

Petition Number:

1212-VII-060

Date of Filing:

**Application for VARIANCE OF USE  
Westfield – Washington Township  
Board of Zoning Appeals (BZA)**

This application must be completed and filed with the Community Services Department of the Town of Westfield, Indiana in accordance with the meeting schedule.

- 1. Appellant's Name Kevin Steel, Interbody  
Address 17720 US 31  
Westfield, IN 46074  
Telephone Number 317-867-0461
- 2. Landowner's Name C. Stephen Roudebush  
Address 2911 W. SR 32  
Westfield, IN 46074  
Telephone Number 317-896-2753
- 3. \*Representative Jamie Shinneman, Weihe Engineers  
\*Address 10505 N. College Ave.  
Indianapolis, IN 46280  
\*Telephone Number (317) 846-6611  
\*Email Address shinnemanj@weihe.net

\*If the applicant is not presenting a petition, please provide contact information for the party representing the applicant.

- 4. Common description of property (address, location, etc.)  
Just west of 2911 W. SR 32, Westfield, IN  
\_\_\_\_\_  
\_\_\_\_\_

- 5. Legal description of property (list below or attach)  
SEE ATTACHED  
\_\_\_\_\_  
\_\_\_\_\_

- 6. Complete description of the nature of the variance of use applied for:  
**Interbody is relocating their business currently located at 17720 US 31 in Westfield to the existing building adjacent to and owned by Steve Roudebush at 2911 W. SR 32 Westfield, Indiana. The current business operates as a used auto sales with service and body repair center as well as an impound lot. The impound lot with secured privacy fence is used to store vehicles that need repair. Much of the revenue produced for the used car sales is generated by rebuilding vehicles. The relocated business needs to have the same operations. The City of Westfield is requiring that Interbody submit a Site Plan indicating the above mentioned areas for approval through the Development Plan Review process involving a public hearing with the Plan Commission. A Variance of Use will also be required for the impound lot through the Board of Zoning Appeals. No improvements are proposed other than a secured/locked 6 foot tall opaque finished wood privacy fence as required for the impound lot. Interbody is one of five towing services with impound lots used for the City of Westfield.**

7. **ALL SITE PLANS SHALL BE LEGIBLE AND DRAWN TO SCALE.** Site plans must accompany this application and must depict at a minimum:
- Lot(s) shape and dimensions;
  - Location and dimensions of existing and proposed structures;
  - Location and dimensions of existing and proposed points of ingress and egress; and
  - All topographic and natural features and/or other unusual characteristics associated with the property.

8. The Applicant must address the following criteria and establish at the public hearing that each of the following is true in order to obtain a favorable determination from the BZA.

*No variance of use shall be granted unless the BZA finds all of the following to be true:*

- That the approval of such variance of use will not be injurious to the public health, safety, morals, and general welfare of the community:

**My goal as a business owner is to become a valued member of the Westfield community. At all times, I will act with integrity and with the public's health, safety, morals and general welfare in mind. In fact, my new company name, Verity Auto, was chosen because verity means "truth." My company motto is "Verity Auto – Truth, Quality, Cars" The reason I wanted my company name to stand for truth is because I believe that truth is the most important quality to living a good life and having a positive impact on those around you.**

- 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:

**The use and values of the adjacent properties will not be adversely affected. I plan to maintain the property in such a manner that the community will be proud to have such a business located in the heart of the city. Additionally, the immediate adjacent business owner is the property owner of this site.**

- That the need for the variance of use arises from some condition particular to the property involved:

**The need for variance of use arises from the fact that my business is being forced to move by the 31 expansion project. In order to continue carrying on my business as it is today, I must be able to store vehicles which I impound for the City of Westfield Police Department. Additionally, though not a part of this variance of use request, I need to be able to display and sell cars from an outside sales lot and I need to be able to store cars that have been involved in an accident.**

- d. That the strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance of use is sought:

**If the strict application of the zoning ordinance is applied to this property, my business as it exists today, will not survive. I must be able to store vehicles which I impound for the City of Westfield Police Department.**

- e. That such variance does not interfere substantially with the comprehensive plan:

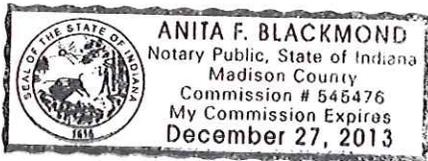
**The current building exists today and there are no plans to improve the building exterior other than adding signage and fencing as described above. The impound lot portion of this site will be completely screened by a secured/locked 6 foot tall opaque finished wood privacy fence to address any visibility concerns.**

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

Applicant **Kevin Steel**

SUBSCRIBED AND SWORN TO ME THIS 2nd DAY OF November, 2012

Notary Public **Anita Blackmond**



My commission expires: 12/27/13

**AFFIDAVIT OF CONSENT OF PROPERTY OWNER**

(To be presented with application for Board of Zoning Appeals)

I, Jeffery Roudebush, co-owner of property at 2909 East State Road in Westfield, Indiana, hereby authorize Kevin Steel of Verity Auto (a.k.a. Interbody) to act as agent to file said attached application for action with the Board of Zoning Appeals.

Dated: 11-2-12

Signed: Jeff Roudebush

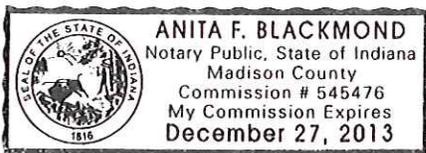
Subscribed and sworn to before me this 2<sup>nd</sup> day of November, 2012.

Anita F. Blackmond

Notary Public

My Commission Expires:

12/27/13



**LAND DESCRIPTION**  
**INST. NO. 200100019139**

A tract of land located in the Northeast Quarter of Section 6, Township 18 North, Range 4 East of the Second Principal Meridian, Hamilton County, Indiana. Said tract being more particularly described as follows, to-wit:

Assuming the North line of the Northeast Quarter of Section as being North 90 degrees 00 minutes 00 seconds East and all other bearings being relative thereto:

Commencing at the Northwest Corner of the Northeast Quarter of Section 6; thence running along the North line of said Quarter Section bearing North 90 degrees 00 minutes 00 seconds East 1090.09 feet, said point being 1568.00 feet North 90 degrees 00 minutes 00 seconds West of the Northeast Corner of said Quarter Section, to the **POINT OF BEGINNING FOR THIS LEGAL DESCRIPTION**; thence continuing to run along the North line of the Northeast Quarter bearing North 90 degrees 00 minutes 00 seconds East (center line of State Road # 32) 116.00 feet to a point; thence running parallel with the East line of the Northeast Quarter bearing South 00 degrees 09 minutes 51 seconds West 430.00 feet to a point; thence running parallel with the North line of a 15 foot wide water line easement bearing North 90 degrees 00 minutes 00 seconds West 307.00 feet to the center line of an open legal drain known as Cool Creek or Wheeler-Bean Drain and running along the drain center line for the next five (5) courses:

- 1) thence North 40 degrees 00 minutes 00 seconds East 30.00 feet to a point;
  - 2) thence North 28 degrees 00 minutes 00 seconds East 168.00 feet to a point;
  - 3) thence North 22 degrees 00 minutes 00 seconds East 114.00 feet to a point;
  - 4) thence North 20 degrees 00 minutes 00 seconds East 35.00 feet to a point;
  - 5) thence North 18 degrees 08 minutes 51 seconds East 126.39 feet to the **POINT OF BEGINNING**.
- (Containing 1.95 acres, more or less)

**LAND DESCRIPTION**  
**INST. NO. 8915204**

Part of the Northeast Quarter of Section 6, Township 18 North, Range 4 East, Hamilton County, Indiana, and being more particularly described as follows:

Beginning at a point on the North line of said quarter section being North 90 degrees 00 minutes 00 seconds East (assumed bearing) 594.96 feet from the Northwest corner thereof, said point being South 90 degrees 00 minutes 00 seconds West 2063.13 feet from the Northeast corner thereof; thence continue North 90 degrees 00 minutes 00 seconds East along said North line, 611.13 feet; thence South 0 degrees 09 minutes 51 seconds West, parallel with the East line of said quarter section, 891.17 feet to the North right of way line of the White River, Noblesville and Westfield Railroad; thence South 89 degrees 41 minutes 29 seconds West along said right of way line, 567.47 feet to the centerline of an open legal drain; thence, the next 4 courses being along said centerline, North 15 degrees 06 minutes 19 seconds East 108.28 feet; thence North 23 degrees 26 minutes 00 seconds East 232.30 feet, North 10 degrees 26 minutes 08 seconds West 348.64 feet, North 21 degrees 21 minutes 20 seconds West 116.48 feet; thence, along said centerline and centerline extended, North 24 degrees 09 minutes 25 seconds West 137.20 feet to the point of beginning.

