



CITY OF WESTFIELD, IN
BoardofZoningAppeals_Meeting_02_09_2016

Tuesday, February 09, 2016 at 07:00 PM

BOARD OR COMMISSION: Board of Zoning Appeals (BZA)

MEETING DATE: Tuesday, February 09, 2016 at 07:00 PM

MEETING PLACE: Westfield City Hall- Assembly Room

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 - January 12, 2016

Documents: [Meeting Minutes 1/12/16](#)

Review BZA Rules & Procedures

ITEMS OF BUSINESS:

1601-VU-02

518 East Main Street

Rock's Auto Exchange

The petitioner is requesting a Variance of Use to allow sales of pre-owned automobiles in the SF3: Single-Family Medium Density District (Chapter 13: Use Table).

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Existing Conditions](#) | [Exhibit 4: Proposed Site Plan_Landscaping Plan](#) | [Exhibit 5: Petitioners Application](#)

REPORTS/COMMENTS:

APC LIAISON

ECD STAFF

ADJOURNMENT

The Westfield Washington Township Board of Zoning Appeals met at 7:00 p.m. on Tuesday, January 12, 2016, at Westfield City Hall. Members present included Ron Rothrock, Dave Schmitz and Robert Smith. Also present were Kevin Todd, Senior Planner; Amanda Rubadue, Associate Planner; and Brian Zaiger, City Attorney.

Bob Smith sworn in to the BZA Council.

APPROVAL OF MINUTES

Schmitz moved to approve the December 8, 2015, meeting minutes.

Rothrock seconded, and the motion passed by 3-0 vote.

Schmitz motioned to approve the amendment to the 2016 Schedule of Meetings and Filing Dates.

Smith seconded, and the motion passed 3-0.

Todd reviewed the Public Hearing Rules and Procedures.

ITEMS OF BUSINESS

1601-VS-01 & 1601-VU-01 [PUBLIC HEARING]	17925 Sun Park Drive Practical Property Group The petitioner is requesting a Variance of Development Standard and a Variance of Use to extend a previously granted variance to allow a landscaping business to be permitted in the Enclosed Industrial (EI) District (Article 4.24(B) and Article 5.2(L)).
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Rubadue presented an overview of the requested variance, as summarized in the staff report. She stated that the Department recommends approval of the Variance of Development Standard with the condition that the variance approvals expire on December 31, 2016.

Chris Woodard, Petitioner, gave a brief presentation about the project.

Public Hearing opened at 7:16 p.m.

No public comments.

Public Hearing closed at 7:17 p.m.

Smith motioned to approve petitions 1601-VS-01 and 1601-VU-01 with the condition that the variance approvals expire on December 31, 2016.

Motion dies due to a lack of second.

Schmitz motioned to approve petitions 1601-VS-01 and 1601-VU-01 with the condition that the variance approvals expire on December 31, 2017.

Rothrock seconded and the motion passed 3-0.

Schmitz moved to adopt the department's recommended findings of fact.

Smith seconded, and the motion passed 3-0.

1601-VU-02 [CONTINUED TO FEBRUARY 9, 2016]	518 East Main Street Rock's Auto Exchange The petitioner is requesting a Variance of Use to allow sales of pre-owned automobiles in the SF3: Single-Family Medium Density District (Chapter 13: Use Table).
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REPORTS/COMMENTS

Plan Commission Liaison report by Schmitz.

Economic and Community Development Department, no report.

Schmitz motioned to adjourn the meeting.

Smith seconded, and the motion passed.

The meeting adjourned at 7:42 p.m.

Chairperson
Martin Raines

Secretary
Matthew S. Skelton, Esq., ACIP
Director



WESTFIELD-WASHINGTON
BOARD OF ZONING APPEALS

February 9, 2016
1601-VU-02
Exhibit 1

Petition Number: 1601-VU-02

Subject Site Address: 518 E. Main Street (the "Property")

Petitioner: Rocks Auto Exchange (the "Petitioner")

Request: The petitioner is requesting approval for a Variance of Use to allow sales of pre-owned automobiles in the SF3: Single-Family Medium Density District (*Chapter 13: Use Table*).

Current Zoning: SF3: Single-Family Medium Density District

Current Land Use: Commercial

Approximate Acreage: 0.57 acre +/-

Exhibits:

1. Staff Report
2. Location Map
3. Existing Conditions
4. Proposed Site Plan/Landscaping Plan
5. Petitioner's Application

Staff Reviewer: Kevin M. Todd, AICP

PETITION HISTORY

This petition will receive a public hearing at the February 9, 2016 Board of Zoning Appeals meeting.

ANALYSIS

Property Location: The subject property is approximately 0.57 acre +/- in size and is located at 518 East Main Street (see **Exhibit 2**). The Property is zoned SF3: Single-Family Medium Density District. The property is located at the eastern edge of Downtown Westfield. Adjacent properties to the north, south, east and west are used for residential purposes.

Property History: In 1998, the Board of Zoning Appeals approved a variance of use to allow a beauty salon on the Property (98-V-37). The Property was used as a beauty salon for approximately seventeen (17) years.



Variance Request: This petition request is to allow auto sales of pre-owned vehicles on the Property. As proposed, the Petitioner would utilize the existing building and parking lot, and would not increase the size of the existing parking areas or the building footprint. The Petitioner has indicated that he would like to reuse the existing monument sign, and simply change the sign copy. The proposal includes the addition of designated customer parking spaces and some additional landscaping. The proposal has been reviewed by the Westfield Public Works Department, with no comment. The proposal has been reviewed by the Westfield Fire Department, and they are satisfied with the proposed site circulation for emergency purposes.

Comprehensive Plan: The Westfield-Washington Township Comprehensive Plan identifies this Property within the "Downtown"¹ land use classification. The Downtown area was further studied in 2008 after the formation of the Grand Junction Task Group (the "GJTG"). The study resulted in an amendment to the Comprehensive Plan known as the Grand Junction Master Plan and Addendum, adopted in 2009, and then subsequently the adoption of the Grand Junction Implementation Plan (the "Implementation Plan"), an amendment to the Comprehensive Plan adopted in 2013 (collectively, the "Grand Junction Plan").

The Grand Junction Plan identifies a long term vision as well as land use and financial investment goals for the intermediate and short terms. The centerpiece of the Grand Junction Plan includes creating public gathering spaces with key public investments opportunities to include: Grand Junction Plaza (currently being designed), new civic facilities, extended trail system and street network, enhanced stormwater management, and signature gateway developments.

The studied land use component of the Grand Junction Plan identified several sub-districts. The Property is on the fringe of the Grand Junction planning area, but is located closest to the area identified as the "Junction Sub-District". The specific objectives for the Junction Sub-District, as prioritized in the Implementation Plan, include: (i) develop architectural and development standards; (ii) formalize a position with INDOT regarding the SR32 expansion through downtown; (iii) develop standards to address modifications to existing structures; (iv) develop Downtown Westfield Association review process; and (v) develop strategy for attracting/encouraging the following land uses: trail-oriented businesses (i.e. bike shop, coffee shop); dry cleaner; market; specialty shops; night-time gathering places; restaurants; offices².

The Department, in coordination with the GJTG, is currently working on the prioritized objectives of the Implementation Plan; however, the specific objectives noted above for the Junction Sub-District are still in progress. As a result, the Department encouraged the Petitioner to meet with the GJTG. The GJTG has

¹ Westfield-Washington Township Comprehensive Plan, Land Use Concept Map (pg. 24).

² Grand Junction Implementation Plan, Chapter 6: Implementation Plan Objectives and Action Items (pg. 26).



provided a letter as a result of their last meeting with the Petitioner on January 19, 2016, which will be presented at the public hearing.

The Grand Junction Plan would not support auto sales in the downtown area as a long-term commercial use. However, it may be appropriate to consider differing short-term use of downtown properties on a case-by-case basis as the downtown area continues to redevelop and transition into the longer-range vision of the Grand Junction Plan.

PROCEDURAL

Public Notice: The Board of Zoning Appeals is required to hold a public hearing on its consideration of this petition. This petition is scheduled to receive its public hearing at the February 9, 2016, 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 UDO³ and Indiana Code § 36-7-4-918.4 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 UDO⁴ 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.

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

³ Article 10.14(I) Processes and Permits; Variances; Conditions of the UDO.

⁴ Article 10.14(K) Processes and Permits; Variances; Acknowledgement of Variance of the UDO.



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 constitute an unnecessary hardship if applied to the property for which the variance is sought; and
5. The approval does not interfere substantially with the Comprehensive Plan.

DEPARTMENT RECOMMENDATIONS

If the Board is inclined to APPROVE the petition, the Department recommends the following conditions and findings:

Recommended Conditions:

1. That approval of this variance shall expire on March 1, 2019. Any request to extend the time limit of this variance shall be reviewed and approved by the Board of Zoning Appeals prior to March 1, 2019.
2. That no more than thirty-two (32) vehicles that are for sale be on the Property at any one time;
3. That the parking surface and paved area not expand;
4. That designated customer and employee parking spaces be identified and striped;
5. That vehicles are not permitted to be parked in the grass;
6. That landscaping be installed and/or maintained as generally depicted on the submitted concept plan/landscaping plan (see **Exhibit 4**);
7. That no existing landscaping be removed without being replaced with a similar size and species of plant;
8. That no additional signage or sign types be permitted on the Property;
9. That banners, flags, posters, pennants, ribbons, streamers, spinners, strings of lights, feather flags or signs, balloons, or inflatable signs be prohibited on the Property;
10. That individual vehicle pricing and other displayed vehicle information be limited to a maximum of four (4) window "stickers" or tags per vehicle.
11. That outdoor speakers for music and/or announcements be prohibited.



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 approving the requested variance of use would be injurious to the public health, safety, morals, and general welfare of the community. The Westfield Fire Department has reviewed the proposed site plan for safe circulation and has expressed no concerns with the site layout or access.

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 that the use and value of adjacent property will be affected in a substantially adverse manner. The recommended conditions of approval for the use of the property in this manor should mitigate any impact this proposed use may have on neighboring properties.

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

Finding: The existing condition and development of the Property does not lend itself to a traditional SF3 land use. The Property has been developed and used as a commercial property for approximately 17 years.

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

Finding: The existing condition and development of the Property does not lend itself to a traditional SF3 land use. The Property has been developed and used as a commercial property for approximately 17 years and reverting the property back to an SF3 land use would be challenging.

5. *The approval does not interfere substantially with the comprehensive plan.*

Finding: This property is on the fringe of the Grand Junction planning area. And while the Grand Junction Plan does not support using the Property for auto-sales long-term, the success of short-term or interim uses of existing structures in downtown will contribute to the long-term success and stability of the Grand Junction District, thus the proposed use does not substantially interfere with the Comprehensive Plan.



If the Board is inclined to DENY the petition, the Department recommends the following findings:

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

Finding: It is unlikely that approving the requested variance of use would be injurious to the public health, safety, morals, and general welfare of the community. The Westfield Fire Department has reviewed the proposed site plan for safe circulation and has expressed no concerns with the site layout or access.

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 possible that the use and value of adjacent property will be affected in a substantially adverse manner. The perception of living next to an auto sales lot could have a negative impact on the value potential home buyers place on this area.

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

Finding: The existing condition and development of the Property could lend itself to an office-type use, and is not uniquely laid out for an auto sales use.

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

Finding: The property is zoned for residential uses, but is currently developed for commercial uses. A permitted non-residential SF3 use could locate on this property without the need for a use variance.

5. *The approval does not interfere substantially with the comprehensive plan.*

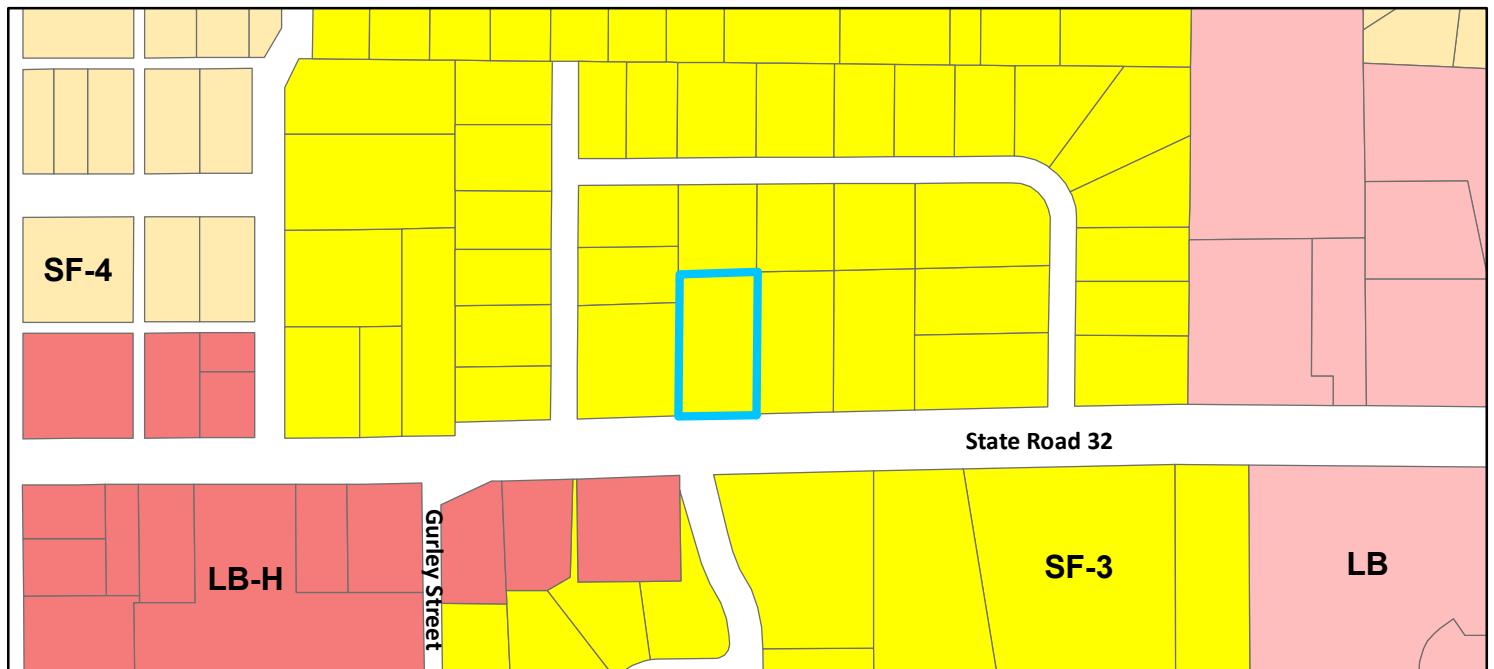
Finding: This property is on the fringe of the Grand Junction planning area, and the Grand Junction Plan does not support auto-sales in Downtown Westfield. Auto sales lots do not typically promote the pedestrian-friendly activity and uses desirable in a traditional downtown environment.

Location Map

 Site



Zoning Map

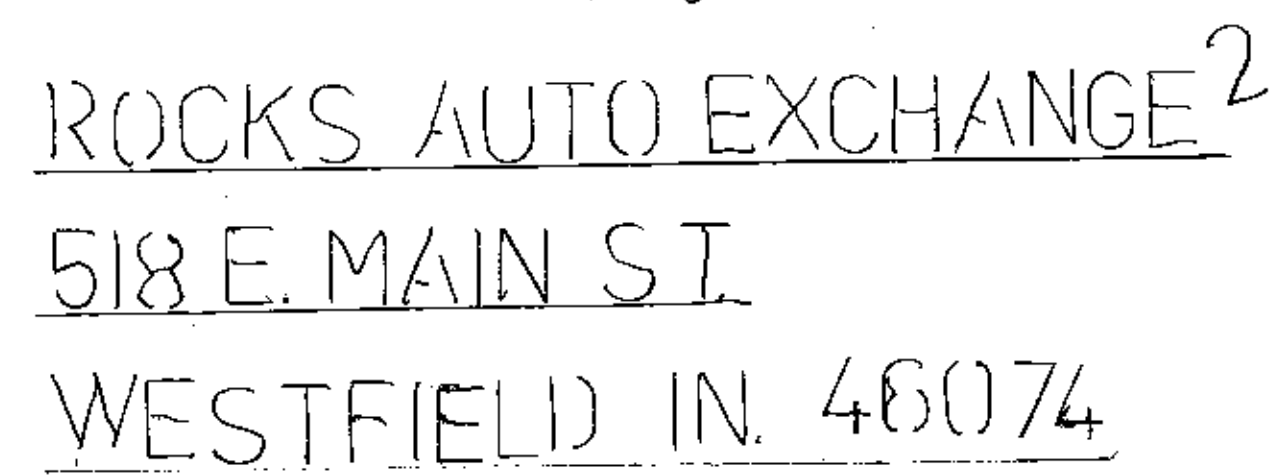


Zoning

- | | |
|--|--|
|  LB-H (Local Business - Historical) |  SF-4 (Single Family - 4) |
|  LB (Local Business) |  SF-3 (Single Family - 3) |



MIRROR MAZE
Please Adm
896-3838



WESTFIELD-WASHINGTON TOWNSHIP APPLICATION FORM

VARIANCE APPLICATION

OFFICE
USE ONLYDOCKET #: 1601-VU-02

FILING DATE: _____

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

PRE-FILING CONFERENCE

PRE-FILING CONFERENCE WITH: Kevin Todd (STAFF NAME) DATE: November 18, 2015

PRIOR OR RELATED DOCKET NUMBERS

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

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

APPLICANT INFORMATION

APPLICANT'S NAME: Brian Ewen/ Rock's Auto Exchange TELEPHONE: 317-224-3607ADDRESS: 3407 Carey Glen Ct., Westfield, IN 46074 EMAIL: brianewen@comcast.netPROPERTY OWNER'S NAME: Frances Michelle Turner TELEPHONE: 317-710-5440ADDRESS: 16411 Carter Ct Westfield, IN 46074 EMAIL: _____REPRESENTATIVE'S NAME: Brian Ewen TELEPHONE: 317-224-3607COMPANY: Rock's Auto Exchange EMAIL: brianewen@comcast.netADDRESS: 124 E. Main St., Westfield, IN 46074

PROPERTY AND PROJECT INFORMATION

ADDRESS OR PROPERTY LOCATION: 518 E. Main St., Westfield, IN 46074COUNTY PARCEL ID #(S): 09-06-31-03-09-023.000EXISTING ZONING DISTRICT(S): SF-3 EXISTING LAND USE(S): Hair Salon

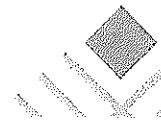
VARIANCE REQUEST

☒ 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): _____

Please see Exhibit A, attached.

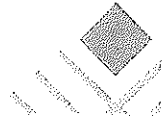
FINDINGS OF FACT (VARIANCE OF USE)

APPLICANT: Brian Ewen/Rock's Auto ExchangeDOCKET #: 1601-VU-02

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: It will not interfere substantially with the comprehensive plan. Additionally, although the property is currently zoned Single Family - Medium Density, the property is currently being used as a hair salon, and surrounded by properties zoned for Local Business, and Local Business - Historic District uses. No construction or significant alteration of the existing improvements will be necessary. Applicant's proposed use will add needed commerce and employment opportunities to Westfield's downtown area.
- 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: Applicant's use will not interfere substantially with the comprehensive plan and will be identical in nature to Applicant's current use of 124 E. Main St. where Applicant has built a thriving and growing business that increases commerce in Westfield's downtown area.
- C. The need for the variance arises from some condition particular to the property involved because: The property is zoned Single Family - Medium Density although it is within very close proximity to properties zoned for Local Business and Local Business - Historic District uses. Additionally, the property will be used to grow Applicant's existing business operated at 124 E. Main St.
- 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: Applicant's business has outgrown its current operations at 124 E. Main St. Applicant desires to maintain its business in downtown Westfield and continue to serve this community. Without the requested variance, Applicant will be forced to pursue other options for supporting the growth of its business, which may include removing all of its operations from downtown Westfield.
- E. The variance of use does not interfere substantially with the Comprehensive Plan because: one of the principles for Westfield's downtown area in the Comprehensive Plan is establishing an identity, with a focus to be given to Westfield's roots. In conjunction with Applicant's request for a variance of the zoned use for 518 E. Main St., Applicant has agreed to make certain improvements to the building of its current facility at 124 E. Main, including redesigning its current building to resemble an old Sinclair filling station. As a result, Applicant's proposed use in conjunction with the proposed improvements for 124 E. Main and Applicant's continued operation in Westfield's downtown area will not interfere with but will support Westfield's Comprehensive Plan.

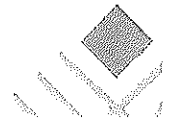
WESTFIELD-WASHINGTON TOWNSHIP APPLICATION FORM
VARIANCE APPLICATIONS



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 | ☐ Filing Fee Check (made out to "City of Westfield") |
| ☐ Legal Description | ☐ Copy of Property Deed |
| ☐ 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) | ☐ Vicinity Map (including property within 500 feet) |
| ☐ Statement of Intent | ☐ Elevations, photographs or other supporting information necessary to explain the nature of the requested variance(s) |
- C. **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.
- D. **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 Indy Star and The Times. The Department will handle the newspaper publication requirement.
 2. **Mailed Public Notice:** The applicant is responsible to send public notice by mail to all interested parties by certified mail with return receipt requested (green card), 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.
- E. **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.
- F. **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.
- G. **Board's Consideration:** Following the public hearing, the Board may either approve, approve with conditions, deny or continue the petition.
- H. **Resource:** Please see the Board's Rules of Procedure for more detailed procedural information.

WESTFIELD-WASHINGTON TOWNSHIP APPLICATION FORM
AFFIDAVIT OF NOTICE OF PUBLIC HEARING



DOCKET #: 1601-VU-02

PUBLIC HEARING DATE: January 12, 2016

APPLICANT'S NAME: Brian Ewen/ Rock's Auto Exchange

REPRESENTATIVE'S NAME: Brian Ewen

COMPANY: Rock's Auto Exchange

PROJECT TO BE KNOWN AS: 518 E. Main Street

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 16th day of December, 2015, 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 16th day of December, 2015, being at least ten (10) days prior the scheduled public hearing.

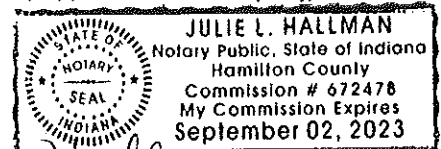
[Signature]
Applicant/Representative (signature)*

Brian Ewen/Rock's Auto Exchan
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 16 day of December, 2015.

State of Indiana, County of Hamilton, ss:



[Signature]
Notary Public Signature

Julie Hallman
Notary Public (printed)

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.

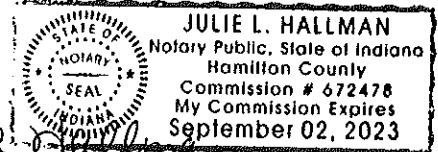
[Signature]
Applicant/Representative (signature)

Brian Egan
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 17 day of December, 2015.

State of Indiana, County of Hamilton ss:



[Signature]
Notary Public Signature
Julie Hallman
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.

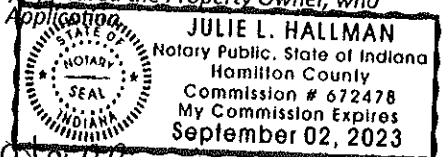
Frances Michelle Turner
Property Owner (signature)*

Frances Michelle Turner
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 17 day of December, 2015.

State of Indiana, County of Hamilton ss:



[Signature]
Notary Public Signature
Julie Hallman
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.

Exhibit A

Applicant desires that the following described use be permitted: sales of pre-owned automobiles.

Applicant plans to expand its existing pre-owned automobile sales business, currently located at 124 E. Main St., Westfield, IN to include an additional location at 518 E. Main St., Westfield, Indiana. Applicant anticipates utilizing 5-7 employees to operate its expanded business at 518 E. Main St. (For more information regarding Applicant's business, please see Applicant's website: <http://rocksautoexchange.com/>)

No building or construction on 518 E. Main St. will be necessary, except for interior finish of the existing building.

Interior operations

The existing building will be used for sales and office space for the business. Management offices will be located upstairs. The downstairs office area will include sales cubicles along with a customer lounge and restroom facilities. The sales operations will not be operated as a "buy here, pay here" facility. Instead, sales operations will be conducted similar to that of a traditional car dealership. Automobile purchases will be financed via third party lenders, such as Indiana Members Credit Union and similar lending institutions.

Exterior operations

Paved areas, primarily to the north and south of the existing building on the property, will be used for displaying the business's pre-owned automobiles that are for sale, which will not be more than thirty-five (35) vehicles at any one time. Customer and employee parking will exist to the east of the existing building, and will accommodate approximately ten (10) vehicles at a time.

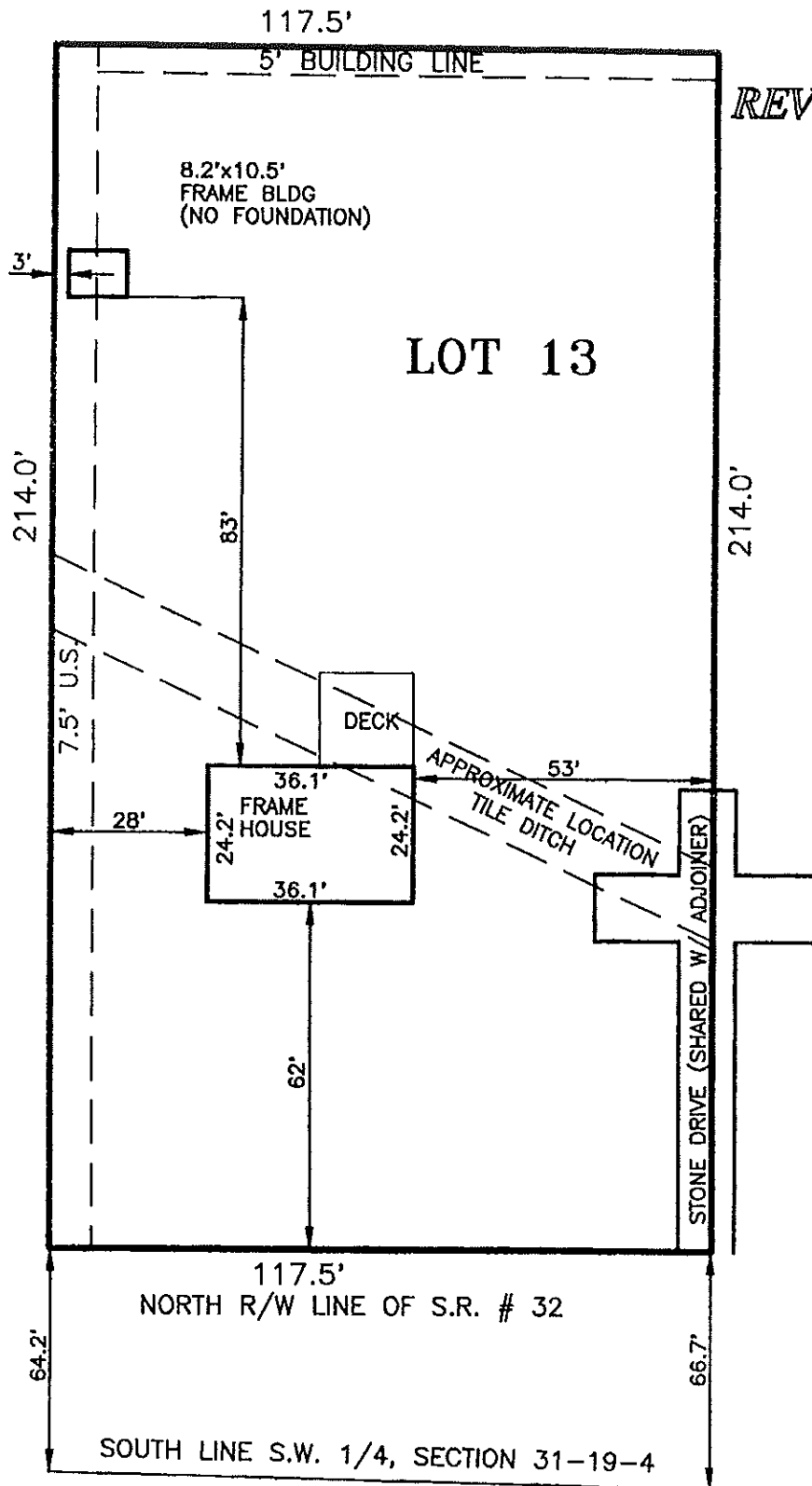
Legal Description

Lot Numbered Thirteen (13) in Roberts Revised Rolling Acres, an Addition to the Town of Westfield, in Hamilton County, Indiana, as per plat thereof recorded in Plat Book 2, pages 40-41, in the Office of the Recorder of Hamilton County, Indiana

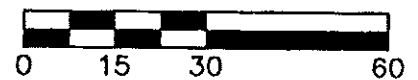
Property Address: 518 E. Main Street, Westfield, Indiana 46074

County Parcel #: 09-06-31-03-09-023.000

State Parcel #: 29-06-31-309-023.000-015



*LOT 13 ROBERTS
REVISED ROLLING ACRES*



SCALE : 1" = 30'
F.B. 389, PG. 46
JOB NO. M7996

518 E. MAIN ST.

Vicinity Map



Site Plan/Photographs of Proposed Automobile Layout










MIRROR IMAGES
Hair Salon
896-3838



