

Petition Number:

12-12-VS-15

Date of Filing:

**Application for VARIANCE OF DEVELOPMENT STANDARD
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 2909 E. SR 32
Westfield, IN 46074
Telephone Number 317-867-0461
E-Mail Address kevin@interbodyauto.com

2. Landowner's Name C. Stephen Roudebush
Address 2911 E. 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 development standard variance applied for:
Interbody recently had to relocate their business from 17720 US 31 in Westfield to the existing building adjacent to and owned by Steve Roudebush at 2911 E. 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. A Variance of Use is required for the impound lot through the Board of Zoning Appeals. Additionally, a Variance of Development Standards 16.04.065 SR 32 Overlay Zone is being requested. 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:
- a. Lot(s) shape and dimensions;
 - b. Location and dimensions of existing and proposed structures;
 - c. Location and dimensions of existing and proposed points of ingress and egress; and
 - d. 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 development standard shall be granted unless the BZA finds all of the following to be true:

- a. 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:

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.

- b. That the use and value of the area adjacent to the property included in the variance of development standard 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.

- c. That the strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property:

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 operate the business as it was currently running on US31 and cannot afford the expense of upgrading an existing building or adding public trails on a building and site that I am leasing. The impact at this time would be overly burdensome to me as well as my landlord when I am proposing no improvements other than adding a fence for the impound lot screening. I understand that this ordinance may apply at a later date should I need to add on to the building and/or add parking.

TOWN OF WESTFIELD, INDIANA

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

[Handwritten Signature]

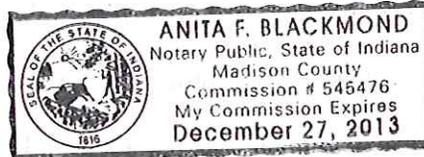
Applicant

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

[Handwritten Signature]

Notary Public

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

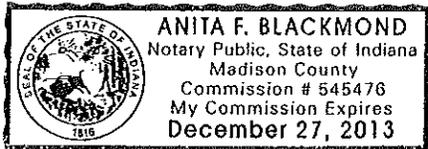
Subscribed and sworn to before me this 2nd day of November, 2012.

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)

