

VARIANCE APPLICATION

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OFFICE USE ONLY

DOCKET #: 1604-VS-05

FILING DATE:

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

PRE-FILING CONFERENCE

PRE-FILING CONFERENCE WITH: (STAFF NAME) DATE:

PRIOR OR RELATED DOCKET NUMBERS

CHANGE OF ZONING: AMENDMENTS: DEVELOPMENT PLAN:

PRIMARY PLAT: SECONDARY PLAT: VARIANCE(S):

APPLICANT INFORMATION

APPLICANT'S NAME: Zach Akers TELEPHONE: 317-366-1428

ADDRESS: 815 E 63rd Pl, Indianapolis, IN 46220 EMAIL: zach@premiersigngroup.com

PROPERTY OWNER'S NAME: Dr. Stephen Trager TELEPHONE: 812-530-6802

ADDRESS: 215 E Main St, Westfield, IN 46074 EMAIL: strager64@yahoo.com

REPRESENTATIVE'S NAME: Zach Akers TELEPHONE: 317-366-1428

COMPANY: Premier Sign Group EMAIL: zach@premiersigngroup.com

ADDRESS: 815 E 63rd Pl, Indianapolis, IN 46220

PROPERTY AND PROJECT INFORMATION

ADDRESS OR PROPERTY LOCATION: 215 E Main St, Westfield, IN 46074

COUNTY PARCEL ID #(S): 09-10-06-01-01-012.000

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

VARIANCE REQUEST

[ ] VARIANCE OF LAND USE CODE CITATION:

[x] VARIANCE OF DEVELOPMENT STANDARD(S) CODE CITATION: 6.17(H)(4)

FINDINGS OF FACT: (PLEASE SEE ATTACHED)

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

The monument sign at the business was erected in compliance with Westfield sign ordinances. Since the sign was installed, the City changed the ordinance to include a 5-foot front yard setback requirement. The sign is located 2 feet from the property line (edge of sidewalk). The sign is considered a legal non-conforming sign. We request a variance that will allow for the sign to remain in place, but to update the graphics on both faces. The current structure is in good condition. The expense in demolishing the current structure and building a new sign further from the property line is prohibitive. The property owner believes that the current structure should be allowed to stand.

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



APPLICANT: \_\_\_\_\_

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 current sign structure was in compliance with the City's sign ordinance. We do not intend to make changes that would obstruct traffic or encroach upon the right of way.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 sign has been in place for 17 years, and has not adversely affected adjacent property use or value.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C. The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property because: \_\_\_\_\_  
The expense associated with the demolition of the current structure and fabrication & installation of an entirely new structure is prohibitive to the business owner. The sign needs to be updated in order to attract traffic to the business.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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.

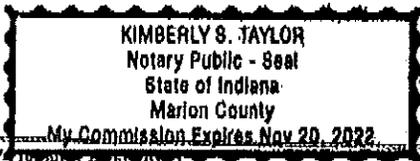
[Signature]  
Applicant/Representative (signature)

ZACH AKERS  
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 2<sup>nd</sup> day of March, 2016.

State of Indiana, County of Marion, SS:



Kimberly S. Taylor  
Notary Public Signature  
Kimberly S. Taylor  
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.

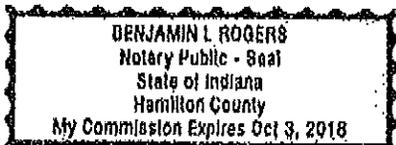
[Signature]  
Property Owner (signature)

Stephen Tringer  
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 24 day of February, 2016.

State of INDIANA, County of Hamilton, SS:



[Signature]  
Notary Public Signature  
Benjamin L. Rogers  
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.

Old Republic National Title Insurance Company

Commitment Number: HU14080387INC

**EXHIBIT A  
PROPERTY DESCRIPTION**

The land referred to in this Commitment is described as follows:

Beginning at the Northwest corner of Lot Number Sixteen (16) in the Original Plat of the Town of Westfield, Indiana, and running thence South 156 feet 9 inches; thence East 34 feet, thence North 156 feet and 9 inches, thence West 34 feet to the place of beginning.

Address: 215 East Main Street Westfield IN 46074

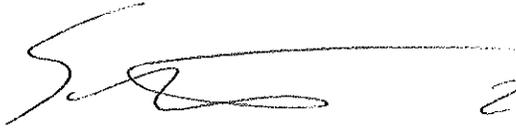
Parcel No.: 09-10-06-01-01-012.000; State #29-10-06-101-012.000-015

To whom it may concern,

I hereby give Premier Sign Group permission to pursue a zoning variance on my behalf.

Cordially,

Stephen Trager



2-19-2016

President Westfield Family Dental LLC