



SPECIAL EXCEPTION APPLICATION

OFFICE USE ONLY

DOCKET #: 1401-SE-01
FILING FEE: \$ 550.00

FILING DATE: 12/23/2013

PRE-FILING CONFERENCE

PRE-FILING CONFERENCE WITH: Sarah Reed/Kevin Todd (STAFF NAME) DATE: 12/17/2013

PRIOR OR RELATED DOCKET NUMBERS

CHANGE OF ZONING: AMENDMENTS: DEVELOPMENT PLAN:

PRIMARY PLAT: SECONDARY PLAT: VARIANCE(S):

APPLICANT INFORMATION

APPLICANT'S NAME: Brian Ewen TELEPHONE: 317.224.3607

ADDRESS: 124 East Main, Westfield In. 46074 EMAIL: brianewen@comcast.net

PROPERTY OWNER'S NAME: Ronnie Povenelli TELEPHONE: 317.797.8455

ADDRESS: 124 East Main, Westfield In. 46074 EMAIL: ccerpp@yahoo.com

REPRESENTATIVE'S NAME: TELEPHONE:

COMPANY: EMAIL:

ADDRESS:

PROPERTY AND PROJECT INFORMATION

ADDRESS OR PROPERTY LOCATION: 124 East main, Westfield, In. 46074

COUNTY PARCEL ID #(S): 09-06-31-03-04-030.000

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

SPECIAL EXCEPTION REQUEST

CODE CITATION: FINDINGS OF FACT: (PLEASE SEE ATTACHED)

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

Multiple horizontal lines for providing a detailed statement of intent.



FINDINGS OF FACT (SPECIAL EXCEPTION)

APPLICANT: _____

DOCKET #: _____

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

A. The establishment, maintenance, or operation of the special exception will not be detrimental to or endanger the public health safety morals or general welfare because: _____

That is correct. In fact, it is expected that the proposed business will be an asset to the community and will further enhance the retail and business activity in the area in a very positive manner. Rather than remaning an empty lot, the property will be occupied and maintained in a way that is consistent with the community's image and desire to create a flourishing downtown area.

B. The special exception will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property value within the neighborhood because: _____

That is correct. The property is located within the town's popular retail district. The proposed business is a retail auto store which will again maintain a neat, clean upscale appearance not only to benefit the town of Westfield, but also required to draw the type of customers being targeted with the middle-upper range vehicles.

C. The establishment of the special exception will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district because: _____

That is correct. The property is located within a commercial district and the proposed business is a retail auto store.

D. Adequate utilities, streets drainage and other necessary facilities have been or are being improved: _____

That is correct. In addition to what has already been done to improve the property, the required curbing will be added to the southwest corner of the property.

E. Adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion: _____

That is correct.

F. The special exception will be located in a district where such use is permitted and that all other requirements set forth, applicable to such special exception, will be met: _____

That is correct. Approximately 95% of the requirements have currently been met. Once the issue with the two trees and the curbing project is complete all requirements will be fulfilled.



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 Ewen
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 23 day of December, 2013.

State of Indiana, County of Hamilton, SS:

[Signature]
Notary Public Signature
Jeffrey W. Dean
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)*

Ronald P. Povinelli
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.

(Lot 4)

Full site PLAN

- #1 complete Parking Lot Resealed
- #2 Put Front on North Fence and Stained
- #3 Put Front on East side Fence and Stained
- #4 Planted 8 (Little Giant Arborvitae)
- #5 Planted 5 Blue Rog Junipers
- #6 Placed Shutters at Each window
- #7 4x4 Post 28" Tall stained and Solar Lights Placed on TOPS. Plastic BLACK CHAIN Looping Post To Post
- #8 Planted 2 Picea glauca Conica, IN Pots In Front of Building, 1 on Eastside, 1 on Westside
- #9 Planted 2 ornamental Trees In Pots
- #10 Projected Curb and Landscape to Be done No Later 1/31/14
- #11 Building had a complete Re-paint

All Completed Except For #10 11/12/13
Brian Egan

12' Alley

Instr. # 9400485

(Lot 6)

Adj's stone w/curb 0' to 4.8' South of line

Wood Priv. Fence extends 0.2' N to 1.0' S of Deed Line

P.K. Nail Set

Iron Pin Found 1.0' S.E. of P.K. Nail Set

N89°18'24"E 82.60'

Iron Pin Set (5/8" Rebar w/Cap)

Part of Lot 5
0.122 Ac.±

Instr. #9302888

156.75

N01°00'40"W

26.3'

Stone Parking Lot

64.75

156.75

11.5'

12.5'

10.7'

23.0'

Asphalt Parking Lot

S01°00'40"E

Iron Pin Set (5/8" Rebar w/Cap)

Iron Pin Set (5/8" Rebar w/Cap)

4' Walk

82.50'

S89°18'34"W

35

0.83

Site PLAN

Q Main Street (S.R. 32)

Section Line



Site Plan	DATE: Nov 12, 2013
Rocks Auto Exchange LLC	Drawn by Brian Egan
Address: 124 East main St, Westfield IN 46074	