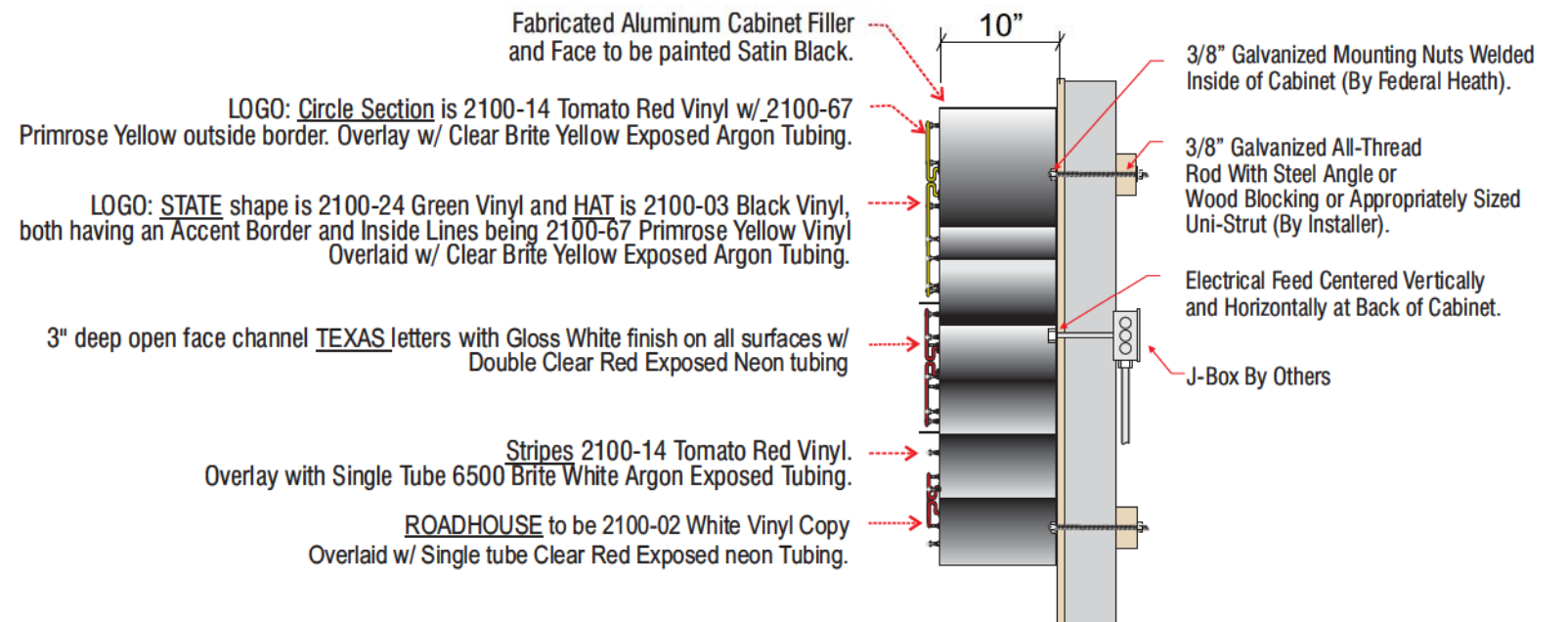
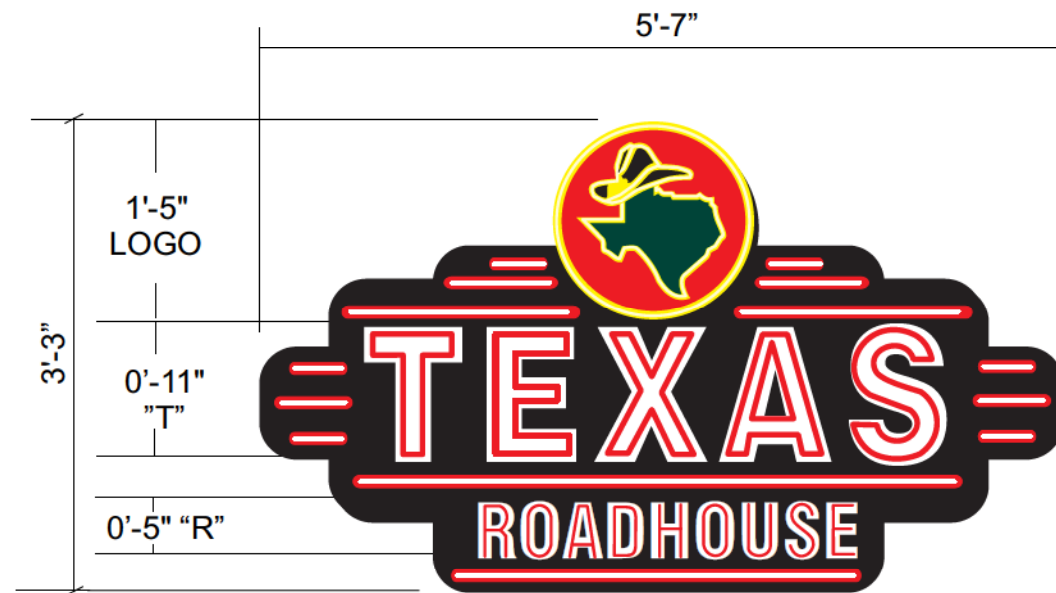
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Date: SEPTEMBER 5, 2017

Sheet Number: 5 Of 8

Design Number: 23-44493-10R1

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Single Face Illuminated Wall Sign One (1) Req'd

SIGN TYPE **C**

Scale: 3/4"= 1'-0"

SCOPE OF WORK:

Manufacture and install S/F illuminated wall sign.

PART # TR18WSN

18.1 SQ. FT TOTAL

Typical Cabinet End View

CUSTOMER TO PROVIDE:

(For New / Remodel Construction) ADEQUATE BEHIND THE WALL BACKING AND ACCESS AS REQUIRED TO INSTALL SIGNAGE. CUSTOMER TO FORWARD COPY OF FINAL APPROVED SIGNAGE DRAWINGS TO BUILDING SITE CONTACT SO THAT THESE PROVISIONS CAN BE MADE DURING CONSTRUCTION AND PRIOR TO SIGN INSTALLATION.

ALL BRANCH (PRIMARY ELECTRICAL SERVICE) CIRCUITS & FINAL CONNECTION TO EACH SIGN (WITHIN 5 FT.) TO BE BY CERTIFIED ELECTRICIAN:

- All branch circuits for signs must be totally dedicated to signs (including dedicated ground and dedicated neutral per circuit).
- Sign circuits must not be shared with other loads such as lighting, air conditioning, and other equipment.
- Properly sized ground wire that can be traced back to the breaker panel must be provided.
- Number and size of circuits for each sign to meet Federal Heath Sign's requirement.

Any deviation from the above recommendations may result in:

- Damage to or improper operation of the sign(s).
- Delays and additional costs.

Notes: ① Certain electrical components of signs will fail prematurely if signs are not shut-off for a period of time, once, each day. For best performance, we recommend signs to be connected to an automatic controlling device such as an Energy Management System, Time Clock or Photo Cell that will automatically shut-off the sign for a period of time, each day. Failure to do so will cause damage to the electrical components of the sign and will void the warranty.
② Some dimming devices will also adversely affect sign electrical components, causing failure. Any dimming of the sign without consultation with Federal Heath Sign Co. will void the warranty.

INSTALLER IS RESPONSIBLE FOR:

PROVIDING AND INSTALLING ALL COMPONENTS REQUIRED TO RUN SECONDARY WIRING (CONNECTORS, GTO CONDUIT, ETC.) TO BE DETERMINED BY LOCAL CODE AND SITE CONDITIONS.

PROVIDING ALL NEEDED INSTALLATION HARDWARE AS DETERMINED BY LOCAL CODE AND SITE CONDITIONS.

SEALING BUILDING PENETRATIONS WITH SILICONE TO PREVENT MOISTURE PENETRATION @ EXTERIOR LOCATIONS..

ELECTRICAL REQUIREMENTS

Total: 7.72 Amps

(1) 120V 20A Circuit Required.

ALL BRANCH CIRCUITS SHALL BE DEDICATED TO SIGNS (INCLUDING GROUND AND NEUTRAL) AND SHALL

MATERIAL FINISH COLORS

AKZO Satin Black	AKZO Gloss White	Double Tube Clear Red Neon	Single tube Clear Brite Yellow Argon Tubing.
Cabinet and Face Bkgd	"TEXAS" Letters Inside and outside.	"Texas" and "Roadhouse" Letters	Logo: Circle, Hat and State
6500 Brite White Argon Tubing.	2100-14 Tomato Red Vinyl	2100-24 Dk. Green Vinyl	2100-67 Primrose Yellow
Stripes	Logo Circle and Stripe Bkgd.	Logo: "State"	Logo: Circle, Hat and State Border.
			2100-03 Black Vinyl elements Applied to Yellow Bkgd.
			Logo: "Hat"



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Landlord Approval/Date:

Account Rep: Randy Cearlock

Project Manager: S. Maeser

Drawn By: S. Maeser

UL Underwriters Laboratories Inc. NEC ELECTRICAL TO USE U.L.-48 LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS

Project / Location:

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CARMEL, IN

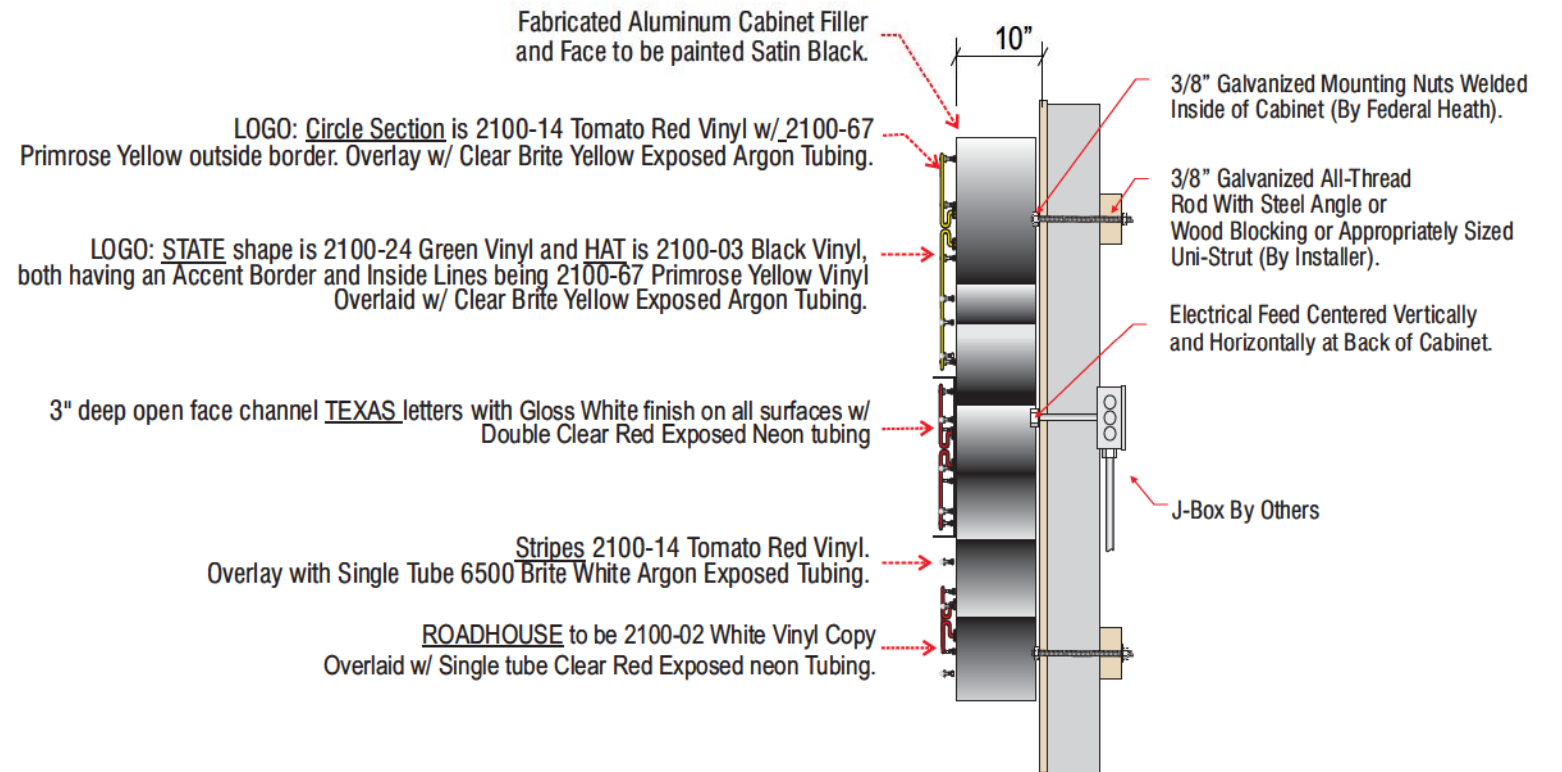
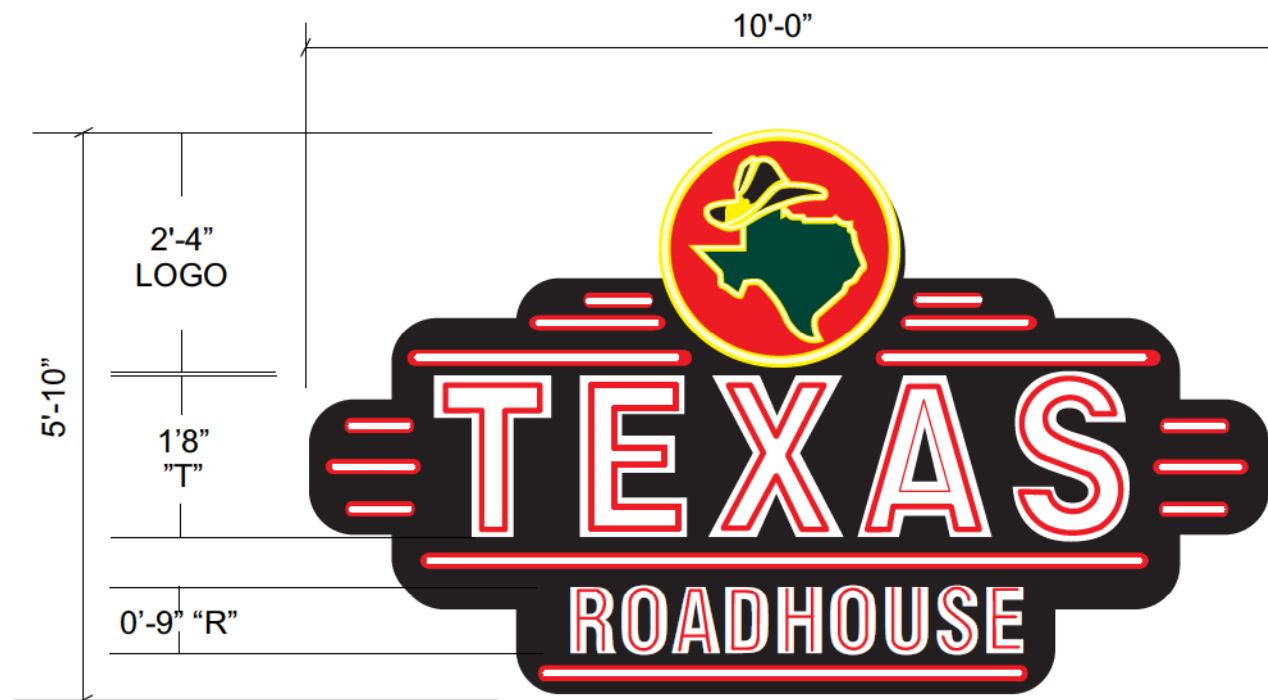
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Date: SEPTEMBER 5, 2017

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Design Number: 23-44493-10R1

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Single Face Illuminated Wall Sign One (1) Req'd

SIGN TYPE **D**

Scale: 1/2" = 1'-0"

SCOPE OF WORK:

Manufacture and install S/F illuminated wall sign.

58.33 SQ. FT TOTAL

Typical Cabinet End View

CUSTOMER TO PROVIDE:

(For New / Remodel Construction) ADEQUATE BEHIND THE WALL BACKING AND ACCESS AS REQUIRED TO INSTALL SIGNAGE. CUSTOMER TO FORWARD COPY OF FINAL APPROVED SIGNAGE DRAWINGS TO BUILDING SITE CONTACT SO THAT THESE PROVISIONS CAN BE MADE DURING CONSTRUCTION AND PRIOR TO SIGN INSTALLATION.

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INSTALLER IS RESPONSIBLE FOR:

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PROVIDING ALL NEEDED INSTALLATION HARDWARE AS DETERMINED BY LOCAL CODE AND SITE CONDITIONS.

SEALING BUILDING PENETRATIONS WITH SILICONE TO PREVENT MOISTURE PENETRATION @ EXTERIOR LOCATIONS..

ELECTRICAL REQUIREMENTS

Total: 9.62 Amps

(1) 120V 20A Circuit Required.

ALL BRANCH CIRCUITS SHALL BE DEDICATED TO SIGNS (INCLUDING GROUND AND NEUTRAL) AND SHALL

MATERIAL FINISH COLORS

AKZO Satin Black	AKZO Gloss White	Double Tube Clear Red Neon	Single tube Clear Brite Yellow Argon Tubing.
Cabinet and Face Bkgd	"TEXAS" Letters Inside and outside.	"Texas" and "Roadhouse" Letters	Logo: Circle, Hat and State
6500 Brite White Argon Tubing.	2100-14 Tomato Red Vinyl	2100-24 Dk. Green Vinyl	2100-67 Primrose Yellow
Stripes	Logo Circle and Stripe Bkgd.	Logo: "State"	Logo: Circle, Hat and State Border.
			2100-03 Black Vinyl elements Applied to Yellow Bkgd.
			Logo: "Hat"



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Project / Location:

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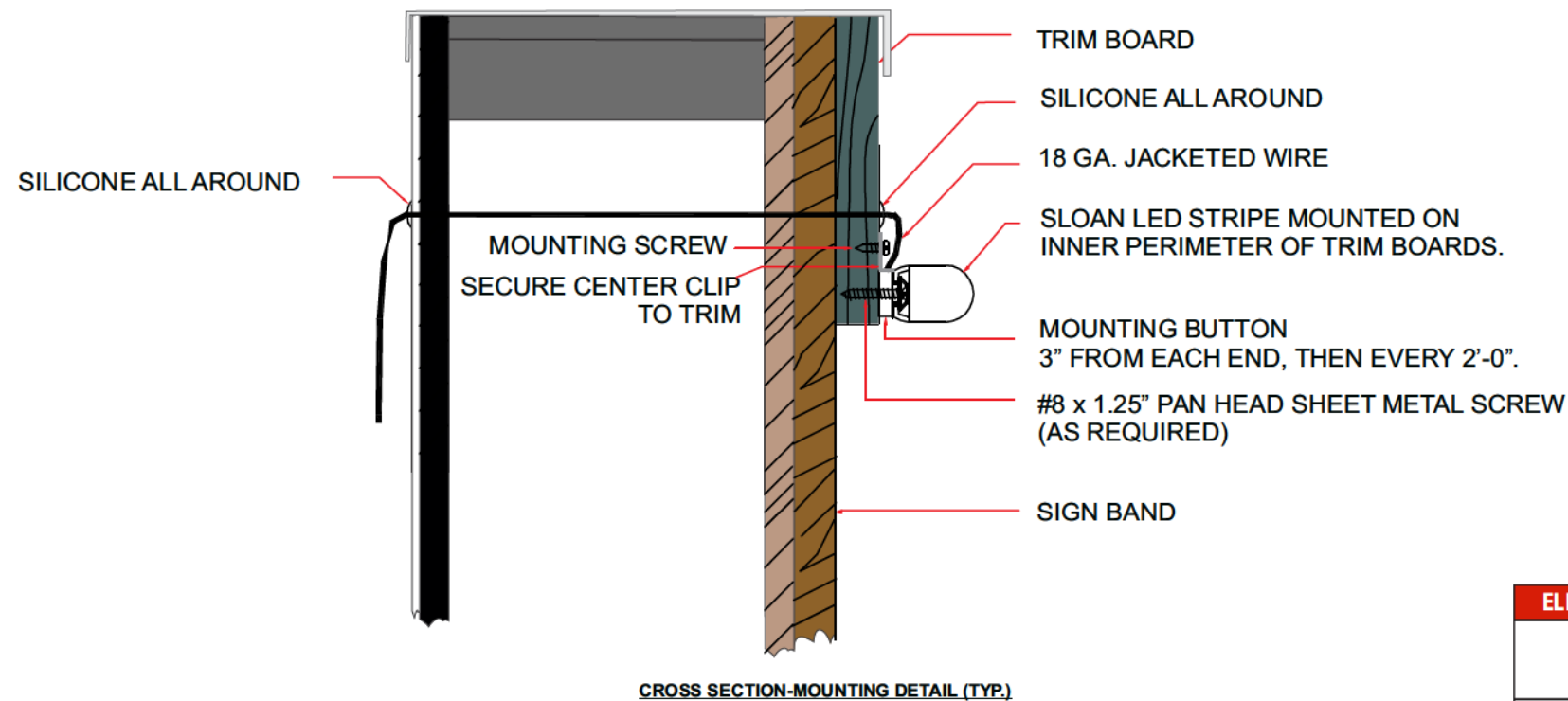
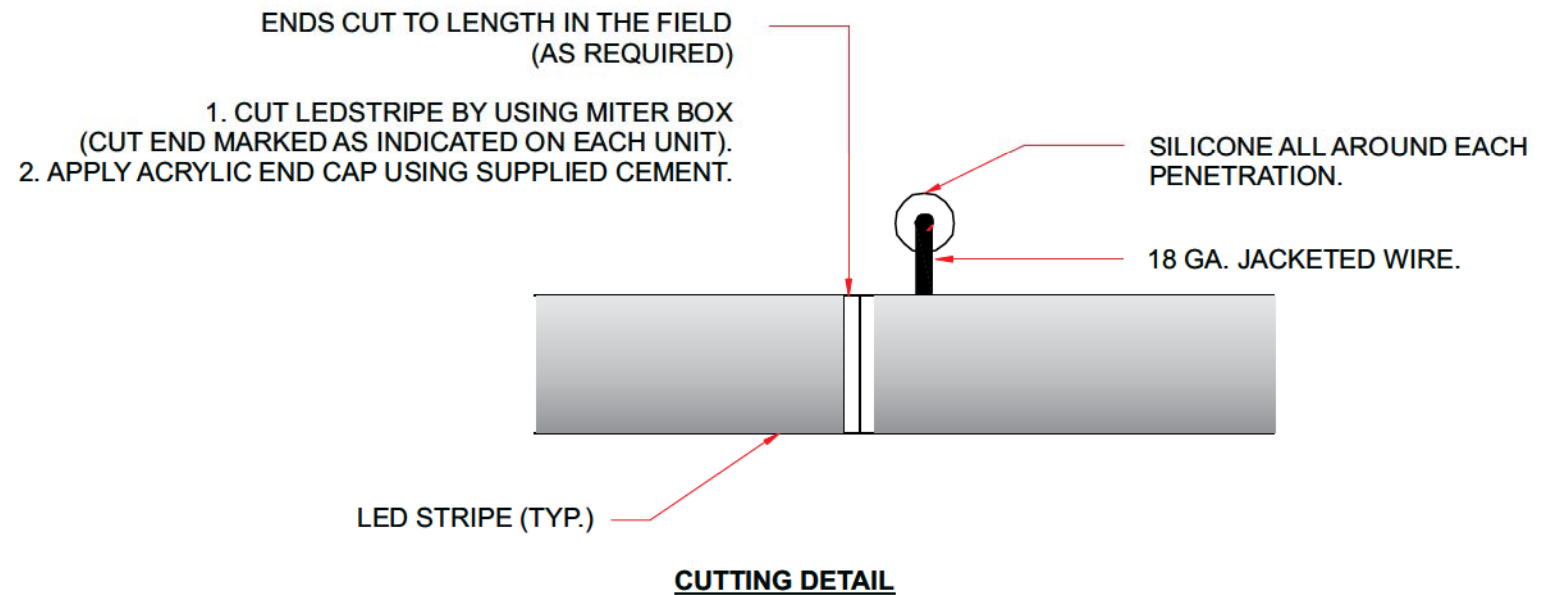
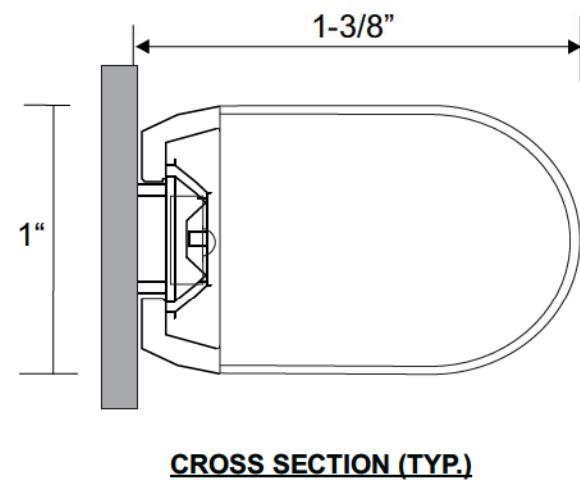
Job Number: 23-44493-10

Date: SEPTEMBER 5, 2017

Sheet Number: 7 Of 8

Design Number: 23-44493-10R1

This original drawing is provided as part of a planned project and is not to be exhibited, copied or reproduced without the written permission of Federal Heath Sign Company, LLC or its authorized agent. © 2008



ELECTRICAL REQUIREMENTS	
Total: <u>6.0</u> Amps	ALL BRANCH CIRCUITS SHALL BE DEDICATED TO SIGNS (INCLUDING GROUND AND NEUTRAL) AND SHALL NOT BE SHARED WITH OTHER LOADS.
(<u>1</u>) 120V 20A Circuit Required.	

LED ACCENT LIGHTING **E** 1, 2 and 3

LEDSTRIP DETAIL

SCOPE OF WORK:

Manufacture and install LED accent lighting on three elevation having remote transformers located in accessible area behind wall.
(Transformers shall be mounted in Transformer Box if mounted outside of shelter.

SCALE : NTS



VARIANCE APPLICATION

OFFICE
USE ONLY
 DOCKET #: _____ FILING DATE: _____
 FILING FEE: \$ _____ FEE PLUS \$ _____ PER ADDITIONAL VARIANCE (@ _____) = \$ _____

PRE-FILING CONFERENCE

 PRE-FILING CONFERENCE WITH: Matt Pleasant (STAFF NAME) DATE: 10/4/17

PRIOR OR RELATED DOCKET NUMBERS

 CHANGE OF ZONING: NA AMENDMENTS: NA DEVELOPMENT PLAN: NA

 PRIMARY PLAT: NA SECONDARY PLAT: NA VARIANCE(S): NA

APPLICANT INFORMATION

 APPLICANT'S NAME: Caitlin Kincaid of Texas Roadhouse Holdings LLC TELEPHONE: 502-426-9984

 ADDRESS: 6040 Dutchmans Lane, Louisville, KY 40205 EMAIL: caitlin.kincaid@texasroadhouse.com

 PROPERTY OWNER'S NAME: Don Pablos IN LLC, GPB Realty LP TELEPHONE: _____

 ADDRESS: See Property Owner Consent Letters for Contact Info. EMAIL: _____

 REPRESENTATIVE'S NAME: Marisa Kolman TELEPHONE: 708-705-3980

 COMPANY: GreenbergFarrow EMAIL: mkolman@greenbergfarrow.com

 ADDRESS: 21 South Evergreen Avenue, Suite 200, Arlington Heights, IL 60005

PROPERTY AND PROJECT INFORMATION

 ADDRESS OR PROPERTY LOCATION: 14758 Greyhound Plaza, Carmel, IN 46032

 COUNTY PARCEL ID #(S): 09-09-13-00-00-014.001, 09-09-13-00-00-014.005

 EXISTING ZONING DISTRICT(S): GB EXISTING LAND USE(S): GB

VARIANCE REQUEST

☐ VARIANCE OF LAND USE CODE CITATION: _____

☒ VARIANCE OF DEVELOPMENT STANDARD(S) CODE CITATION: See attached list.

 FINDINGS OF FACT: (PLEASE SEE ATTACHED)

 STATEMENT OF INTENT (EXPLANATION OF REQUEST - ATTACH SEPARATE SHEET IF NECESSARY): See attached Narrative Statement



APPLICANT AFFIDAVIT

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath says that above information is true and correct as he/she is informed and believes and that Applicant owns or controls the property involved in this application.

Caitlin Kincaid
Applicant/Representative (signature)

Caitlin Kincaid
Applicant/Representative (printed)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the above party, who having been duly sworn acknowledged the execution of the foregoing Application.

Witness my hand and Notarial Seal this 22nd day of January, 2018.

State of Kentucky County of Jefferson SS:



Paula J. Logue, Notary Public
State at Large
Kentucky
My Commission Expires Feb. 18, 2020

Paula J. Logue
Notary Public Signature
Paula J. Logue
Notary Public (printed)

PROPERTY OWNER AFFIDAVIT

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath says they are the owners of the property involved in this application and that they hereby acknowledge and consent to the foregoing Application.

Property Owner (signature)*

Property Owner (printed)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the Property Owner, who having been duly sworn acknowledged and consents to the execution of the foregoing Application.

Witness my hand and Notarial Seal this ____ day of _____, 20____.

State of _____, County of _____, SS:

Notary Public Signature

Notary Public (printed)

*A signature from each party having interest in the property involved in this application is required. If the Property Owner's signature cannot be obtained on the application, then a notarized statement by each Property Owner acknowledging and consenting to the filing of this application is required with the application.

WESTFIELD-WASHINGTON TOWNSHIP APPLICATION FORM
FINDINGS OF FACT (VARIANCE OF DEVELOPMENT STANDARD)



APPLICANT: Texas Roadhouse Holdings LLC

DOCKET #: _____

In taking action on a variance request, the Board of Zoning Appeals uses the following decision criteria to approve or deny a variance, as established by Indiana Code, and the Board may impose reasonable conditions as part of its approval. The applicant must address the criteria below (if multiple variances of development standard are being requested, then this sheet should be completed separately for each requested variance). A variance of land use may be approved by the Board of Zoning Appeals only upon a determination that the Board finds all of the following to be true:

- A. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because: _____
The proposed improvements will require a demolition of the existing building and minimal reconfiguration of the adjacent parking stalls.
These changes will not result in any negative impact to the public health, safety, morals or general welfare of the community
because the site improvements are so minimal as compared to what currently exists. If anything, the proposed work will
bring an improvement to the site because the old building will be replaced with a new and successful business operation.
The scope of work and code requirements that fit within the site will bring an improvement for the infrastructure as well.

- B. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because: As stated above, the proposed scope of work for the redevelopment will be an improvement to the site.
The new construction for a successful national business operation will not only be an aesthetic improvement, but the
Texas Roadhouse will attract visitors to the adjacent development and increase patronage to those businesses.

- C. The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property because: _____
The existing parcel lines and ownership arrangement for this site are unique, and as a result there are specific code
standards that are not feasible to the redevelopment for the Texas Roadhouse.
The TRH is simply trying to construct their restaurant where the existing pad / building was and improve the
vehicular parking within the front yard area. Due to existing conditions, the laundry list of variations are necessary for
any future redevelopment of this site, if not for Texas Roadhouse.

VARIANCE APPLICATIONS

**GENERAL INSTRUCTIONS**

- A. **Pre-Filing Conference:** A pre-filing conference is required for all petitions. An appointment must be made with the Economic and Community Development Department (the "Department") to discuss a petition prior to filing. An application will not be considered filed until a pre-filing conference has occurred. Applicants are encouraged to incorporate the Department's comments into the application prior to filing.
- B. **Filing Petition:** A petition shall be filed with the Department by the filing deadline in accordance with the Schedule of Meeting and Filing Dates. In order to be deemed a complete petition, a petition shall include the following:
- | | |
|--|--|
| ☒ Completed Application | ☒ Legal Description |
| ☒ Draft Public Notice | ☒ List of Adjoining Property Owners (as provided by County) |
| ☒ Property Owner Consent | ☒ TAC Delivery Affidavit (if TAC is determined to be necessary) |
| ☒ Site Plan (to scale) | ☒ Copy of Property Deed |
| ☒ Statement of Intent | ☒ Elevations, photographs or other supporting information necessary to explain the nature of the requested variance(s) |
- C. **Filing Fee Check:** After the filing of an application, the Department will advise the applicant of the applicable filing fee amount, which is due and payable (checks made out to "City of Westfield") within two (2) weeks of filing.
- D. **Technical Advisory Committee (TAC):** The applicant is responsible for submitting a copy of the application and related information to Technical Advisory Committee members prior to filing, if determined by the Department to be necessary. An affidavit confirming delivery of information is required to be completed and signed by the applicant and submitted with the petition. Technical Advisory Committee meetings are held in the City Services Building (2728 East 171st Street, Westfield, IN 46074) in accordance with the Schedule of Meeting and Filing Dates. A representative must be present at this meeting.
- E. **Public Hearing and Notice:** All variance petitions require a public hearing by the Board of Zoning Appeals. The public hearing is held at City Hall, 130 Penn Street, Westfield, Indiana, in accordance with the Schedule of Meeting and Filing Dates. Notice of the hearing is required in accordance with the Board's [Rules of Procedure](#):
1. **Newspaper Publication:** Notice of the hearing will be published in the Hamilton County Reporter and The Times. The Department will handle the newspaper publication requirement.
 2. **Mailed Public Notice:** The applicant is responsible to send public notice by certified mail with proof of mailing (certificate of mailing) to all interested parties, postmarked at least ten (10) days prior to the hearing. A list of adjacent property owners may be obtained from the **Hamilton County Auditor, Office of Transfers and Mapping** (33 North 9th Street, Noblesville, IN 46060, (317) 776-9624), and shall include all owners of property to a depth of two (2) ownerships of no direct or indirect financial or other interest to the applicant or property owner or one-eighth of a mile (1/8), whichever is less.
 3. **Public Notice Sign:** The applicant is responsible to post a public notice sign(s) on the property at least ten (10) days prior to the public hearing. The Department will determine sign locations and will make signs available for the applicant to obtain in the office of the Department.
 4. **Affidavit of Notice of Public Hearing:** The applicant shall deliver a copy of the mailed notice and a signed affidavit, verifying that the notices were mailed and the public notice sign(s) was posted on the subject property, to the Department at least four (4) calendar days prior to the public hearing.
- F. **Ex-parte Communication:** In no event shall applicants or other interested parties contact or attempt to communicate with members of the Board in regard to a filed variance petition prior to the public hearing.
- G. **Revised Materials:** If the applicant wishes to submit additional or revised information than what is filed, then the applicant shall submit those to the Department no later than ten (10) days prior to the public hearing.
- H. **Board's Consideration:** Following the public hearing, the Board may either approve, approve with conditions, deny or continue the petition.
- I. **Resource:** Please see the Board's [Rules of Procedure](#) for more detailed procedural information.

Narrative Statement

January 24, 2018

To Economic and Community Development
Matt Pleasant - Associate Planner
City of Westfield
2728 E. 171st Street
Westfield, IN 46074
(317) 804-3170

Project Texas Roadhouse

Project# 20170746.0

From Marisa Kolman

Re Narrative Statement – Variances and DDP Approval Request

Dear Mr. Pleasant,

On behalf of our Client Texas Roadhouse, please find this Narrative Statement useful for your review and approval of the DDP and variations necessary for the proposed Texas Roadhouse restaurant at 14758 Greyhound Plaza. For this project, Texas Roadhouse intends to lease approximately 0.246 acres of the site, which is currently occupied by a Don Pablo's restaurant. The scope of improvements required for the new construction of the restaurant will fall into the adjacent parcel which is under a non-exclusive parking easement. This creates improvements across the 0.91 acres covering the two parcels. The proposed scope of work would consist of demolition of the existing 26' high / 7,000 SF Don Pablo's building and construction of a new 25' high / 6,994 SF Texas Roadhouse restaurant in its place. Due to the dumpster enclosure area being located at the south elevation of the new building for better access, a reconfiguration of existing parking stalls is necessary. In addition, new foundation and parking area landscaping is being proposed as part of the new improvements, and there will be no change to existing parking lot lighting as it falls outside of the premise boundary area. A minimal 0.44 acres of the site is being disturbed as necessary for the redevelopment. Due to current code requirements being applied to the site along with the limited boundary lines of the parcels results in a number of variation requests from code to make the redevelopment feasible. Please consider that a majority of the proposed requests for variations are already existing deficiencies under the current conditions for the Don Pablo's development and therefore the proposed redevelopment of the site is not creating additional waivers from the City Code. Requested variations from code are listed below.

Chapter 4: Zoning Districts

GB General Business District

Minimum Building Setback Lines:

- Front Yard: 60 feet; however, in established areas shall be the average setback of established buildings within the same Block and within 300 feet in either direction of the proposed building.
- Side Yard: 20 feet; however, in established areas where it is customary that businesses abut one another, the Side Yard Building Setback Lines may be reduced.
- Rear Yard: 20 feet

Proposed: (taken from interior Don Pablo's parcel lines)

- **Front Yard: 0'**
- **Side Yards: 5' and 0'**
- **Rear Yard: 15'**

Chapter 5: US Highway 31 Overlay District.

Proposed: Requesting to waive in its entirety.

Chapter 6 Development Standards

Architectural Standards

- External Facades: Shall be one hundred 100% Masonry Materials, excluding window, door, roofing, fascia and soffit materials; or Shall incorporate 2 or more building materials, excluding window, display window, door and roofing materials; provided, however, that a minimum of sixty percent (60%) of the Building Facade shall be Masonry Materials.
- All Other Facades: No more than 25% of all other Building Facades, exclusive of windows (including faux windows and glazing), doors and loading berths, may be covered with metal, Fiber Cement Siding, Polymeric Cladding, E.I.F.S., stucco, or vinyl exterior building materials.

Proposed:

- **External Façade (East): 75.3% Masonry**
- **All Other Facades:**
 - **North: 67.2% Masonry / 32.8% Other Materials**

Minimum Lot Landscaping Requirements

- Business Uses (per acre): 10 shade trees + 10 ornamental or evergreen trees. Based on 0.91 acres = 9 shade trees + 9 ornamental trees.

Proposed:

- **There are 5 shade trees + 0 ornamental or evergreen trees proposed.**

Interior Parking Area Landscaping

- Minimum Area Required: 25 – 49 parking spaces = 7.5% parking area to be landscaped.
- Design: Parking Area islands shall be: (b) a minimum area of one hundred twenty (120) square feet; and (c) a minimum of seven (7) feet in width, measured from back of curb to back of curb.

Proposed:

- **The site provides for 6% of the parking area to be landscaped.**
- **There are two landscape islands proposed at 100 SF / 6' width and 83 SF / 5' width.**

Parking & Loading Standards

- Loading Berths: Other Local and General Business Uses: a. 5,000 sq. ft. to 10,000 sq. ft.: 1 loading berth
- Minimum Parking: Restaurants: One (1) space for each three (3) seats of serving area, plus one (1) space for each employee on primary shift. Based on 245 seats and 40 employees = 122 stalls.

Proposed:

- **Loading Berth: No loading berth proposed.**
- **Parking: 28 stalls proposed within parking easement parcel.**

Signage

- The total Sign Area Allocation permitted shall be one (1) square foot of Sign Area for each one (1) linear foot of building fronting on a public Right-of-way. The total permitted Sign Area Allocation may be divided between Monument, Wall, Awning, Projecting Signs (projecting signs permitted in downtown only), and all legally-established nonconforming Signs. Both sides of a Monument or Projecting Sign shall count against Sign Area Allocation for a site. Include north (93.4') and east (87.58') building frontage = 180.98' = 181 sf allowable

Proposed:

- **Total = 256.03 sf of signage requested**
 - **Sign A (north elevation) = 98.6 sf**
 - **Sign B (east elevation) = 81 sf**
 - **Sign C (east elevation) = 18.1 sf**
 - **Sign D (south elevation) = 58.33 sf**

As for additional background on the nature of the business, Texas Roadhouse is a nationally recognized sit-down steakhouse including a full-service bar. Texas Roadhouse runs a family friendly operation within the general hours of Monday thru Thursday from 4:00 PM to 10:00 PM, Friday from 4:00 PM to 11:00 PM, Saturday from 11:00 AM to 11:00 PM and Sunday from 11:00 AM TO 10:00 pm. Typically 40 employees are on staff for the peak shift where you may catch them entertaining with line dancing in the aisles. Texas Roadhouse heavily relies on brand recognition and visibility of their restaurants for successful locations, they selectively handpick these locations for new restaurants and hope to call the City of Westfield a new home.

We trust we have addressed all necessary variation requests required for the redevelopment of the site. Should you have any questions or need clarification, please contact me directly at 224-764-0739 or via email at mkolman@greenbergfarrow.com.

Sincerely,

A handwritten signature in cursive script that reads "Marisa Kolman". The ink is dark and the signature is fluid, with the first and last names being more prominent than the middle name.

Marisa Kolman
Site Development Coordinator / Associate

Land Description

PARCEL 1:

A PART OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 3 EAST LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 3 EAST; THENCE SOUTH 88°36'49" WEST (ASSUMED BEARING) 808.29 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHWESTERN CORNER OF A 7.83 ACRE TRACT GRANTED TO A DONALD DUKE AND DORIS R. DUKE ("DUKE") (RECORDED IN DEED RECORD 341 PAGE 594 IN THE OFFICE OF THE HAMILTON COUNTY RECORDER); THENCE NORTH 00°37'59" WEST 1293.27 FEET ALONG THE WESTERN LINE OF SAID "DUKE" TRACT AND ALONG THE WESTERN LINE OF A 13.277 ACRE TRACT GRANTED TO GREYHOUND OFFICE COMPANY ("GREYHOUND") (RECORDED IN INSTRUMENT NUMBER 9409365 IN THE OFFICE OF THE HAMILTON COUNTY RECORDER) AND ALONG THE WESTERN LINE OF A 1.116 ACRE TRACT GRANTED TO HAMILTON WESTERN UTILITIES, INC. ("HAMILTON") (RECORDED IN INSTRUMENT NUMBER 9609632545 IN THE OFFICE OF THE HAMILTON COUNTY RECORDER) TO THE NORTHWESTERN CORNER OF SAID "HAMILTON" TRACT; THENCE NORTH 89°22'01" EAST 226.51 FEET ALONG THE NORTHERN LINE OF SAID "HAMILTON" TRACT TO A POINT ON THE CENTERLINE OF GREYHOUND PASS, SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST AND LYING SOUTH 58°03'44" WEST 300.00 FEET FROM THE RADIUS POINT OF SAID CURVE, THENCE SOUTHEASTERLY ALONG SAID CURVE AND ALONG SAID CENTERLINE 288.65 FEET TO ITS POINT OF TANGENCY, SAID POINT OF TANGENCY LYING SOUTH 02°56'01" WEST 300.00 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTH 87°03'59" EAST 195.93 FEET ALONG SAID CENTERLINE TO THE EASTERN CORNER OF SAID "HAMILTON" TRACT, SAID CORNER BEING ON THE NORTHERN LINE OF SAID "GREYHOUND" TRACT AND LYING NORTH 89°42'52" EAST 659.74 FEET FROM THE NORTHWESTERN CORNER THEREOF, THENCE NORTH 89°42'52" EAST 85.83 FEET ALONG THE NORTHERN LINE OF SAID "GREYHOUND" TRACT TO THE NORTHERLY PROJECTION OF THE WESTERN LIMITED ACCESS RIGHT-OF-WAY LINE OF U.S. 31 (PER THE INDIANA STATE HIGHWAY COMMISSION RIGHT-OF-WAY PLANS FOR S-PROJECT NO. S-165 (14) (1960) (SAID LIMITED ACCESS RIGHT-OF-WAY LINE BEING 105.00 FEET (MEASURED WESTERLY IN A PERPENDICULAR DIRECTION) FROM LINE "NN" AS PER SAID PLANS; THENCE SOUTH 00°16'39" EAST 38.09 FEET ALONG SAID NORTHERLY PROJECTION AND PARALLEL WITH SAID LINE "NN" TO A POINT ON SAID LIMITED ACCESS RIGHT-OF-WAY LINE KNOWN AS P.O.T. 567+74.48, 105 FEET LEFT OF SAID LINE "NN"; THENCE CONTINUE SOUTH 00°16'39" EAST 122.66 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE, THENCE SOUTH 68°36'57" WEST 118.52 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°37'59" EAST 45.50 FEET; THENCE NORTH 89°22'01" EAST 3.00 FEET; THENCE SOUTH 00°37'59" EAST 19.78 FEET; THENCE SOUTH 89°22'01" WEST 3.00 FEET; THENCE SOUTH 00°37'59" EAST 34.27 FEET; THENCE SOUTH 89°22'01" WEST 107.00 FEET; THENCE NORTH 00°37'59" WEST 99-.57 FEET; THENCE NORTH 89°22'47" EAST 1.07.00 FEET TO THE POINT OF BEGINNING, CONTAINING 10,712 SQUARE FEET, MORE OR LESS.

PARCEL 2: (PARKING EASEMENT)

NON-EXCLUSIVE PERPETUAL EASEMENT FOR THE BENEFIT OF PARCEL 1 OVER THE FOLLOWING DESCRIBED LAND:

A PART OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 3 EAST LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 3 EAST; THENCE SOUTH 88°36'49" WEST (ASSUMED BEARING) 808.29 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHWESTERN CORNER OF A 7.83 ACRE TRACT GRANTED TO A DONALD DUKE AND DORIS R. DUKE ("DUKE") (RECORDED IN DEED RECORD 341 PAGE 594 IN THE OFFICE OF THE HAMILTON COUNTY RECORDER); THENCE NORTH 00°37'59" WEST 1293.27 FEET ALONG THE WESTERN LINE OF SAID "DUKE" TRACT AND ALONG THE WESTERN LINE OF A 13.277 ACRE TRACT GRANTED TO GREYHOUND OFFICE COMPANY ("GREYHOUND") (RECORDED IN INSTRUMENT NUMBER 9409365 IN THE OFFICE OF THE HAMILTON COUNTY RECORDER) AND ALONG THE WESTERN LINE OF A 1.116 ACRE TRACT GRANTED TO HAMILTON WESTERN UTILITIES, INC. ("HAMILTON") (RECORDED IN INSTRUMENT NUMBER 9609632545 IN THE OFFICE OF THE HAMILTON COUNTY RECORDER) TO THE NORTHWESTERN CORNER OF SAID "HAMILTON" TRACT; THENCE NORTH 89°22'01" EAST 226.51 FEET ALONG THE NORTHERN LINE OF SAID "HAMILTON" TRACT TO A POINT ON THE CENTERLINE OF GREYHOUND PASS SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST AND LYING SOUTH 58°03'44" WEST 300.00 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTHEASTERLY ALONG SAID CURVE AND ALONG SAID CENTERLINE 288.65 FEET TO ITS POINT OF TANGENCY, SAID POINT OF TANGENCY LYING SOUTH 02°56'01" WEST 300.00 FEET FROM THE RADIUS POINT OF SAID CURVE; THENCE SOUTH 87°03'59" EAST 195.93 FEET ALONG SAID CENTERLINE TO THE EASTERN CORNER OF SAID "HAMILTON" TRACT, SAID CORNER BEING ON THE NORTHERN LINE OF SAID "GREYHOUND" TRACT AND LYING NORTH 89°42'52" EAST 659.74 FEET FROM THE NORTHWESTERN CORNER THEREOF; THENCE NORTH 89°42'52" EAST 85.83 FEET ALONG THE NORTHERN LINE OF SAID "GREYHOUND" TRACT TO THE NORTHERLY PROJECTION OF THE WESTERN LIMITED ACCESS RIGHT-OF-WAY LINE OF U.S. 31 (PER THE INDIANA STATE HIGHWAY COMMISSION RIGHT-OF-WAY PLANS FOR S-PROJECT NO. S-165(1-4) (1960) (SAID LIMITED ACCESS RIGHT-OF-WAY LINE BEING 105.00 FEET (MEASURED WESTERLY IN A PERPENDICULAR DIRECTION) FROM LINE "NN" AS PER SAID PLANS; THENCE SOUTH 00°16'39" EAST 38.09 FEET ALONG SAID NORTHERLY PROJECTION AND PARALLEL WITH SAID LINE "NN" TO A POINT ON SAID LIMITED ACCESS RIGHT-OF-WAY LINE KNOWN AS P.O.T. 567+74.48, 105 FEET LEFT OF SAID LINE "NN"; THENCE CONTINUE SOUTH 00°16'39" EAST 122.66 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING OF THE DESCRIPTION; THENCE CONTINUE SOUTH 00°16'39" EAST 173.57 FEET ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE; THENCE SOUTH 89°22'01" WEST 228.49 FEET PERPENDICULAR TO THE WESTERN LINE OF GRANTOR; THENCE NORTH 00°37'59" WEST 173.56 FEET PARALLEL WITH THE WESTERN LINE OF GRANTOR; THENCE NORTH 89°22'01" EAST 229.57 FEET PERPENDICULAR TO THE WESTERN LINE OF THE GRANTOR TO THE POINT OF BEGINNING.

Bart P. Griesenauer

From: INTERNETGUEST
Sent: Monday, November 13, 2017 11:19 AM
To: Plat Auditor
Subject: Online Adjoiner Request

POSSE Job #: AR-2017-0182
Zoning Authority: Westfield
Parcel # of Property: 0909130000014001
Additional Parcel #: , , , , , , , , ,

Owner: Don Pablos IN LLC
Petitioner: Texas Roadhouse Holdings LLC
Contact: Brandon Goldberg
Contact Phone: 2247640369
Contact Email: bgoldberg@greenbergfarrow.com

WESTFIELD-WASHINGTON TOWNSHIP APPLICATION FORM
PUBLIC NOTICE (BOARD OF ZONING APPEALS)



**WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN THAT the Westfield-Washington Township Advisory Board of Zoning Appeals will hold a public hearing on Tuesday March 13, 2018, at 7:00 p.m. at Westfield City Hall, 130 Penn Street, Westfield, Indiana, to consider petition (s) **[insert docket #]**, filled by Texas Roadhouse on behalf of Don Pablos IN LLC and GPB Realty LP. The request pertains to real estate comprising approximately 0.91 Acres and generally located At 14758 Greyhound Plaza, Washington Township, Westfield, Indiana.

The request is for Approval of Variances of Development Standards to allow demolition of existing building and new construction of sit-down Texas Roadhouse restaurant with minimal associated site improvements as necessary.

Specific details regarding this request, including the application, file, and property legal description, may be obtained from the Westfield Economic and Community Development Department, or by calling (317) 804-3170.

Written suggestions or objections relative to the request may be filed with the Westfield Economic And Community Development Department, at or before the public hearing. Interested persons desiring to present their views upon the request, either in writing or verbally, will be given the opportunity to be heard at the above mentioned time and place, which may be continued from time to time as may be found necessary.

APPLICANT:
Texas Roadhouse Holdings LLC
Cati Kincaid
6040 Dutchmans Lane
Louisville, KY 40205

REPRESENTATIVE:
Greenberg Farrow
Marisa Kolman
21 South Evergreen Avenue, Suite 200
Arlington Heights, IL 60005

CITY OF WESTFIELD:
Economic and Community Development Department
2728 East 171st Street
Westfield, Indiana 46074
Telephone: (317) 804-3170
www.westfield.in.us

HAMILTON COUNTY AUDITOR

I, ROBIN M. MILLS, AUDITOR OF HAMILTON COUNTY, INDIANA, CERTIFY MY OFFICE HAS SEARCHED OUR RECORDS AND BASED ON THAT SEARCH, IT APPEARS THAT THE PROPERTY OWNERS MARKED AS NEIGHBORS ARE THE PROPERTY OWNERS THAT ARE TWO PROPERTIES OR 660' FEET FROM THE REAL ESTATE MARKED AS SUBJECT PROPERTY.

THIS DOCUMENT DOES NOT CERTIFY THAT THE ATTACHED LIST OF PROPERTY OWNERS IS ACCURATE OR INCLUDES ALL PROPERTY OWNERS ENTITLED TO NOTICE PURSUANT TO LOCAL ORDINANCE. ANY PERSON SEEKING A MORE ACCURATE SEARCH OF THE REAL ESTATE RECORDS OF THE COUNTY SHOULD SEEK THE OPINION OF A TITLE INSURANCE COMPANY.

ROBIN M. MILLS, HAMILTON COUNTY AUDITOR

DATED:

Barton Griesenauer 11/16/2017

SUBJECT PROPERTY:

09-09-13-00-00-014.001 Subject

EMR Don Pablos IN LLC (85%); LR Don Pablos IN LLC (15%)

4640 Admiralty Way Ste 700

Marina Del Rey CA 90292

Pursuant to the provisions of Indiana Code 5-14-3-3-(e), no person other than those authorized by the County may reproduce, grant access, deliver, or sell any information obtained from any department or office of the County to any other person, partnership, or corporation. In addition any person who receives information from the County shall not be permitted to use any mailing list, addresses, or databases for the purpose of selling, advertising, or soliciting the purchase of merchandise, goods, services, or to sell, loan, give away, or otherwise deliver the information obtained by the request to any other person.

HAMILTON COUNTY NOTIFICATION LIST

PLEASE NOTIFY THE FOLLOWING PERSONS

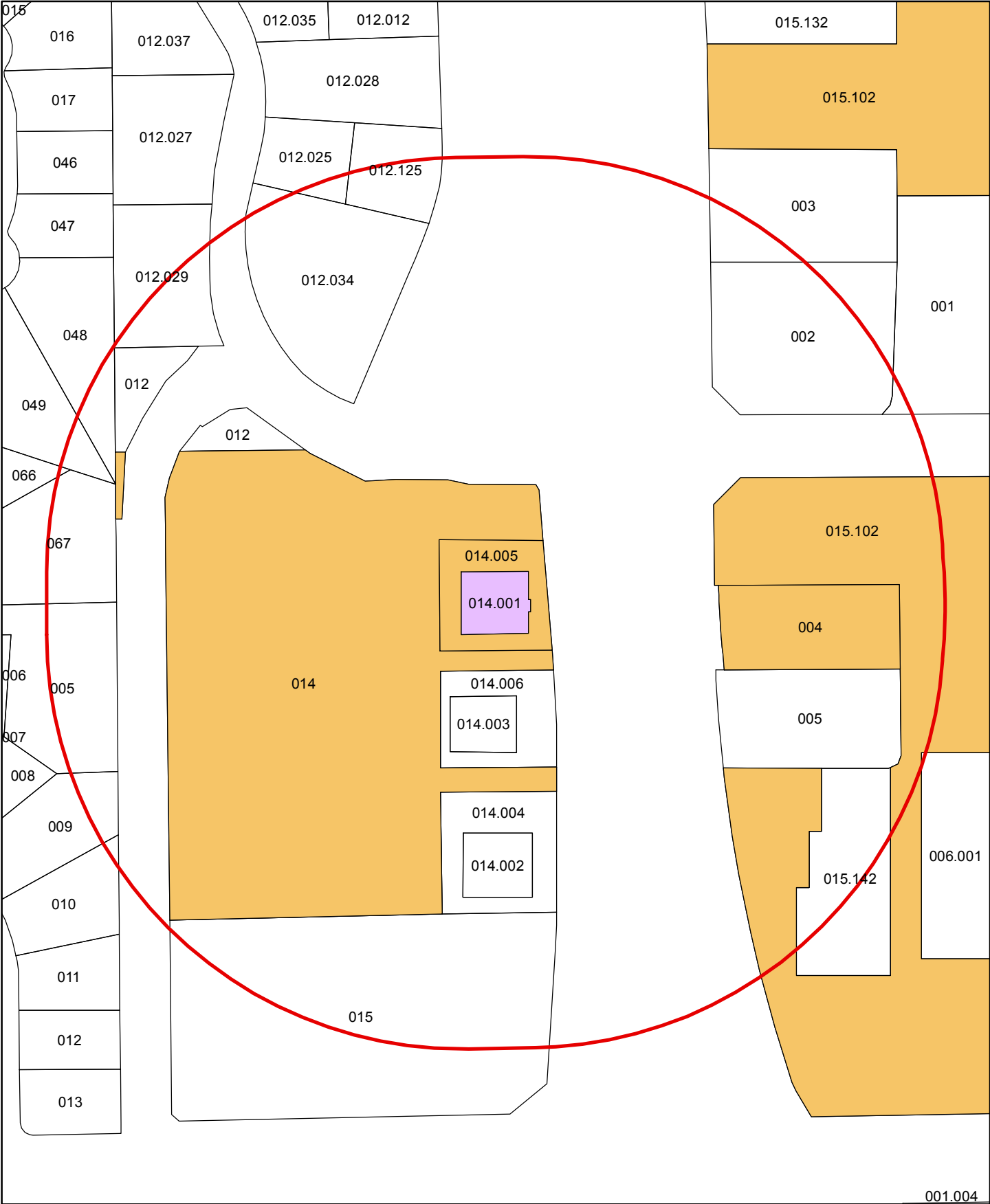
09-09-13-00-00-014.000	Neighbor
Greyhound Plaza Associates LP	
117 Washington St E Ste 300	
Indianapolis	IN 46204

09-09-13-00-00-014.005	Neighbor
GPB Realty LP	
735 Gloucester St	
Boca Raton	FL 33487

09-10-18-00-00-015.102	Neighbor
Village Park Plaza LLC	
PO Box 7019	
Indianapolis	IN 46207

09-10-18-00-01-004.000	Neighbor
Ramadelle LLC	
14727 Thatcher Ln	
Carmel	IN 46033

Adjoiner Notification Map



Legend

- Buffer
- Notify
- Subject



January 12, 2018

Matt Pleasant
Associate Planner
Economic and Community Development
City of Westfield
2728 E. 171st Street
Westfield, IN 46074
(317) 804-3170

Dear Mr. Pleasant,

I am writing this letter to indicate that **EMR DON PABLOS IN LLC**, an Indiana limited liability company, and **LR DON PABLOS IN LLC**, an Indiana limited liability company, are authorizing Texas Roadhouse to act as applicant to file the attached applications to request variance approvals from the Board of Zoning Appeals as well as approval of the Development Plan by the Advisory Plan Commission. These approvals are necessary in order to demolish the existing building and construct a Texas Roadhouse restaurant in its location of 14758 Greyhound Plaza per the enclosed site plan.

Should you have any questions or need further information, please do not hesitate to contact me at

Sincerely,

LANDLORD:
EMR DON PABLOS IN LLC

By: Marc A. Lauter
Name: MARC A LAUTER
Its: MANAGER

LANDLORD:
LR DON PABLOS IN LLC

By: Marc A. Lauter
Name: MARC A LAUTER
Its: MANAGER

January 15, 2018

Mr. Matt Pleasant
Associate Planner
Economic and Community Development
City of Westfield
2728 E. 171st Street
Westfield, IN 46074
(317) 804-3170

Dear Mr. Pleasant,

Please consider this letter as authorization from GPB Realty, LP for Texas Roadhouse to act as applicant to file the attached applications to request variance approvals from the Board of Zoning Appeals as well as approval of the Development Plan by the Advisory Plan Commission. These approvals are necessary in order to demolish the existing building and construct a Texas Roadhouse restaurant in its location of 14758 Greyhound Plaza per the enclosed site plan.

GPB Realty, LP's authorization is limited solely to the attached application and supporting construction plans. Any modifications to same must be approved in writing by GPB Realty, LP prior to submittal.

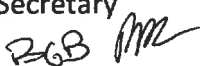
Should you have any questions or need further information, please do not hesitate to contact Dave Cheslyn at The Broadbent Company at 317-237-2900.

Sincerely,

GPB Realty, LP
By: GPB Realty Management, Inc
It's General Partner



Joyce A. Bradley
Assistant Secretary





WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

March 13, 2018

1803-VS-04

Exhibit 1

Petition Number: 1803-VS-04

Subject Site Address: 16133 Haddam Ln (The "Property")

Petitioner: Gennediy Kelmanson (The "Petitioner")

Representative: Raymond J. Hafsten, Jr.

Request: The Petitioner by Raymond Hafsten, Jr. request Variance of Development Standard to change the required Lot Standards (Article 4.2(C) and Article 4.2(D)) and amend the previously approved variance (99-V-28) to allow a fifth lot in Block A of the Woodshire subdivision within the Agriculture / Single-Family Rural District (Article 4.2).

Current Zoning: AG-SF1: Agriculture / Single-Family Rural District

Current Land Use: Residential

Property History: 99-V-28

Approximate Acreage: 3.75 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Site Plan
4. 99-V-28
5. Petitioner's Application

Staff Reviewer: Matt Pleasant, Associate Planner

OVERVIEW

Location: The subject Property is 3.75 acres +/- in size and is located at 16133 Haddam Lane (see **Exhibit 2**) zoned AG-SF1: Agriculture / Single-Family Rural District within the Woodshire subdivision. The Property is currently the residence of the Petitioner. The surrounding properties are zoned AG-SF1.

Property History: A variance was approved by the Board of Zoning Appeals (the "BZA") in 1999 (see **Exhibit 4**) to allow four (4) lots to be established but not participate in the subdivision control ordinance otherwise required by the Westfield-Washington Township Unified Development Ordinance (the "UDO"). The variance also allows one lot (Lot 32) to have a smaller lot size and another lot to have no frontage requirement (Lot 30). The Property (Lot 29) is not affected by the two specific varying standards.

Variance Request: The Petitioner wishes to further subdivide the Property to allow the construction of a residential building. The variance standards requested to subdivide include



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

March 13, 2018

1803-VS-04

Exhibit 1

relief from the required lot frontage requirement, allow two (2) lots under the required lot area allotment, and amend 99-V-28 to allow five (5) lots within Block A of the Woodshire subdivision.

SUMMARY OF VARIANCES

The Petitioner is requesting the following changes to allow the subdivision of the Property:

- 1) Lot Standards¹ (see **Exhibit 3**):

	UDO Standard	Variance Request
Lot Frontage: Parcel A-3	250'	0'
Lot Area for proposed parcels	3 acres	1.83 acres

- 2) 99-V-28 was approved only allowing four (4) lots within Block A of the Woodshire subdivision. The Petitioner is requesting to allow five (5) lots in Block A.

COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan shows the project designated in the "Suburban Residential" within the Southeast Quadrant².

The Existing Suburban³ classification is designed to "...preserve and protect the stability and integrity of the area as it fills in." The Existing Suburban encourages some of the following development policies:

- Promote the protection of the existing suburban character of the area,
- Encourage only compatible infill development on vacant parcels in existing neighborhoods as a means to avoid sprawl,
- Ensure that infill development is compatible in mass, scale, density, materials, and architectural style to existing development.
- Ensure that new development adjacent to existing suburban is properly buffered,
- Land Uses include detached dwellings, attached dwellings, institutional uses, and recreational uses.

The Comprehensive Plan is not law; rather, it is intended to serve as a guide in making land use decisions.

¹ Article 4.2 of the UDO.

² Page 24; Chapter 2: Land Use Plan: Land Use Classifications and Development Policies; Westfield-Washington Township Comprehensive Plan.

³ Page 38-39; Chapter 2: Land Use Plan: Suburban Residential; Westfield-Washington Township Comprehensive Plan.



PROCEDURAL

Public Notice: The Board of Zoning Appeals is required to hold a public hearing on its consideration of a Variance of Development Standard. This petition is scheduled to receive its public hearing at the March 13, 2018, Board of Zoning Appeals meeting. Notice of the public hearing was properly advertised in accordance with Indiana law and the Board of Zoning Appeals' Rules of Procedure.

Conditions: The UDO⁴ and Indiana law provide that the Board of Zoning Appeals may impose reasonable conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of the UDO upon any Lot benefited by a variance as may be necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the subject Lot or upon public facilities and services. Such conditions shall be expressly set forth in the order granting the variance.

Acknowledgement of Variance: If the Board of Zoning Appeals approves this petition, then the UDO⁵ requires that the approval of the variance shall be memorialized in an acknowledgement of variance instrument prepared by the Department. The acknowledgement shall: (i) specify the granted variance and any commitments made or conditions imposed in granting of the variance; (ii) be signed by the Director, Property Owner and Applicant (if Applicant is different than Property Owner); and (iii) be recorded against the subject property in the Office of the Recorder of Hamilton County, Indiana. A copy of the recorded acknowledgement shall be provided to the Department prior to the issuance of any subsequent permit or commencement of uses pursuant to the granted variance.

Variances of Development Standard: The Board of Zoning Appeals shall approve or deny variances from the development standards (such as height, bulk, or area) of the underlying zoning ordinance. A variance may be approved under Indiana Code § 36-7-4-918.5 only upon a determination in writing that:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of 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; and
3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property.

⁴ Article 10.14(I) Processes and Permits; Variances; Conditions of the UDO.

⁵ Article 10.14(K) Processes and Permits; Variances; Acknowledgement of Variance of the UDO.

DEPARTMENT COMMENTS

Approval: If the Board is inclined to approve the Variance of Development Standards (1803-VS-03), then the Department recommends the Variance of Development Standards (1803-VS-03) approval with the following written findings of fact related to the Variance of Development Standards:

Recommended Findings for Approval:

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

Finding: The subdivision of the Property will not be injurious to the public health, safety, morals, and general welfare because the subdivision will only allow a residential structure to be constructed, cohesive with the neighborhood.

- 2) **Criteria:** *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: It is unlikely the use and value of adjacent property will be affected in a substantially adverse manner. The proposed variance should not have a negative impact on surrounding properties because the continued use and improvement of the property in a manner substantially consistent with the quality and character of the surrounding area and Comprehensive Plan.

- 3) **Criteria:** *The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property:*

Finding: Strict adherence to the zoning ordinance would result in the inability to split the property.

Denial: If the Board is inclined to deny the requested variance, then the Department recommends denying the variance, and then tabling the adoption of findings until the Board's next meeting with direction to the Department to prepare the findings pursuant to the public hearing evidence and Board discussion.



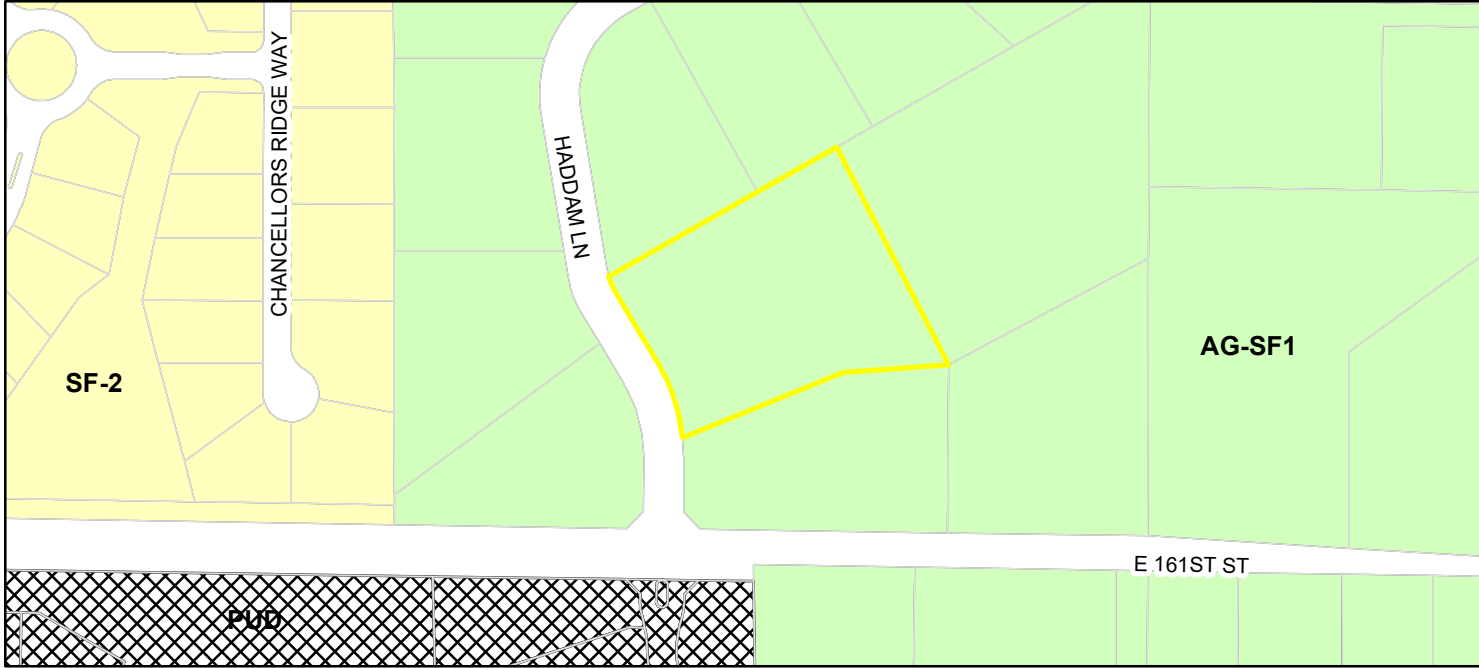
Property Location Map
16133 Haddam Lane
Variance of Development Standard
1803-VS-04



Aerial Location Map



Zoning Map



Parcel

Zoning

Zoning - All

AG-SF1 (Agriculture - Single Family - 1)

PUD (Planned Unit Development)

SF-2 (Single Family - 2)

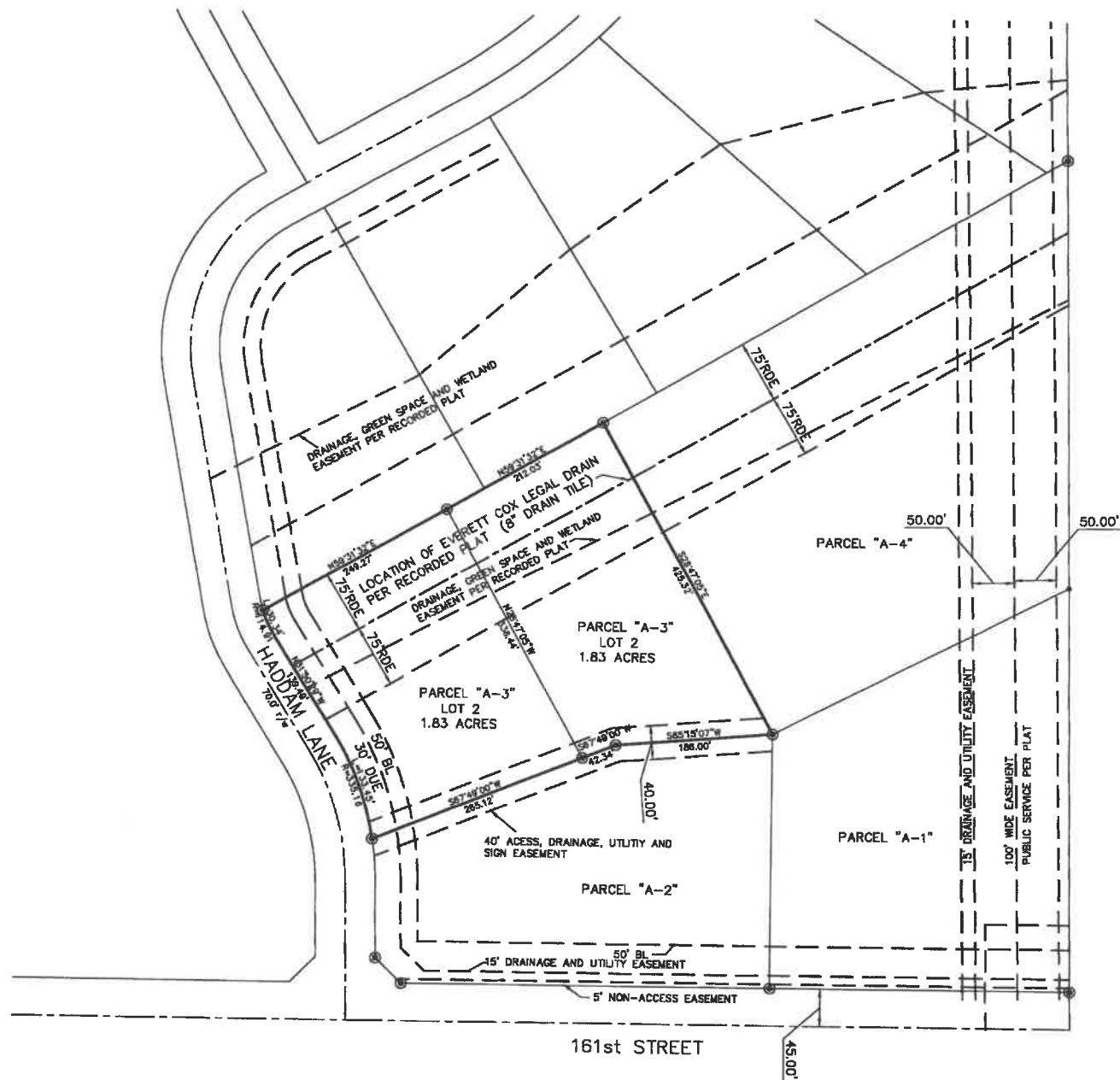


Exhibit A

Application Number:

99-V-28

Date of Application:

7-2-99

Application for VARIANCE OF DEVELOPMENT STANDARD
Westfield – Washington Township
Board of Zoning Appeals (BZA)

This application must be completed and accompanied by information specified below and filed with the Community Services Department of the Town of Westfield, Indiana at least thirty (30) days prior to the BZA meeting at which Applicant wishes to make his/her oral presentation.

1. Applicant's Name Langston Development Company, Inc.
 Address 1132 S. Rangeline Road, Suite 100
Carmel, In. 46032
 Telephone Number 317-846-7017

2. Landowner's Name Same
 Address _____
 Telephone Number _____

3. Attorney _____
 Address _____
 Telephone Number _____

4. Common description of property (address, location, etc.)
Block A Woodshire, located on the north side of 161st Street
between Gray & Carey Roads 3820 E. 161st ST.

5. Legal description of property (list below or attach)
Block A in Woodshire, a subdivision in Hamilton County, Indiana as
per plat thereof recorded December 3, 1996 as instrument No. 9650688, amended by
Certificate of correction recorded December 17, 1996 as Instrument No. 9652794 in the
office of the recorder of Hamilton County, Indiana.

6. Complete description of the nature of the variance of development standard applied for:

Petitioner requests a variance of minimum lot size, frontage, and
subdivision platting, Developmental standards to permit the division
of "Block A" Woodshire into sites for four single family residences.

7. Plans drawn to scale must accompany this application and must show at least the following:
- The shape and dimensions of the land involved;
 - The location and dimensions of any existing buildings;
 - The location and dimensions of any proposed buildings or proposed alterations; and
 - All topographic, natural, or other unusual characteristics of the land involved.
8. No variance of development standard shall be granted unless the BZA finds all of the following to be true:

Applicants must complete the following items and establish at the public hearing that each of the following is true in order to obtain a favorable determination from the BZA.

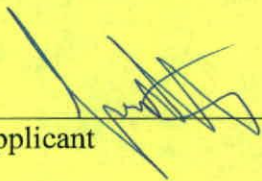
- That the approval of such variance of development standard will not be injurious to the public health, safety, morals, and general welfare of the community:
Variance will allow us to subdivide four lots in a 14 acre parcel without meeting all of the platting requirements. If we had decided to plat arcel, we would have been able to suddivide up to 6 lots in this same parcel. The granting of the variance to create 4 lots will have less impact on the community.

- That the use and value of the area adjacent to the property included in the variance of use will not be affected in a substantially adverse manner:
Area adjacent to the area has smaller lots with the same size homes as the proposed property. Thus adjacent land will have no adverse affects from the variance.

- That the strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property:
Strict application of the zoning ordiance would result in either the removal of substantially more trees or the creation of extremely odd shaped lots in order to conform with both the 3 acre size and 250' of road frontage requirements.

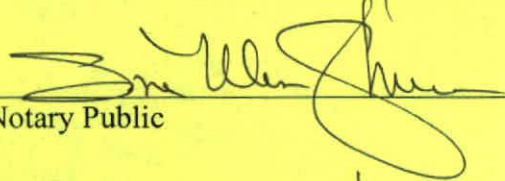
TOWN OF WESTFIELD, INDIANA – VARIANCE OF DEVELOPMENT STANDARD APPLICATION

The applicant hereby certifies that the information contained in and accompanying this application is true and correct.



Applicant

SUBSCRIBED AND SWORN TO ME THIS 2 DAY OF July, 1999.



Notary Public

My commission expires: 4-18-2007

STAFF SUMMARY BZA – AUGUST 1999

99-V-28 3820 East 161st Street

This petition represents requests for three **variances of developmental standards** – lot size, road frontage, and subdivision platting requirements – to permit the division of “Block A” of Woodshire Subdivision into sites for four (4) single-family residences in the AG-SF1 district. If this petition is approved, staff members suggest that details regarding the maintenance provisions for the shared private drive be recorded to avoid future maintenance problems. Staff members have no additional concerns regarding this petition.

99-V-29 4300 East State Road 32

This petition represents requests for two **variances of developmental standards** – sign size and overlay sign corridor requirements – to permit the continued use of a temporary subdivision sign, measuring 8’ x 8’ in size and 18’ in height, for Sandpiper Lakes Subdivision in the SF4 district. This sign is currently in place. The BZA has previously approved the subject sign for a period of 30 months (the maximum time that this type of sign may be administratively re-issued permits before another variance must be obtained). The previously-approved variance time limit will expire in August. The petitioner wishes to receive another identical variance. As of July 1st of this year, Sandpiper Lakes was approximately 58% built out. Staff members believe that the petitioner’s request is reasonable. If the subject sign is approved, staff members recommend that it be for a period of 30 months from the date of approval.

99-V-30 17172 Gray Road

This petition represents multiple requests for **variances of developmental standards** for Graystone Grove and Graystone Park Subdivisions in the SF3 district. The subject variances are being requested to allow the petitioner to create smaller subdivision lots in an effort to maximize the creation of green spaces and recreational amenities within the proposed subdivisions. The petitioner has already received approval of primary plats from the Plan Commission for the two subdivisions that meet all SF3 standards. These variance requests are an attempt to improve upon the already-approved plats. The petitioner is proposing to create 306 building lots. If the BZA chooses to approve these variances, staff members recommend that they be approved “as per plans filed”.



Langston

Development CO. INC.

317 846-7017

1132 S. Rangeline Rd

Suite 100

Carmel, Indiana 46032

Langston Development Company, Inc.

Woodshire Block "A"

Zoning Variance Request

With the success of the Woodshire development, 25 of the 28 lots have been sold to date, Langston Development is planning the division of the undeveloped area of Woodshire denoted as Block A. After creating several layouts, we have determined the best use of this ground would be the creation of 4 single family residences accessed through a private drive. In order to facilitate this development Langston Development is requesting a variance in minimum lot size, frontage road requirement, and subdivision platting developmental standards to permit this division of Block "A". We are requesting these variances in order to preserve as many trees as possible in this area. As shown on Exhibit "A", Block A consists of 14.72 acres of heavily wooded, mature trees. If we were to plat and develop this parcel as a traditional subdivision meeting all road width and construction requirements, significantly more trees would have to be removed than if a private drive was used to access the home sites in this area.

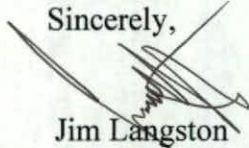
A sample plan was developed, shown in Exhibit "B", that would allow the development of 6 single family residences and meet all of the subdivision requirements. We however, are proposing the construction of an 18' to 20' wide private drive to access only 4 residences. The private drive would be located within the 40' access easement shown on Exhibit "C". We chose a 40' wide easement to allow us to wind the drive and minimize the impact on the existing trees. Exhibit "D" displays the minimum requirements for AG-SF 1 lots and the statistics on the 4 proposed lots in Woodshire Block A. As denoted with the blue background, only one requirement on lot 30 and lot 32 is not met. Lot 30 does not have any of the required 250 feet of road frontage and lot 32 is .27 acres short of meeting the three acre requirement.

A sub-association, consisting of the four lots that will gain access to their lots through the proposed private drive, will be formed to ensure that the private drive will be maintained. This will include snow removal in the winter and continued patching and repaired when needed. The language for this association will be recorded with the existing covenants of Woodshire when these lots are recorded. Thus, the use of these lots will be restricted by the same terms and conditions as the original 28 lots of Woodshire.

In conclusion, we believe the granting of these variances will not have a negative impact on the surrounding community. In fact, by granting the variances to allow us to preserving trees and implement a less dense layout should only enhance the surrounding area.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Langston", is written over a horizontal line. The signature is stylized with a large, sweeping initial "J" and a long, horizontal stroke extending to the right.

Jim Langston
Vice President
Langston Development

PROOF OF PUBLICATION

State of Indiana,
County of Hamilton, SS:

Before me a Notary Public in and for the County of Hamilton and State of Indiana, personally appeared David A. Lewis who being duly sworn upon oath, deposes and says, that he is the Publisher of the Daily Ledger, a Topics Newspaper, a newspaper of general circulation in Hamilton County, State of Indiana, printed in the English language and printed and published daily/weekly in the town of Fishers, Hamilton County, State of Indiana, and that said Topics Newspaper have been published continuously for more than three years last past, in said county and state; that the Notice of publication, a true copy of which is hereto annexed was duly published in said newspaper... for 2 weeks (insertions, successively) which publications were made as follows:

July 8, 1999

July 15, 1999

And that all of said publications were made in full compliance with the laws.

David A. Lewis

Subscribed and sworn to before me this 15 day of July, 19 99

Notary Public Nancy I. Dotson

(Seal)

My commission expires 11-28-2001
Publisher's Fee 76.90

Resident of Hamilton County

Westfield-Washington Township Board of Zoning Appeals 99-V-28

The Board of Zoning Appeals will hold a Public Hearing on the 16th day of August 1999, at 7:00 p.m. at the Westfield Town Hall, 130 Penn Street, Westfield, Indiana 46074. The application, 99-V-28 submitted by Langston Development Company, Inc requests variances of development standards (lot size, frontage, and subdivision platting requirements) to permit the division of "Block A" Woodshire into sites for four single family residences, in the AG-SF1 district, at 3820 East 161st Street more particularly described as follows:

Legal description on file with Westfield Community Development Department. Written suggestions or objections relative to the application may be filed with the Westfield-Washington Township Community Development Department at or before such meeting. Interested persons desiring to present their views upon the variance either in writing or verbally, will be given the opportunity to be heard at the above mentioned time and place.
Board of Zoning Appeals
Westfield, Indiana
By: Langston Development Company

NDL July 8, 1999

RECEIVED AUG - 9 1999

Langston
"Block A" Woodshire

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

David & Mitzi Eichenberger
4075 161st St. E.
Noblesville, In 46060

4a. Article Number

304-142-484

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery**5. Received By: (Print Name)**

X Mitzi Eichenberger

6. Signature: (Addressee or Agent)

X

8. Addressee's Address (Only if requested and fee is paid)

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

Langston Development Co
1132 S. Rangeline Rd #100
Carmel, In 46032

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
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I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Riddell LTD
 1211 116th St. E.
 Carmel, IN 46032

4a. Article Number

P304-142-479

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X

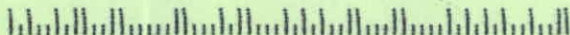
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Langston Development Co Inc
1132 S. Rangeline Rd #100
Carmel, IN 46032



SENDER:

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I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Patrick : Margaret Molter
4025 161st St. E.
Noblesville In 46060

4a. Article Number

304-142-485

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

5. Received By: (Print Name)

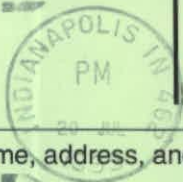
8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X



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• Print your name, address, and ZIP Code in this box •

Langston Development Co
1132 S. Rangeline Rd.
Carmel, In 46032

SENDER:

- ☐ Complete items 1 and/or 2 for additional services.
Complete items 3, 4a, and 4b.
- ☐ Print your name and address on the reverse of this form so that we can return this card to you.
- ☐ Attach this form to the front of the mailpiece, or on the back if space does not permit.
- ☐ Write "Return Receipt Requested" on the mailpiece below the article number.
- ☐ The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

3. Article Addressed to:

Ricky Myers
130 Senator Way
Carmel, Ind 46032

5. Received By: (Print Name)

6. Signature (Addressee or Agent)

4a. Article Number

304-142-490

4b. Service Type

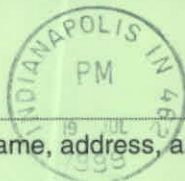
- ☐ Registered ☐ Certified
- ☐ Express Mail ☐ Insured
- ☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

8. Addressee's Address (Only if requested and fee is paid)



UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

Langston Development Co.
1132 S Rangeline Rd
Carmel, IN 46032



SENDER:

- ☐ Complete items 1 and/or 2 for additional services.
Complete items 3, 4a, and 4b.
- ☐ Print your name and address on the reverse of this form so that we can return this card to you.
- ☐ Attach this form to the front of the mailpiece, or on the back if space does not permit.
- ☐ Write "Return Receipt Requested" on the mailpiece below the article number.
- ☐ The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

3. Article Addressed to:

John & Beth Ann Swonak
17869 Sandy Run Ct.
Noblesville, IN 46060

4a. Article Number

304-142-480

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

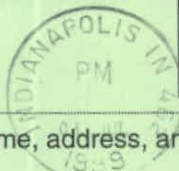
7-8-99

5. Received By: (Print Name)

J Swonak

6. Signature (Addressee or Agent)**8. Addressee's Address (Only if requested and fee is paid)**

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

Langston Development Co
1132 S. Rangeline Rd
Carmel, In 46032



SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Royce: Delores Cooper
4160 161st St E.
Mablesville In 46060

4a. Article Number

904-142-483

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

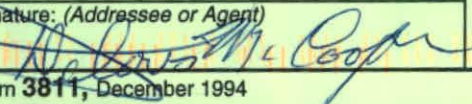
7. Date of Delivery

7-8

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X 

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

Langston Development Co
1132 S. Rangeline Rd #100
Carmel, IN 46032

SENDER:

- ☐ Complete items 1 and/or 2 for additional services.
Complete items 3, 4a, and 4b.
- ☐ Print your name and address on the reverse of this form so that we can return this card to you.
- ☐ Attach this form to the front of the mailpiece, or on the back if space does not permit.
- ☐ Write "Return Receipt Requested" on the mailpiece below the article number.
- ☐ The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

3. Article Addressed to:

Coots, Henke, Wheeler
255 Carmel Dr. E.
Carmel, IN 46032

4a. Article Number

304-142-488

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

7-8-99

5. Received By: (Print Name)

6. Signature (Addressee or Agent)

L. Haboush

8. Addressee's Address (Only if requested and fee is paid)

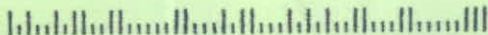
UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

Langston Development
1132 S. Rangeline Rd
Carmel, IN 46032



SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

George Mildred GAng
16544 BRAY Rd. N.
Noblesville, In 46060

4a. Article Number

904-142-481

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery**5. Received By: (Print Name)****8. Addressee's Address (Only if requested and fee is paid)****6. Signature: (Addressee or Agent)**

X

George GAng

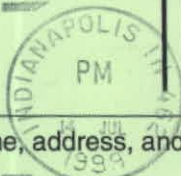
PS Form 3811, December 1994

JUL 14 1999

USPS - 40088

Domestic Return Receipt

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-40

• Print your name, address, and ZIP Code in this box •

LANGSTON Development
1132 S. RANGELINE RD #100
CARMEL, IN 46032

SENDER:

- ☐ Complete items 1 and/or 2 for additional services.
☒ Complete items 3, 4a, and 4b.
☐ Print your name and address on the reverse of this form so that we can return this card to you.
☐ Attach this form to the front of the mailpiece, or on the back if space does not permit.
☐ Write "Return Receipt Requested" on the mailpiece below the article number.
☐ The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery

3. Article Addressed to:

Lonnie: Linda Manning
 5339 Cotton Bay West Dr
 Indianapolis, In 46254

4a. Article Number

304-142-491

4b. Service Type

- ☐ Registered ☒ Certified
☒ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

5. Date of Delivery

7-14-99

5. Received By: (Print Name)

Linda Manning

6. Signature (Addressee or Agent)

Linda Manning

8. Addressee's Address (Only if requested and fee is paid)

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10*

• Print your name, address, and ZIP Code in this box •

Langston Development Co.
1132 S. Rangeline Rd.
Carmel, In 46032



SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Dean: Carolyn Omori
 16240 Gray Rd N.
 Noblesville, IN 46060

4a. Article Number

304-142-482

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

JUL 12 1999

5. Received By: (Print Name)

Carolyn J. Omori

6. Signature: (Addressee or Agent)

X Carolyn J. Omori

8. Addressee's Address (Only if requested and fee is paid)

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

Langston Development
1132 S. Rangeline Rd #100
Carmel, IN. 46032

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

David & Florence Riese
 4007 161st St. E.
 Noblesville, In 46060

4a. Article Number

304-142-487

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

7-8

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X

[Signature]

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

Langston Development
1132 S. Rangeline Rd
Carmel, IN. 46032

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Christopher Merritt
 3945 161st St. E.
 Noblesville, In 46060

4a. Article Number

304-142-486

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

5. Received By: (Print Name)

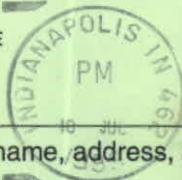
CHRIS MERRITT

6. Signature: (Addressee or Agent)

X

8. Addressee's Address (Only if requested and fee is paid)

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

Langston Development Co
1132 S. Rangeline Rd. #100
Carmel, In 46032

P 304 142 489

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to R. L. Emerson	
Street & Number 17016 Emerald Ct.	
Post Office, State, & ZIP Code Westfield In 46074	
Postage	\$ 55
Certified Fee	1.40
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.25
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 3.20
Postmark or Date	

USPS

PS Form 3800, April 1995

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (*See front*).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (*no extra charge*).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach, and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.

P 304 142 492

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	M: J. Penno
Street & Number	16316 Haddam Lane
Post Office, State, & ZIP Code	Hobbesville On 46060
Postage	\$.55
Certified Fee	1.40
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.25
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 3.20
Postmark or Date	

PS Form 3800, April 1995

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (*See front*).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (*no extra charge*).
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4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.

P 304 142 484

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to

W. M. Eichenberger

Street & Number

4075 161st St. E.

Post Office, State, & ZIP Code

Noblesville, In 46060

Postage

\$

55

Certified Fee

1.40

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing to Whom & Date Delivered

1.25

Return Receipt Showing to Whom, Date, & Addressee's Address

~~1.25~~

TOTAL Postage & Fees

\$

3.20

Postmark or Date

USPS

PS Form 3800, April 1995

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (*See front*).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (*no extra charge*).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach, and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.

P 304 142 479

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to <i>Riddell Inc</i>	
Street & Number <i>1211 116th St. E.</i>	
Post Office, State, & ZIP Code <i>Carmel In 46032</i>	
Postage	\$ <i>.55</i>
Certified Fee	<i>1.40</i>
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	<i>1.25</i>
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ <i>3.20</i>
Postmark or Date <i>USPS</i>	

PS Form 3800, April 1995

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (*See front*).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (*no extra charge*).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach, and retain the receipt, and mail the article.
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4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.

P 304 142 485

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	P. M. Walter	
Street & Number	4025 161st St E.	
Post Office, State, & ZIP Code	Noblesville IN 46060	
Postage	\$	.55
Certified Fee		1.40
Special Delivery Fee		
Restricted Delivery Fee		
Return Receipt Showing to Whom & Date Delivered		1.25
Return Receipt Showing to Whom, Date, & Addressee's Address		1999
TOTAL Postage & Fees	\$	3.20
Postmark or Date	USPS	

PS Form 3800, April 1995

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (*See front*).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (*no extra charge*).
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4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.

P 304 142 490

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to <i>R. Myers</i>	
Street & Number <i>130 Senator Way</i>	
Post Office, State, & ZIP Code <i>Ann Arbor In 46032</i>	
Postage	\$ <i>.55</i>
Certified Fee	<i>1.40</i>
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	<i>1.25</i>
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ <i>3.20</i>
Postmark or Date	

Ann Arbor In 46032
APR 19 1999
USPS

PS Form 3800, April 1995

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (See front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (*no extra charge*).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach, and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.

P 304 142 480

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to: J. B.A. Swonak	
Street & Number 17869 Sandy Run Ct.	
Post Office, State, & ZIP Code Noblesville In 46060	
Postage	\$.55
Certified Fee	1.40
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.25
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 3.20
Postmark or Date	

PS Form 3800, April 1995

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (See front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (*no extra charge*).
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4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.

P 304 142 483

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	
Royce Delores Cooper	
Street & Number	
4160 161st St. E.	
Post Office, State, & ZIP Code	
Noblesville In 46060	
Postage	\$.55
Certified Fee	1.40
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.25
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 3.20
Postmark or Date	

USPS

PS Form 3800, April 1995

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (See front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (*no extra charge*).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach, and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.

P 304 142 488

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to <i>Coots Henke : Wheeler</i>	
Street & Number <i>255 Camel Dr. E.</i>	
Post Office, State, & ZIP Code <i>Camel Dr 46032</i>	
Postage	\$ <i>.55</i>
Certified Fee	<i>1.40</i>
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	<i>1.25</i>
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ <i>3.20</i>
Postmark or Date	

PS Form 3800, April 1995

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (*See front*).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (*no extra charge*).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach, and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.

P 304 142 481

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to <i>George & Melinda Lang</i>	
Street & Number <i>16544 Gray Rd N.</i>	
Post Office, State, & ZIP Code <i>Noblesville, IN 46060</i>	
Postage	\$ <i>.58</i>
Certified Fee	<i>1.40</i>
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	<i>1.25</i>
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ <i>3.20</i>
Postmark or Date	

USPS

PS Form 3800, April 1995

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (*See front*).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (*no extra charge*).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach, and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.

P 304 142 491

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to <i>L. L. Manning</i>	
Street & Number <i>5339 Cotton Bay W. Dr.</i>	
Post Office, State, & ZIP Code <i>Indpls In 46254</i>	
Postage	\$ <i>.55</i>
Certified Fee	<i>1.40</i>
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	<i>1.25</i>
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ <i>3.20</i>
Postmark or Date <i>USPS</i>	

PS Form 3800, April 1995

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (See front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (*no extra charge*).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach, and retain the receipt, and mail the article.
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5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.

P 304 142 482

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to Dean: Carolyn Omore	
Street & Number 16240 Gray Rd N.	
Post Office, State, & ZIP Code Noblesville In 46060	
Postage	\$.55
Certified Fee	1.40
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.25
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 3.20
Postmark or Date USPS	

PS Form 3800, April 1995

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (*See front*).

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6. Save this receipt and present it if you make an inquiry.

P 304 142 487

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to D. F. Reese	
Street & Number 4007 161st St. E.	
Post Office, State, & ZIP Code Hobbsville, In 46060	
Postage	\$.55
Certified Fee	1.40
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.25
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 3.20
Postmark or Date USPS	

PS Form 3800, April 1995

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (*See front*).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (*no extra charge*).
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5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.

P 304 142 486

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to C. Merritt	
Street & Number 3945 161st St. E	
Post Office, State, & ZIP Code Noblesville In 46060	
Postage	\$.55
Certified Fee	1.40
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.25
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 3.20
Postmark or Date	

PS Form 3800, April 1995

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (See front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (*no extra charge*).
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5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.



Langston

Development CO. INC.

1132 S. Rangeline Rd

Suite 100

Carmel, Indiana 46032

317 846-7017

fax 317 846-0217

www.langstondev.com

CERTIFIED

P 304 142 489

**RETURN RECEIPT
REQUESTED**

MAIL

**RETURN TO SENDER
UNCLAIMED
NOBLESVILLE, IN 46060**

Randall & Leslie Emerson
17016 Emerald Ct.
Westfield, In. 46074

EMER016 460742007 1898 02 07/15/99
NOTIFY SENDER OF NEW ADDRESS
EMERSON
16136 HADDAM LN
NOBLESVILLE IN 46060-8243



Fwd

NAME R. Emerson

1st Notice 7-11

2nd Notice 7-22

Return 8-1



Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- ☐ Complete items 1 and/or 2 for additional services. Complete items 3, 4a, and 4b.
- ☐ Print your name and address on the reverse of this form so that we can return this card to you.
- ☐ Attach this form to the front of the mailpiece, or on the back if space does not permit.
- ☐ Write "Return Receipt Requested" on the mailpiece below the article number.
- ☐ The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

3. Article Addressed to:

Randall; Leslie Emerson
17016 Emerald Ct.
Westfield, In 46074

4a. Article Number

304-142-489

4b. Service Type

- ☐ Registered ☒ Certified
- ☐ Express Mail ☐ Insured
- ☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

5. Received By: (Print Name)

6. Signature (Addressee or Agent)

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

Westfield-Washington Township
Board of Zoning Appeals
99-V-28

The Board of Zoning Appeals will hold a Public Hearing on the 16th day of August 1999, at 7:00 p.m. at the Westfield Town Hall, 130 Penn Street, Westfield, Indiana 46074. The application, 99-V-28, submitted by Langston Development Company, Inc. requests variances of development standards (lot size, frontage, and subdivision platting requirements) to permit the division of "Block A" Woodshire into sites for four single family residences, in the AG-SF1 district, at 3820 East 161st Street, more particularly described as follows:

Legal description on file with
Westfield Community Development Department.

Written suggestions or objections relative to the application may be filed with the Westfield-Washington Township Community Development Department at or before such meeting. Interested persons desiring to present their views upon the variance either in writing or verbally, will be given the opportunity to be heard at the above-mentioned time and place.

Board of Zoning Appeals
Westfield, Indiana
By: Langston Development Company



Langston

Development CO. INC.

317 846-7017

1132 S. Rangeline Rd

Suite 100

Carmel, Indiana 46032

Langston Development Company, Inc.

Woodshire Block "A"

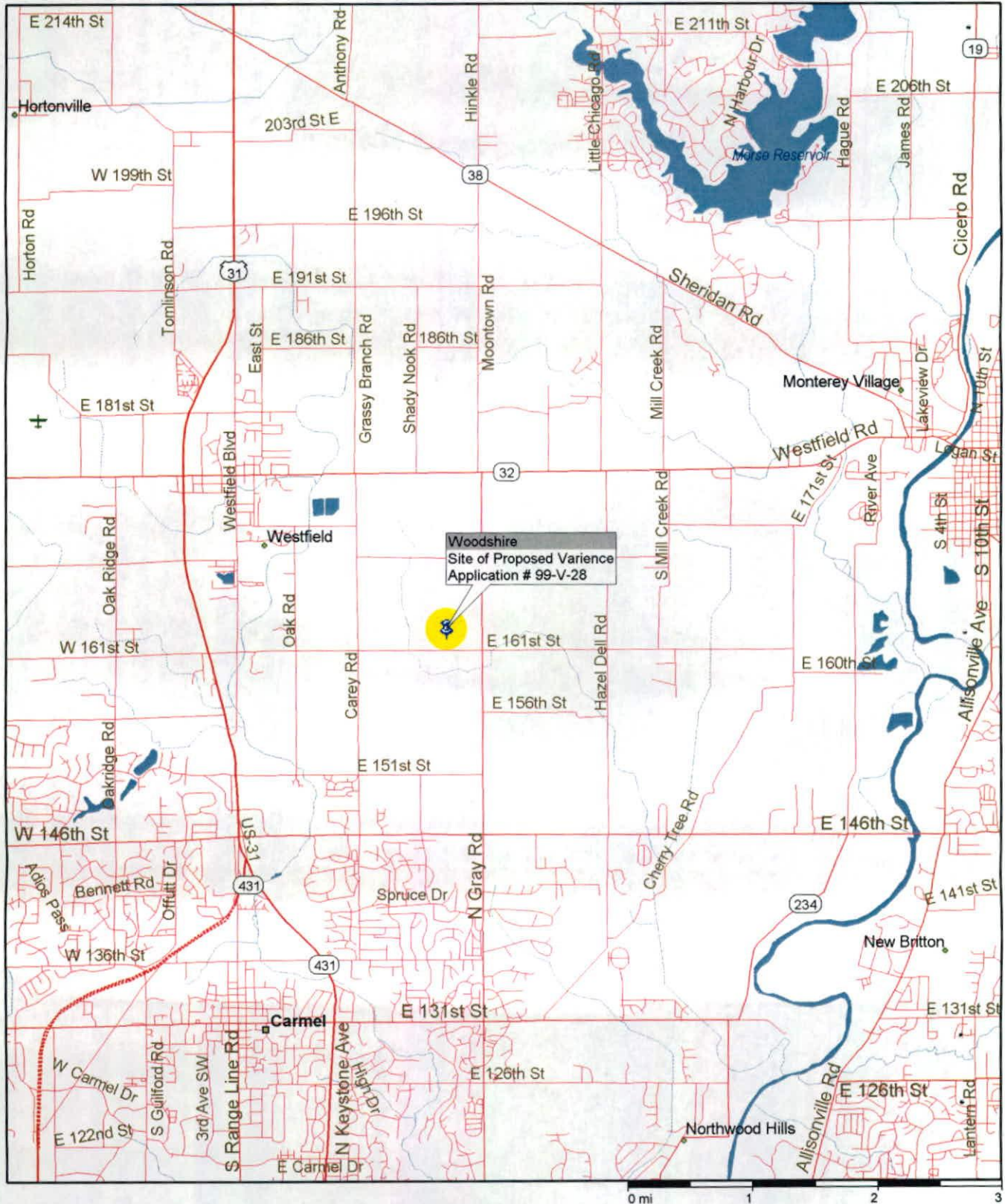
Zoning Variance Request

With the success of the Woodshire development, 25 of the 28 lots have been sold to date, Langston Development is planning the division of the undeveloped area of Woodshire denoted as Block A. After creating several layouts, we have determined the best use of this ground would be the creation of 4 single family residences accessed through a private drive. In order to facilitate this development Langston Development is requesting a variance in minimum lot size, frontage road requirement, and subdivision platting developmental standards to permit this division of Block "A". We are requesting these variances in order to preserve as many trees as possible in this area. As shown on Exhibit "A", Block A consists of 14.72 acres of heavily wooded, mature trees. If we were to plat and develop this parcel as a traditional subdivision meeting all road width and construction requirements, significantly more trees would have to be removed than if a private drive was used to access the home sites in this area.

A sample plan was developed, shown in Exhibit "B", that would allow the development of 6 single family residences and meet all of the subdivision requirements. We however, are proposing the construction of an 18' to 20' wide private drive to access only 4 residences. The private drive would be located within the 40' access easement shown on Exhibit "C". We chose a 40' wide easement to allow us to wind the drive and minimize the impact on the existing trees. Exhibit "D" displays the minimum requirements for AG-SF 1 lots and the statistics on the 4 proposed lots in Woodshire Block A. As denoted with the blue background, only one requirement on lot 30 and lot 32 is not met. Lot 30 does not have any of the required 250 feet of road frontage and lot 32 is .27 acres short of meeting the three acre requirement.

Langston Development - Woodshire Block A Variance Request

Application Number 99-V-28, Public Hearing August 16, 1999



Streets98



Block A
14.72 Acres

Exhibit C

19

20

21

Prop. pond

Lot 30-5.16 acres

Lot 29-3.66 acres

Lot 32-2.73 acres

Lot 31-3.16

161st STREET

SOUTH LINE W 1/2 NE 1/4
SEC. 8, T18N, R4E
N89°58'04"E 1325.68'

WESTFIELD - WASHINGTON TOWNSHIP
WOODSHIRE - BLOCK A VARIANCE

	LOT AREA	ROAD FRONTAGE	SET BACK LINES			BUILDING LINE WIDTH	BUILDING HEIGHT	GROUND LEVEL SQUARE FOOTAGE
			FRONT	SIDE	REAR			
MINIMUM REQUIREMENTS	3 Acres	250 Feet	100 Feet Arterials 80 Feet Other Streets	30 Feet	30 Feet	N/A	2 1/2 Stories or 35 Feet	Ranch - 1350 Other - 800
LOT 29	3.66 Acres	303.08	✓	✓	✓	✓	✓	3000 Total Sq Ft.
LOT 30	5.16 Acres	0	✓	✓	✓	✓	✓	3000 Total Sq Ft.
LOT 31	3.16 Acres	352.57	✓	✓	✓	✓	✓	3000 Total Sq Ft.
LOT 32	2.73 Acres	619.86	✓	✓	✓	✓	✓	3000 Total Sq Ft.

Variences Needed

Lot 30 250 Road Frontage Required - Lot 30 Has no road frontage
 Lot 32 3 acres Required - Lot 32 is .27 acres less than 3 acres



Langston

Development CO. INC.

1132 S. Rangeline Rd
Suite 100

Carmel, Indiana 46032

317 846-7017

fax 317 846-0217

www.langstondev.com

CERTIFIED

P 304 142 492

RETURN RECEIPT
REQUESTED

MAIL

Michael & Joanne Penso
16316 Haddam Lane
Noblesville, In. 46060

RETURN TO SENDER
UNCLAIMED
NOBLESVILLE, IN 46060

RECEIVED AUG - 9 1999



JUL 07 1999

NAME Row

1st Notice 7-14

2nd Notice 7-13

Return 7-13



Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- ☐ Complete items 1 and/or 2 for additional services.
Complete items 3, 4a, and 4b.
- ☐ Print your name and address on the reverse of this form so that we can return this card to you.
- ☐ Attach this form to the front of the mailpiece, or on the back if space does not permit.
- ☐ Write "Return Receipt Requested" on the mailpiece below the article number.
- ☐ The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

3. Article Addressed to:

Michael : Joanne Penso
16316 Haddam Rd.
Noblesville, IN 46060

4a. Article Number

304-142-492

4b. Service Type

- ☐ Registered ☒ Certified
- ☐ Express Mail ☐ Insured
- ☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

5. Received By: (Print Name)

6. Signature (Addressee or Agent)

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

Westfield-Washington Township
Board of Zoning Appeals
99-V-28

The Board of Zoning Appeals will hold a Public Hearing on the 16th day of August 1999, at 7:00 p.m. at the Westfield Town Hall, 130 Penn Street, Westfield, Indiana 46074. The application, 99-V-28, submitted by Langston Development Company, Inc. requests variances of development standards (lot size, frontage, and subdivision platting requirements) to permit the division of "Block A" Woodshire into sites for four single family residences, in the AG-SF1 district, at 3820 East 161st Street, more particularly described as follows:

Legal description on file with
Westfield Community Development Department.

Written suggestions or objections relative to the application may be filed with the Westfield-Washington Township Community Development Department at or before such meeting. Interested persons desiring to present their views upon the variance either in writing or verbally, will be given the opportunity to be heard at the above-mentioned time and place.

Board of Zoning Appeals
Westfield, Indiana
By: Langston Development Company



Langston

Development CO. INC.

317 846-7017

1132 S. Rangeline Rd

Suite 100

Carmel, Indiana 46032

Langston Development Company, Inc.

Woodshire Block "A"

Zoning Variance Request

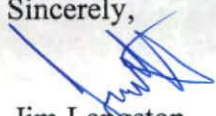
With the success of the Woodshire development, 25 of the 28 lots have been sold to date, Langston Development is planning the division of the undeveloped area of Woodshire denoted as Block A. After creating several layouts, we have determined the best use of this ground would be the creation of 4 single family residences accessed through a private drive. In order to facilitate this development Langston Development is requesting a variance in minimum lot size, frontage road requirement, and subdivision platting developmental standards to permit this division of Block "A". We are requesting these variances in order to preserve as many trees as possible in this area. As shown on Exhibit "A", Block A consists of 14.72 acres of heavily wooded, mature trees. If we were to plat and develop this parcel as a traditional subdivision meeting all road width and construction requirements, significantly more trees would have to be removed than if a private drive was used to access the home sites in this area.

A sample plan was developed, shown in Exhibit "B", that would allow the development of 6 single family residences and meet all of the subdivision requirements. We however, are proposing the construction of an 18' to 20' wide private drive to access only 4 residences. The private drive would be located within the 40' access easement shown on Exhibit "C". We chose a 40' wide easement to allow us to wind the drive and minimize the impact on the existing trees. Exhibit "D" displays the minimum requirements for AG-SF 1 lots and the statistics on the 4 proposed lots in Woodshire Block A. As denoted with the blue background, only one requirement on lot 30 and lot 32 is not met. Lot 30 does not have any of the required 250 feet of road frontage and lot 32 is .27 acres short of meeting the three acre requirement.

A sub-association, consisting of the four lots that will gain access to their lots through the proposed private drive, will be formed to ensure that the private drive will be maintained. This will include snow removal in the winter and continued patching and repaired when needed. The language for this association will be recorded with the existing covenants of Woodshire when these lots are recorded. Thus, the use of these lots will be restricted by the same terms and conditions as the original 28 lots of Woodshire.

In conclusion, we believe the granting of these variances will not have a negative impact on the surrounding community. In fact, by granting the variances to allow us to preserving trees and implement a less dense layout should only enhance the surrounding area. If you should have any questions about this variance request or Woodshire in general please do not hesitate to contact us.

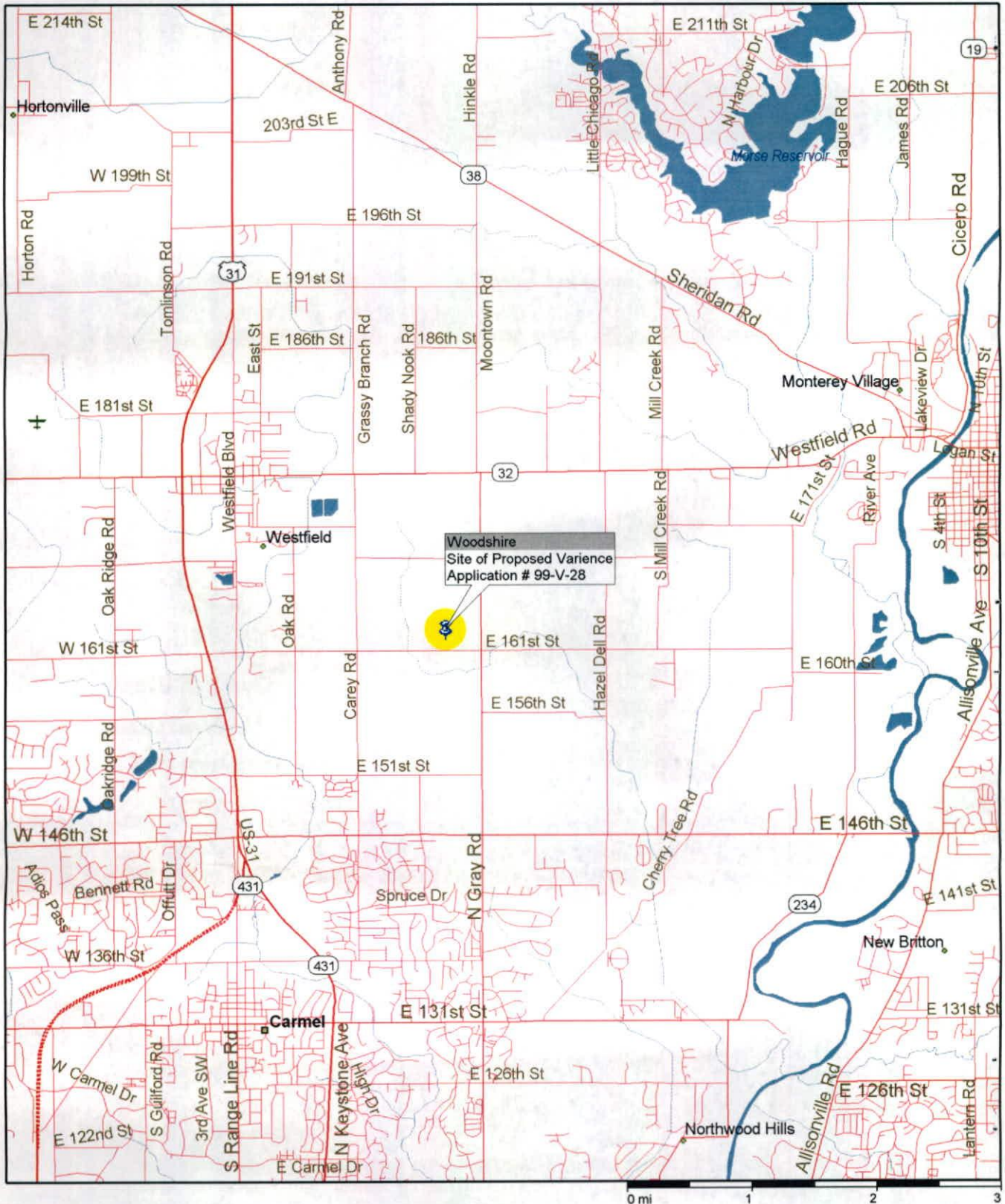
Sincerely,



Jim Langston
Vice President
Langston Development

Langston Development - Woodshire Block A Variance Request

Application Number 99-V-28, Public Hearing August 16, 1999



Streets98



This is an aerial photograph of a rural area, likely a farm or undeveloped land. A large, irregular area is outlined in red, representing 'Block A'. The area is divided into numerous smaller parcels, each labeled with a blue number. The numbers are arranged in a grid-like fashion, with some parcels being larger than others. The terrain appears to be a mix of fields and wooded areas. A yellow box with black text is located in the lower right quadrant of the red-outlined area.

Block A
14.72 Acres

Exhibit C

19

20

21

Prop. pond

Lot 30-5.16 acres

Lot 29-3.66 acres

Lot 32-2.73 acres

Lot 31-3.16

HADDAM LANE

1

161st STREET

SOUTH LINE W 1/2 NE 1/4
SEC. 8, T18N, R4E
N89°58'04"E 1325.68'

WESTFIELD - WASHINGTON TOWNSHIP

WOODSHIRE - BLOCK A VARIANCE

	LOT AREA	ROAD FRONTAGE	SET BACK LINES			BUILDING LINE WIDTH	BUILDING HEIGHT	GROUND LEVEL SQUARE FOOTAGE
			FRONT	SIDE	REAR			
MINIMUM REQUIREMENTS	3 Acres	250 Feet	100 Feet Arterials 80 Feet Other Streets	30 Feet	30 Feet	N/A	2 1/2 Stories or 35 Feet	Ranch - 1350 Other - 800
LOT 29	3.66 Acres	303.08	✓	✓	✓	✓	✓	3000 Total Sq Ft.
LOT 30	5.16 Acres	0	✓	✓	✓	✓	✓	3000 Total Sq Ft.
LOT 31	3.16 Acres	352.57	✓	✓	✓	✓	✓	3000 Total Sq Ft.
LOT 32	2.73 Acres	619.86	✓	✓	✓	✓	✓	3000 Total Sq Ft.

Variances Needed

Lot 30 250 Road Frontage Required - Lot 30 Has no road frontage
 Lot 32 3 acres Required - Lot 32 is .27 acres less than 3 acres

HAMILTON COUNTY NOTIFICATION LIST

PREPARED BY THE HAMILTON COUNTY AUDITORS OFFICE, DIVISION OF TAX MAPPING

PLEASE NOTIFY THE FOLLOWING PERSONS

8 10-08-00-00-002-000

RIDDELL LTD ✓

1211 116TH ST E

CARMEL IN 46032

1

8 10-08-00-00-004-000

GANG, GEORGE CHARLES & MILDRED ✓

16544 GRAY RD N

NOBLESVILLE IN 46060

2

8 10-08-00-00-008-000

DEAN M & CAROLYN J OMORI ✓

16240 GRAY RD N

NOBLESVILLE IN 46060

3

8 10-08-00-00-009-000

ROYCE O & DELORES M COOPER ✓

4160 161ST ST E

NOBLESVILLE IN 46060

4

8 10-08-00-00-022-000

DAVID J & MITZI K EICHENBERGER ✓

4075 161ST ST E

NOBLESVILLE IN 46060

5

8 10-08-00-00-030-000

PATRICK J & MARGARET MOLTER ✓

4025 161ST ST E

NOBLESVILLE IN 46060

6

8 10-08-00-00-030-001

CHRISTOPHER MERRITT ✓

3945 161ST ST E

NOBLESVILLE IN 46060

7

8 10-08-00-00-030-004

DAVID J & FLORENCE F RIESE ✓

4007 161ST ST E

NOBLESVILLE IN 46060

8

RECEIVED AUG - 9 1999

3820 E. 161st Street. Approval of variances of developmental standards (lot size, frontage, and subdivision platting requirements) to permit the division of "Block A" of Woodshire Subdivision into sites for four (4) single family residences is requested by Langston Development Company, Inc.

COMMENTS:

1. The site of this request is an undeveloped 14.72 acre block located within the Woodshire Subdivision. The 28 lot Woodshire Subdivision obtained preliminary plat approval at the April 22, 1996 meeting of the Plan Commission. Final plat approval was granted on June 24, 1996. The petitioner has indicated that 25 of the 28 lots had been sold at the time of this filing.
2. The petitioner proposes to divide the block into four parts, ranging in size from 2.73 acres to 5.16 acres. Two of the tracts would have frontage along Haddam Lane, a road in the subdivision. Two more would be located behind them and would have no frontage. An independently maintained private drive would provide access from Haddam Lane to all four tracts.
3. The uses permitted in the AG-SF1 district are listed in "CHAPTER 4. ZONING, Section 16.04.030, RESIDENTIAL DISTRICTS - B. Agricultural -Single Family Rural (page 32)", of the "Code of Ordinances, Town of Westfield, Indiana". "SINGLE FAMILY DWELLINGS" and "ACCESSORY BUILDINGS AS RELATED TO AGRICULTURE OR SINGLE FAMILY RESIDENTIAL USE" are listed as being permitted in that zoning classification.
4. "Section 16.04.030, RESIDENTIAL DISTRICTS - B. Agricultural - Single Family Rural, 4. Minimum Lot Area (page 34)" of the code states the following:
 - "Not less than three acres for individual lots
 - Not less than 30,000 square feet in a subdivision approved by the Plan Commission"
5. Section 16.04.030 RESIDENTIAL DISTRICTS, B. Agricultural - Single Family (page 34)" of the same code sets forth the "Minimum Lot Frontage on Road" requirement:
 - Three acre lots - A minimum of 250 foot frontage
 - Lots in subdivisions - 60 feet on cul-de-sac
100 feet on other lots"

6. Section 16.04.210, DEFINITIONS (page 176 -177), of the same code, defines the term "Subdivision", in part, as:

"A division of land into two or more parcels, sites or lots any one of which is less than five acres in area for the purpose of immediate or future transfer or ownership. . . . Provide (*sic*), further, that the division of land of not less than three acres along an existing road or street for the purpose of erecting a single family residence that does not require public sewers or water shall not be considered a subdivision."

7. The ordinance then goes on to set forth the requirements for platting subdivision. "Section 16.04.200 (page 161)" of the code states:

"No plat of a subdivision of land within the jurisdiction of the Westfield-Washington Township Plan Commission shall be recorded until it shall have been approved by the Commission, and such approval shall have been entered in writing on the plan by the President and Secretary of the Commission." (corrected from text)

8. Because the proposed split of the property meets the ordinance's definition of what constitutes a subdivision, a platting procedure would be necessary. This is one ordinance provision from which the petitioner seeks relief.
9. Because the new home site would not be located in a subdivision approved by the Plan Commission, lacks the required amount of frontage, and would result in at least one non-subdivision lot less than 3 acres in size, this petition is made. It is also necessary because site of the existing house would no longer comply with the 250' AG-SF1 frontage requirement.
10. Haddam Lane is under the jurisdiction of the Hamilton County Highway Department, and a permit from that agency needs to be obtained when a new driveway is installed.

RECOMMENDATIONS:

1. The average density that would result from the proposed split would be just under one residence per three acres. This is less than the maximum density possible utilizing the AG-SF1 subdivision platting standards.
2. Aside from the frontage requirement, the four tracts of land, created by the proposed split, would meet the remaining AG-SF1 developmental standards for subdivision lots.
3. Approval is recommended.

Block A
14.72 Acres



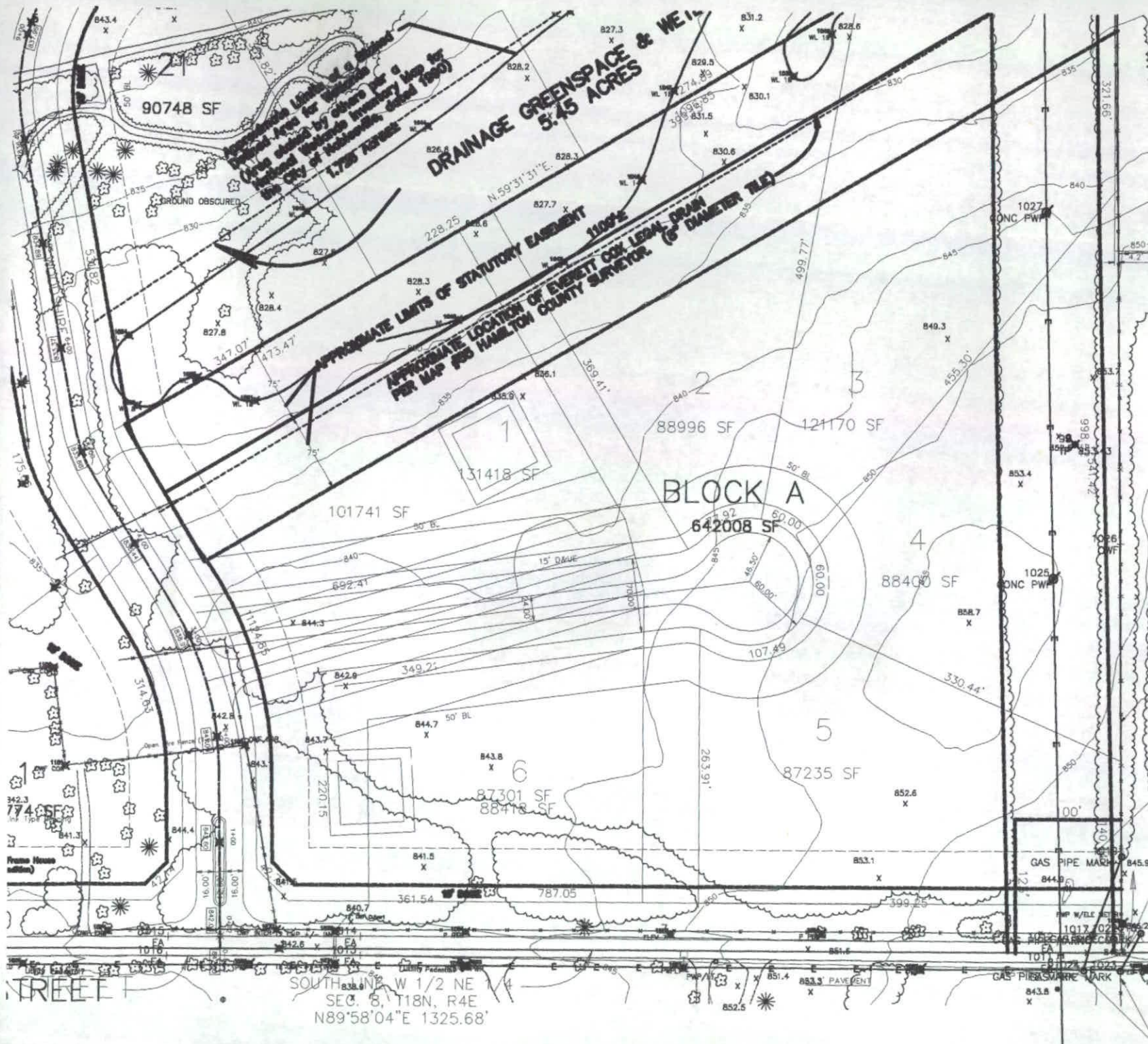
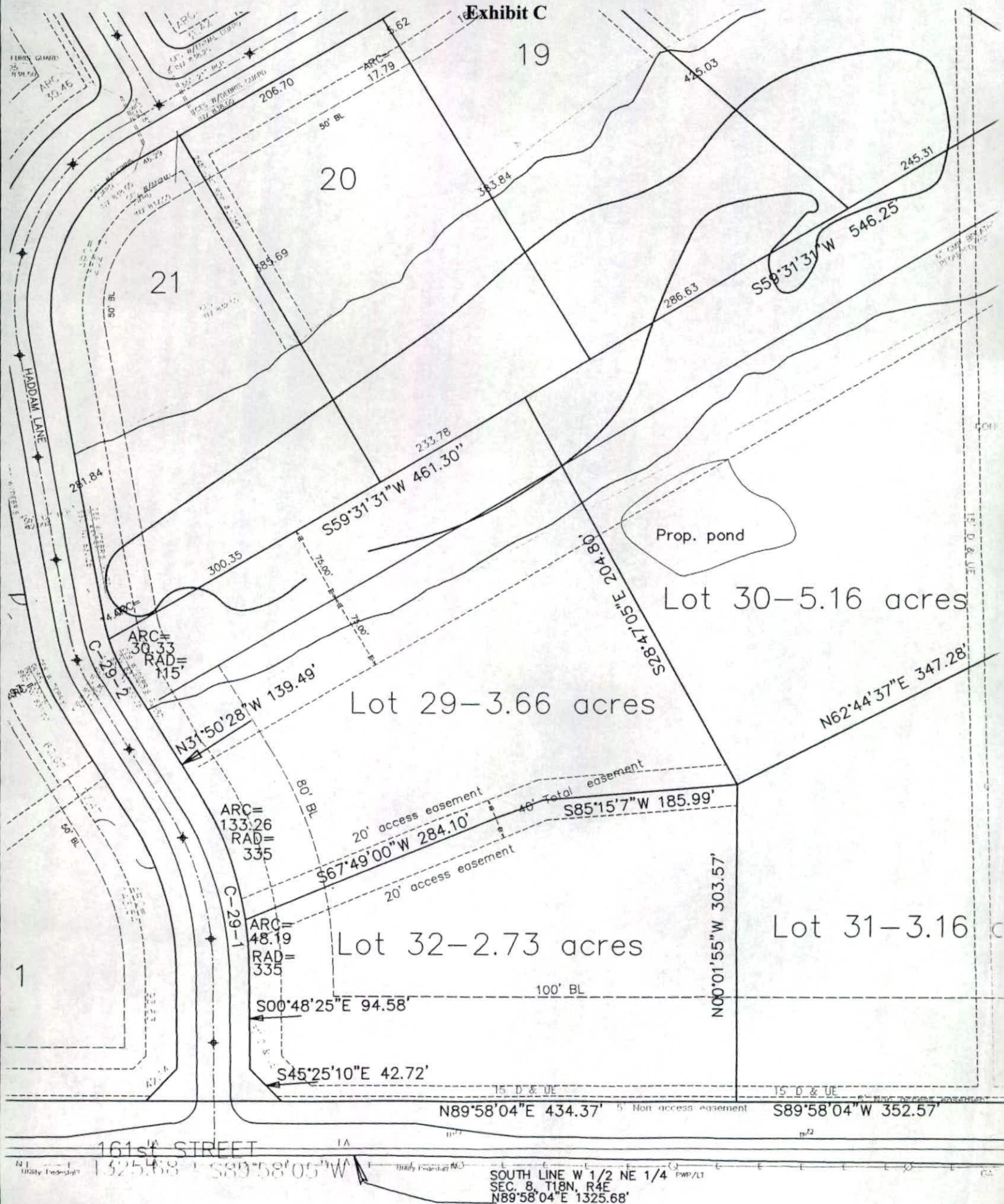


Exhibit C



WESTFIELD - WASHINGTON TOWNSHIP

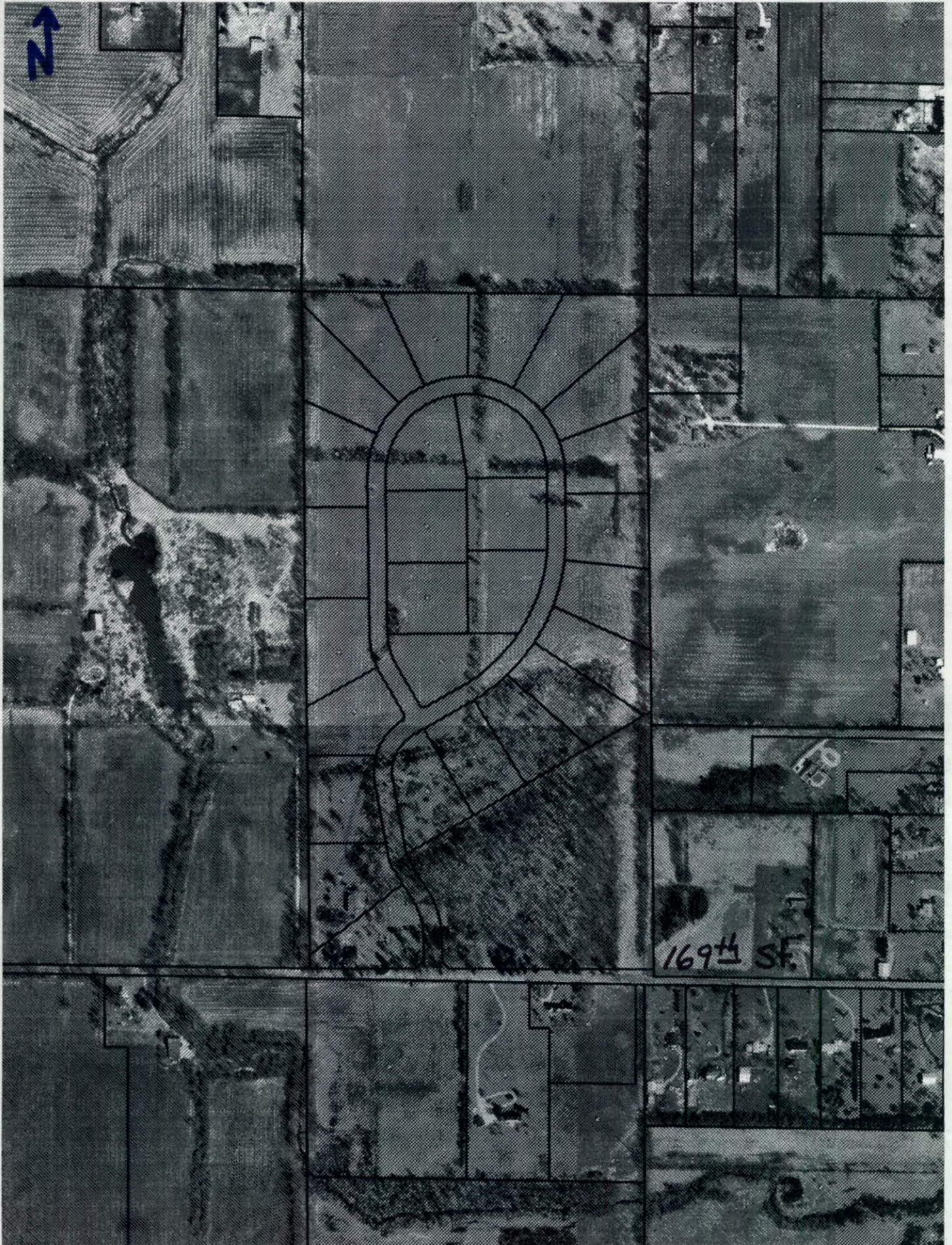
WOODSHIRE - BLOCK A VARIANCE

Exhibit D

	LOT AREA	ROAD FRONTAGE	SET BACK LINES			BUILDING LINE WIDTH	BUILDING HEIGHT	GROUND LEVEL SQUARE FOOTAGE
			FRONT	SIDE	REAR			
MINIMUM REQUIREMENTS	3 Acres	250 Feet	100 Feet Arterials 80 Feet Other Streets	30 Feet	30 Feet	N/A	2 1/2 Stories or 35 Feet	Ranch - 1350 Other - 800
LOT 29	3.66 Acres	303.08	✓	✓	✓	✓	✓	3000 Total Sq Ft.
LOT 30	5.16 Acres	0	✓	✓	✓	✓	✓	3000 Total Sq Ft.
LOT 31	3.16 Acres	352.57	✓	✓	✓	✓	✓	3000 Total Sq Ft.
LOT 32	2.73 Acres	619.86	✓	✓	✓	✓	✓	3000 Total Sq Ft.

Variences Needed

Lot 30 250 Road Frontage Required - Lot 30 Has no road frontage
 Lot 32 3 acres Required - Lot 32 is .27 acres less than 3 acres



Application Number 99-V-28, Public Hearing August 16, 1999



Case #: 99-1-28
Date: 8-16-99
BZA Member: SWAN

Approve

Deny

**TOWN OF WESTFIELD
BOARD OF ZONING APPEALS**

Variance of Developmental Standard
Findings of Fact

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

- b. 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:

- c. The strict application of the terms of the zoning ordinance will / will not result in practical difficulties in the use of the property because:

Case #: 99-1.28
Date: 8-16-99
BZA Member: Miller
Approve Deny

**TOWN OF WESTFIELD
BOARD OF ZONING APPEALS**

Variance of Developmental Standard
Findings of Fact

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

- b. 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:

- c. The strict application of the terms of the zoning ordinance will / will not result in practical difficulties in the use of the property because:

Case #: 99-1.28
Date: 8-16-99
BZA Member: Wood
☒ Approve ☐ Deny

**TOWN OF WESTFIELD
BOARD OF ZONING APPEALS**

Variance of Developmental Standard
Findings of Fact

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

- b. 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:

- c. The strict application of the terms of the zoning ordinance will / will not result in practical difficulties in the use of the property because:

Case #: 99-1-28
Date: 8-16-99
BZA Member: Encl. Present
Approve Deny

**TOWN OF WESTFIELD
BOARD OF ZONING APPEALS**

Variance of Developmental Standard
Findings of Fact

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

OK

- b. 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:

OK

- c. The strict application of the terms of the zoning ordinance will / will not result in practical difficulties in the use of the property because:

OK

No Issue.

No public comment

8/16/99

Case #: 99-1-28
Date: 8-16-99
BZA Member: Payton
☒ Approve ☐ Deny

**TOWN OF WESTFIELD
BOARD OF ZONING APPEALS**

Variance of Developmental Standard
Findings of Fact

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

- b. 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:

- c. The strict application of the terms of the zoning ordinance will / will not result in practical difficulties in the use of the property because:

TOWN OF WESTFIELD



COMMUNITY SERVICES

WESTFIELD WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS
ZONING ENFORCEMENT
PLAN COMMISSION

BUILDING COMMISSIONER
JOHN C. (JACK) WHITE

August 17, 1999

Mr. Jim Langston
Langston Development Co., Inc.
1132 South Rangeline Road, Suite 100
Carmel, IN 46032

Re: Woodshire Subdivision

Dear Mr. Langston:

The Westfield-Washington Township Board of Zoning Appeals met on August 16, 1999, at the Westfield Town Hall to review case number 99-V-28: variances of development standards (lot size, frontage, and subdivision platting requirements) to permit the division of "Block A" of Woodshire Subdivision into sites for four (4) single family residences, in the AG-SF1 district, located at 3820 East 161st Street. A motion was made and seconded to approve the variances as presented. The motion carried with a vote of Yes-5, No-0, and Abstain-0.

Please contact the Community Services Department if you have any questions regarding the matter.

Sincerely,

Sue Ellen Johnson, Secretary
Westfield-Washington Township
Board of Zoning Appeals

VARIANCE APPLICATION

OFFICE
USE ONLY

DOCKET #: 1803-VS-04

FILING DATE:

FILING FEE: \$ _____ FEE PLUS \$ _____ PER ADDITIONAL VARIANCE (@ _____) = \$ FEB 02 2018

PRE-FILING CONFERENCE

PRE-FILING CONFERENCE WITH: Ms Pamela Howard (STAFF NAME) DATE: 2/1/18

PRIOR OR RELATED DOCKET NUMBERS

CHANGE OF ZONING: _____ AMENDMENTS: _____ DEVELOPMENT PLAN: _____

PRIMARY PLAT: _____ SECONDARY PLAT: _____ VARIANCE(S): _____

APPLICANT INFORMATION

APPLICANT'S NAME: Gennadiy Kelmarson TELEPHONE: 317-679-4449

ADDRESS: 16133 Haddam Lane EMAIL: Gepakelm@gmail.com

PROPERTY OWNER'S NAME: Gennadiy and Svetlana Kelmarson TELEPHONE: 317-679-4449

ADDRESS: 16133 Haddam Lane EMAIL: same

REPRESENTATIVE'S NAME: Raymond J. Hafsten Jr TELEPHONE: 317-635-2244

COMPANY: Attorney EMAIL: hafsten@sbcglobal.net

ADDRESS: 841 N. Park Indpls, IN 46202

PROPERTY AND PROJECT INFORMATION

ADDRESS OR PROPERTY LOCATION: 16133 Haddam Lane Westfield, IN

COUNTY PARCEL ID #(S): 08-10-08-00-01-029.002

EXISTING ZONING DISTRICT(S): AG SF1 EXISTING LAND USE(S): Residential

VARIANCE REQUEST

☐ VARIANCE OF LAND USE CODE CITATION: _____☒ VARIANCE OF DEVELOPMENT STANDARD(S) CODE CITATION: 4.2C, 4.2D, 4.2e1, 4.2i

FINDINGS OF FACT: (PLEASE SEE ATTACHED)

STATEMENT OF INTENT (EXPLANATION OF REQUEST - ATTACH SEPARATE SHEET IF NECESSARY):

To divide the realty in two separate parcels
as illustrated to/in attached exhibit A

FINDINGS OF FACT (VARIANCE OF DEVELOPMENT STANDARD)

APPLICANT: Georgiy Kelmarson

DOCKET #: _____

In taking action on a variance request, the Board of Zoning Appeals uses the following decision criteria to approve or deny a variance, as established by Indiana Code, and the Board may impose reasonable conditions as part of its approval. The applicant must address the criteria below (if multiple variances of development standard are being requested, then this sheet should be completed separately for each requested variance). A variance of land use may be approved by the Board of Zoning Appeals only upon a determination that the Board finds all of the following to be true:

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

The division of the parcel into two equals 1.83 acre parcels will provide two residential conforming homes. The two parcels have access to city water.

- B. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because: _____

The addition of another residence conforming to the covenants, conditions and restrictions of Woodshire Subdivision will enhance adjacent property value, and revenue to the city of Westfield

- C. The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property because: _____

Not all parcels in Woodshire conform to a 3 acre size. There is no reason to ask for such an acreage for water and septic because the parcels have city water. There are two contiguous parcels/ lots to the north which are functionally equivalent to the requested divided parcel. The division would/will result in ~~1~~ ² equal lots of 1.83 acres

APPLICANT AFFIDAVIT

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath says that above information is true and correct as he/she is informed and believes and that Applicant owns or controls the property involved in this application.

[Signature]
Applicant/Representative (signature)

Georgiy Kelman son
Applicant/Representative (printed)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the above party, who having been duly sworn acknowledged the execution of the foregoing Application.

Witness my hand and Notarial Seal this 1st day of February, 2019.

State of Indiana, County of Hamilton, SS:



Kristen M Sparks
Notary Public Signature
Kristen M Sparks
Notary Public (printed)

PROPERTY OWNER AFFIDAVIT

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath says they are the owners of the property involved in this application and that they hereby acknowledge and consent to the foregoing Application.

[Signature]
Property Owner (signature)*

Georgiy Kelman son
Property Owner (printed)
Svetlana Kelman son

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the Property Owner, who having been duly sworn acknowledged and consents to the execution of the foregoing Application.

Witness my hand and Notarial Seal this 1st day of February, 2019.

State of Indiana, County of Hamilton, SS:



Kristen M Sparks
Notary Public Signature
Kristen M. Sparks
Notary Public (printed)

*A signature from each party having interest in the property involved in this application is required. If the Property Owner's signature cannot be obtained on the application, then a notarized statement by each Property Owner acknowledging and consenting to the filing of this application is required with the application.

DULY ENTERED FOR TAXATION
Subject to final acceptance for transfer

29 day of June, 2000

J. M. G. Auditor
Hamilton County

Parcel # 08-10-08-00-01

16.00
②

200000031807
Filed for Record in
HAMILTON COUNTY, INDIANA
MARY L. CLARK
On 06-29-2000 At 03:04 pm.
WARR DEED 16.00

Warranty Deed

THIS INDENTURE WITNESSETH, That LANGSTON DEVELOPMENT COMPANY, INC., an Indiana Corporation ("Grantor"), CONVEYS AND WARRANTS to Gennadiy Kelmanson ("Grantee"), for the sum of Ten Dollars (\$10) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described Real Estate in Hamilton County, State of Indiana:

*and Svetlana Kelmanson, Husband and Wife

Parcel "A-3": Part of Block "A" of Woodshire, a subdivision in Hamilton County, Indiana, as per plat thereof, recorded December 3, 1996 as Instrument No. 9650688, amended by Certificate of Correction recorded as Instrument No. 9652794 in the Office of the Recorder of Hamilton County, Indiana, described as follows: Commencing at the Northeast corner of Block "A" of Woodshire, as per plat thereof, recorded as Instrument No. 9650688 in Plat Cabinet One, on Slide 743 in the Office of the Recorder of Hamilton County, Indiana; thence South 59 degrees 31 minutes 31 seconds West (assumed bearing) on the Northerly line of said Block "A", a distance of 633.80 feet to the PLACE OF BEGINNING of the within described real estate; thence continuing South 59 degrees 31 minutes 31 seconds West on the Northerly line of said BLOCK "A", a distance of 461.30 feet to the Northwesterly corner of said BLOCK "A", said corner being on the Easterly right-of-way line of Haddam Lane and on a curve having a radius of 115.00 feet; thence Southeasterly, curving to the left on said curve and the Westerly line of said BLOCK "A", being also the Easterly right-of-way line of Haddam Lane, an arc distance of 30.33 feet to the point of tangency of said curve at a point that is 115.00 feet South 58 degrees 09 minutes 32 seconds West of the radius point of said curve; thence South 31 degrees 50 minutes 28 seconds East on the Westerly line of said BLOCK "A" and right-of-way line, a distance of 139.49 feet to the point of curvature of a curve to the right having a radius of 335.00 feet; thence Southeasterly, curving to the right on said Westerly line of BLOCK "A" and right-of-way line, an arc distance of 133.45 feet to a point that is 48 feet Northwesterly of the point of tangency of said curve; thence North 67 degrees 49 minutes 00 seconds East 307.46 feet; thence North 85 degrees 15 minutes 07 seconds East 186.00 feet to a point on a line that bears South 28 degrees 47 minutes 05 seconds East from the place of beginning; thence North 28 degrees 47 minutes 05 seconds West on said line 425.32 feet to the place of beginning.

Subject to an Access, Drainage, Utility and Sign Easement, being twenty feet by parallel lines off the entire southerly side of the above described real estate.

Subject further to all easements and rights-of-way of record, including, but not limited to the easements as set out in the plat of said Woodshire Subdivision.

Subject to the recorded Covenants, Conditions and Restrictions of the said Woodshire Subdivision.

Subject to real estate taxes for 2000 due and payable in May 2001 and all real estate taxes due and payable thereafter.

Grantor certifies that there is not Indiana Gross Tax due with respect to this conveyance.

The undersigned persons executing this deed on behalf of Grantor represent and certify that they are duly authorized officers of Grantor and have been fully empowered and duly authorized by all necessary action of Grantor to execute and deliver this Warranty Deed; that Grantor has full capacity to convey the Real Estate described herein; and that all necessary action for the making of such conveyance has been taken or done.

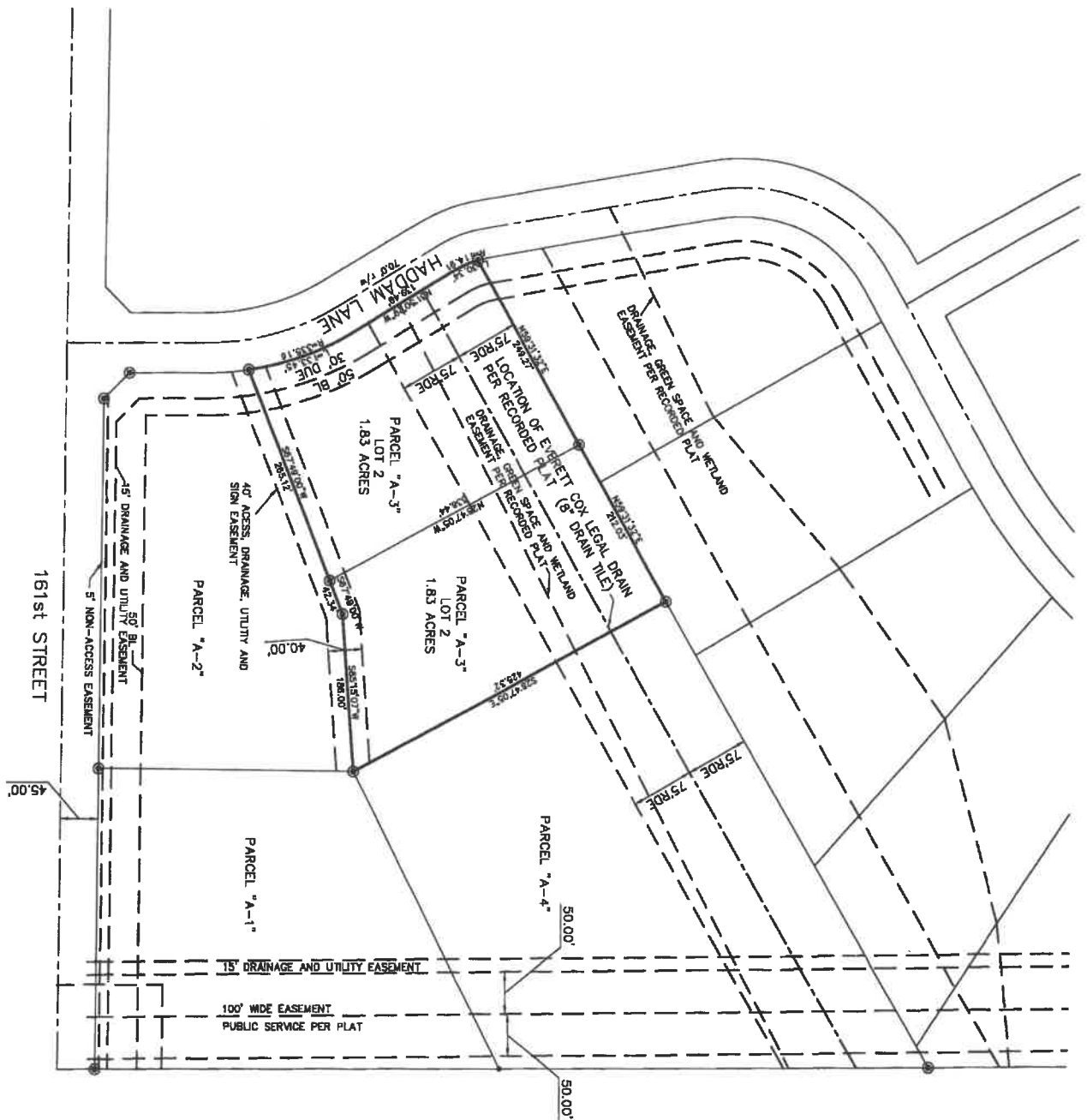


Exhibit A

AFFIDAVIT OF NOTICE OF PUBLIC HEARINGDOCKET #: 1803-VS-04PUBLIC HEARING DATE: March 13, 2018APPLICANT'S NAME: Gennady KelmarsonREPRESENTATIVE'S NAME: Raymond J. Hafsten, Jr COMPANY: Attorney

PROJECT TO BE KNOWN AS: _____

APPLICATION TYPE: ☐ CHANGE OF ZONING ☐ TEXT AMENDMENT ☐ COMMITMENTS ☐ PRIMARY PLAT
☐ DEVELOPMENT PLAN (SITE PLAN) ☒ BOARD OF ZONING APPEALS (VARIANCE, SPECIAL EXCEPTION)

PUBLIC NOTICE AFFIDAVIT

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath does hereby certify that notice of public hearing to consider above petition was sent by certified, registered or first class mail to the last known address of each of the following persons, as attached hereto as **Exhibit A**, they being all persons to whom notice was required to be sent by the Plan Commission's Rules of Procedure, and that said notices were postmarked on the 12 day of Feb, 2018, being at least ten (10) days prior the scheduled public hearing.

I (We) further certify that the notice required to be posted on the subject property described in the above petition was posted on the subject property in accordance with the Plan Commission's Rules of Procedures on the 13 day of Feb, 2018, being at least ten (10) days prior the scheduled public hearing.

[Signature]
Applicant/Representative (signature)*

Gennady Kelmarson
Applicant/Representative (printed)

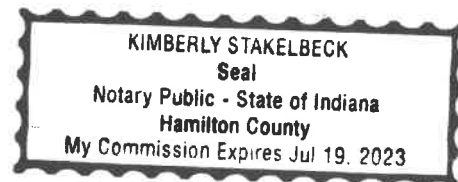
Before me the undersigned, a Notary Public in and for said County and State, personally appeared the above party, who having been duly sworn acknowledged the execution of the foregoing instrument.

Witness my hand and Notarial Seal this 13 day of February, 2018.

State of Indiana, County of Hamilton:

[Signature]
Notary Public Signature

Kimberly Stakelbeck
Notary Public (printed)



HAMILTON COUNTY AUDITOR

I, ROBIN M. MILLS, AUDITOR OF HAMILTON COUNTY, INDIANA, CERTIFY MY OFFICE HAS SEARCHED OUR RECORDS AND BASED ON THAT SEARCH, IT APPEARS THAT THE PROPERTY OWNERS MARKED AS NEIGHBORS ARE THE PROPERTY OWNERS THAT ARE TWO PROPERTIES OR 660' FEET FROM THE REAL ESTATE MARKED AS SUBJECT PROPERTY.

THIS DOCUMENT DOES NOT CERTIFY THAT THE ATTACHED LIST OF PROPERTY OWNERS IS ACCURATE OR INCLUDES ALL PROPERTY OWNERS ENTITLED TO NOTICE PURSUANT TO LOCAL ORDINANCE. ANY PERSON SEEKING A MORE ACCURATE SEARCH OF THE REAL ESTATE RECORDS OF THE COUNTY SHOULD SEEK THE OPINION OF A TITLE INSURANCE COMPANY.

ROBIN M. MILLS, HAMILTON COUNTY AUDITOR

DATED:

Barton Griesenauer 2/8/2018

SUBJECT PROPERTY:

08-10-08-00-01-029.002	Subject
Kelmanson, Gennadiy & Svetlana	
16133 HADDAM LN	
Westfield	IN 46062

Pursuant to the provisions of Indiana Code 5-14-3-3-(e), no person other than those authorized by the County may reproduce, grant access, deliver, or sell any information obtained from any department or office of the County to any other person, partnership, or corporation. In addition any person who receives information from the County shall not be permitted to use any mailing list, addresses, or databases for the purpose of selling, advertising, or soliciting the purchase of merchandise, goods, services, or to sell, loan, give away, or otherwise deliver the information obtained by the request to any other person.

HAMILTON COUNTY NOTIFICATION LIST

PLEASE NOTIFY THE FOLLOWING PERSONS

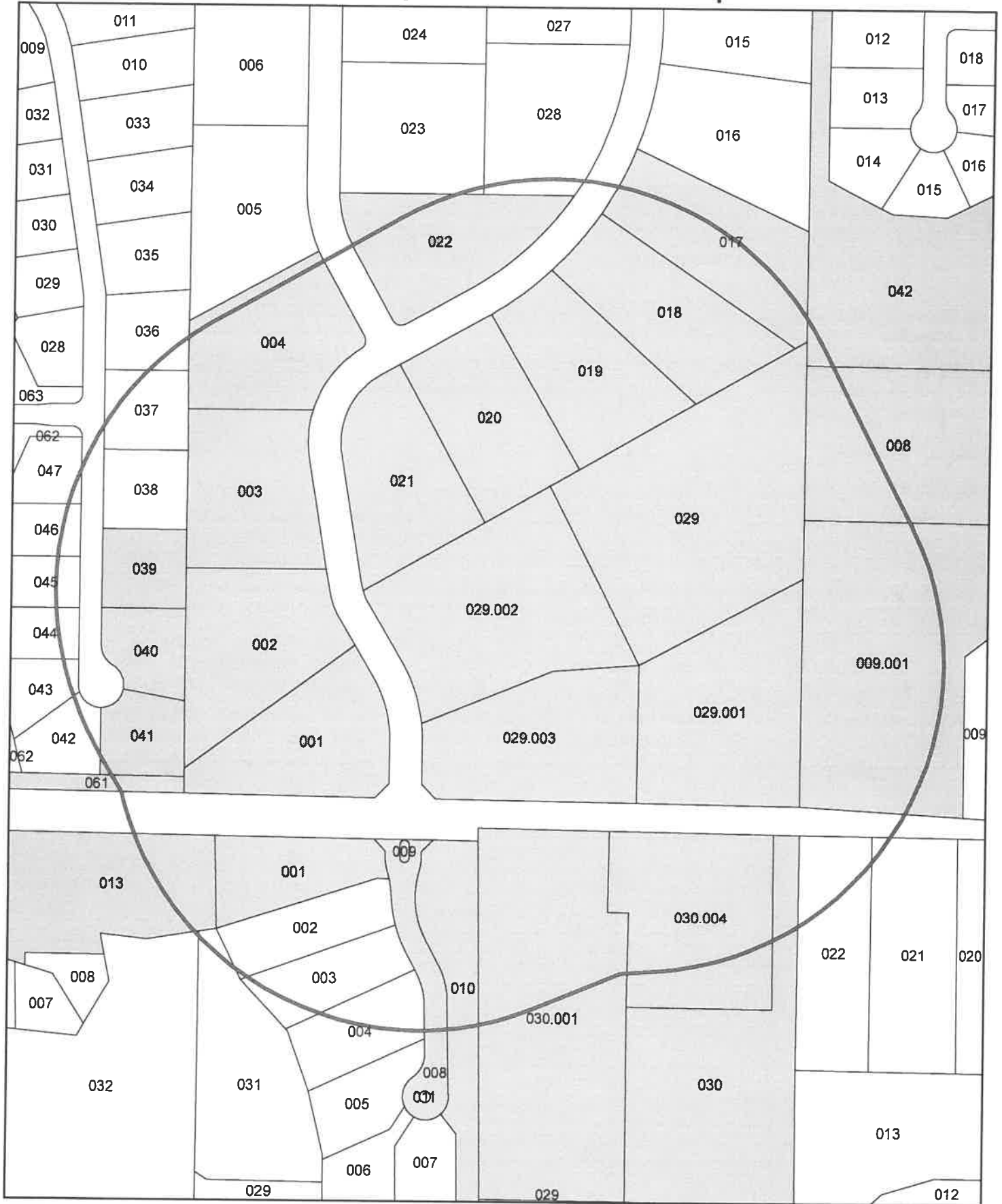
08-10-08-00-00-008.000	Neighbor
Omori, Dean M & Carolyn J	
16240 Gray Rd N	
Westfield IN 46062	
08-10-08-00-00-009.001	Neighbor
Delong, Kurt E	
17377 Little Eagle Creek	
Westfield IN 46074	
08-10-08-00-00-030.000	Neighbor
Molter, Patrick J & Margaret	
4025 E 161ST ST	
Westfield IN 46062	
08-10-08-00-00-030.001	Neighbor
Merritt, Christopher	
3945 E 161ST ST	
Westfield IN 46062	
08-10-08-00-00-030.004	Neighbor
Loane, Kevin & Stephanie	
4007 E 161ST ST	
Westfield IN 46062	
08-10-08-00-01-001.000	Neighbor
Richardson, C Todd & Debra K	
16128 HADDAM LN	
Westfield IN 46062	
08-10-08-00-01-002.000	Neighbor
Fleming, Ryan C & Aimee	
16136 HADDAM LN	
Westfield IN 46062	
08-10-08-00-01-003.000	Neighbor
Kemper, Lawrence J & Kelley J	

16218 HADDAM LN		
Westfield	IN	46062
08-10-08-00-01-004.000		Neighbor
Patton, Troy & Kim		
16308 GREENWICH DR		
Westfield	IN	46062
08-10-08-00-01-017.000		Neighbor
Hartford, W B & M R		
16401 HADDAM LN		
Westfield	IN	46062
08-10-08-00-01-018.000		Neighbor
Schiffer, Adam H & Karen Lamott Schiffer		
16323 HADDAM LN		
Westfield	IN	46062
08-10-08-00-01-019.000		Neighbor
Smith, Frank & Lynn H		
16311 HADDAM LN		
Westfield	IN	46062
08-10-08-00-01-020.000		Neighbor
Hovhanessian, Banipal & Sleen K		
16303 HADDAM LN		
Westfield	IN	46062
08-10-08-00-01-021.000		Neighbor
Manning, Lonnie D & Linda S		
16239 HADDAM LN		
Westfield	IN	46062
08-10-08-00-01-022.000		Neighbor
Hadden, Jeffery C & Tracy H		
16317 GREENWICH DR		
Westfield	IN	46062
08-10-08-00-01-029.000		Neighbor
Dickerson, James N & Kathleen Jo		
16129 HADDAM LN		

Westfield	IN	46062
08-10-08-00-01-029.001		Neighbor
Baker, Robert V & Sheila L		
16125 HADDAM LN		
Westfield	IN	46062
08-10-08-00-01-029.003		Neighbor
Gutrich, William F & Janet L		
16121 Haddam Ln		
Noblesville	IN	46062
08-10-08-00-02-039.000		Neighbor
Spoljaric, Andrew J & Cindy L		
16131 Chancellors Ridge Way		
Westfield	IN	46062
08-10-08-00-02-040.000		Neighbor
Heirbrandt, Mark & Gina M		
16121 Chancellors Ridge Way		
Westfield	IN	46062
08-10-08-00-02-041.000		Neighbor
Munneke, Dwayne M & Diane L h&w		
16109 Chancellors Ridge Way		
Westfield	IN	46062
08-10-08-00-02-061.000		Neighbor
Brookside Property Owners Association Inc		
PO Box 1706		
Carmel	IN	46082
08-10-08-00-06-001.000		Neighbor
Wise, Mark E & Abby M		
16062 Colleton Ct		
Carmel	IN	46033
08-10-08-00-06-008.000		Neighbor
Heron Ridge Neighborhood Association Inc		
3535 E 161ST ST		

Carmel	IN	46033
08-10-08-00-06-009.000		Neighbor
Heron Ridge Neighborhood Association Inc		
3535 161st St E		
Carmel	IN	46033
08-10-08-00-06-010.000		Neighbor
Heron Ridge Neighborhood Association Inc		
3535 E 161ST ST		
Carmel	IN	46033
08-10-08-00-07-013.000		Neighbor
Bridgewater Club Master Association Inc		
3535 E 161ST ST		
Carmel	IN	46033
08-10-08-00-16-042.000		Neighbor
Brookside Property Owners Association Inc		
PO Box 1706		
Carmel	IN	46082

Adjoiner Notification Map



Legend

- Buffer
- Notify
- Subject

