



PETITION NUMBER:	0901-VS-02
SUBJECT SITE ADDRESS:	135 North Union Street
APPELLANT:	Patrick and Jane Callahan
REQUEST:	This variance of standard request is to reduce the minimum lot area of five (5) acres to 0.22 acres (WC 16.04.050, D4) and to reduce the required number of onsite parking spaces (WC 16.04.120, 2j).
CURRENT ZONING:	LB-H
CURRENT LAND USE:	Residential
APPROXIMATE ACREAGE:	0.22
RELATED CASES:	None
EXHIBITS:	1. Staff Report, 01/13/2009 2. Location Map, 01/13/2009 3. Property Card, 01/13/2009 4. Appellant's Application and Plans, 12/16/2008 5. Appellant supplied PowerPoint presentation, 12/26/2008 6. 300 foot parking proximity exhibit 1/13/2009 7. Site photos 1/13/2009
STAFF REVIEWER:	Jeremy Miller

PROCEDURAL

This item requires a public hearing.

PETITION HISTORY

The January 13, 2009 Board of Zoning Appeals meeting represents the first hearing of this petition before the Board.

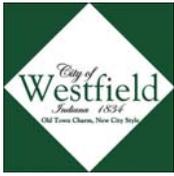
PROPERTY HISTORY

The residential home was constructed in 1901 (exhibit 3). The home was modified to provide separate living areas. The property was purchased by the appellant in December of 2003. They have restored the structure to its original 1901 single family residential design.

ANALYSIS

The appellant is requesting two variances, one is to reduce the minimum lot area of five (5) acres to 0.22 acres (WC 16.04.050, D4) and the second is to reduce the required number of onsite parking spaces required and use public parking spaces (WC 16.04.120, 2b) and (WC 16.04.120, 2j).

The appellant currently owns 0.22 acres of property in downtown Westfield. Per the LB-H requirements, the minimum lot area to redevelop downtown is five acres. The appellant would need to acquire 4.78 acres in the downtown area to meet this standard.



The appellant is proposing to use the lower level of the structure as a small event venue. Westfield Fire Department has calculated the occupancy for the lower level of the structure to be a maximum of 83 people. Westfield Fire Department has also communicated to the appellants that several upgrades to the interior of the structure would be needed to use the space as a small event venue such as reconfiguring the entry doors (exhibit 4).

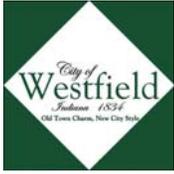
Parking for the small event venue is required by ordinance (WC 16.04.120). Westfield's current off-street loading and parking table does not currently provide standard for small event venues. In the absence of a specific standard the ordinance directs the Building Commissioner to set a requirement. Per the established policy, the Commissioner uses the Marion County, Indiana parking standard of one (1) space per four (4) seats at the maximum occupancy. This would require an onsite parking count of twenty-one (21) parking spaces. The property is 0.22 acre and the primary structure occupies one quarter of the land and it cannot accommodate the onsite parking required. The appellant is asking for a reduction of the required onsite parking from twenty-one (21) spaces to zero (0) spaces onsite and to utilize public parking areas. As of the writing of this report the appellant has not secured permission to use other private parking spaces.

Public parking spaces are located along Union Street, in Asa Bales Park directly to the West of the property and the parking lot to the West of City Hall. This parking is shared with several businesses along Union and residents utilizing the Park. Pedestrian access to the parking at Asa Bales Park will be difficult due to grade changes at the rear of the property and lack of improvements. The Westfield Parks Department has expressed concerns about the proposed venue using the parking at Asa Bales Park and not having any spaces for patrons of the park to use.

Parking for the proposed venue must be within 300 feet of the main entrance (WC 16.04.120, 2b). Exhibit 6 illustrates the public parking options within 300 feet of the proposed venue. These locations include Asa Bales Park, Union Street parking, and City Hall.

Westfield Fire Department has concerns with the safety of homeowners and users of the venue. By depending on available Union Street spaces, it will be difficult to respond to an emergency at a neighboring property during an event. Westfield Fire and Police Department both have concerns with the alley running north and south behind the property. Ordinance No. 96-21, 1(10.40.020), 8-12-96 states that *"No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than 18 feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property."*

The appellant is using the second story of the structure as an accounting business which is allowed by right in the zoning ordinance. The accounting business uses 844 square feet of the second floor. The required onsite parking needed for the accounting business is four (4) vehicles. The property does not have sufficient parking for the accounting business. The appellants are using the existing driveway. The parking area does not meet the requirements of



a parking lot (WC 16.04.120, 2f).

PROCEDURAL

A Board of Zoning Appeals shall approve or deny variances from the development standards (such as height, bulk, or area) of the underlying zoning ordinance. A variance may be approved under IC 36-7-4-918.5 only upon a determination in writing that:

STANDARDS FOR VARIANCE REQUEST

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

Finding: Westfield Police and Fire Departments have safety concerns about event parking along Union Street in such close proximity to the Union-State Road 32 intersection. Parking along Union Street creates difficulty in responding to emergencies at neighboring properties and to the proposed venue. Westfield Fire and Police Departments have concerns with the alley running north and south behind the property. Both departments requested that no parking be allowed in the alley way. Onsite parking lots allow for smooth traffic flow and safe access for visitors and emergency vehicles. Approving this variance could increase the time for emergency response in that area of the community. This jeopardizes the public health, safety and general welfare surrounding the subject property.

The reduction from five (5) acres to 0.22 acre will not be injurious to the public health, safety, morals and general welfare of the community. The existing lot configuration renders it impossible to meet the five (5) acre requirement.

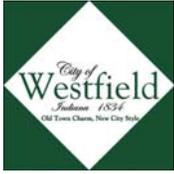
2. The use and value of the area adjacent to the property included in the variance of development standard will not be affected in a substantially adverse manner:

Finding: No evidence has been submitted to staff that property values will not be adversely impacted by the proposed small event venue. Staff recognizes that the added business will improve Downtown Westfield’s regional exposure; however, without a feasible parking solution traffic safety and personal safety could be at a higher risk. The increase in publically parked vehicles downtown could detract visitors from visiting other existing downtown business. The impact as a result of zero (0) onsite parking is a concern. No evidence has been submitted to staff that property values will not be adversely impacted by the proposed small event venue.

Neighboring properties are of similar size and shape, so the reduction from five (5) acres to 0.22 acre will not have an adverse affect to the adjacent properties.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property:

Finding: The strict application of the terms of the zoning ordinance does not result in a practical difficulty in using the parcel. The property is currently being used as an accounting



business, as allowed by right in the zoning ordinance. Parking requirements could be met onsite for the existing accounting firm, but not for the proposed small event venue. The proposed use would be a second use for the same property. There is no hardship regarding the use of the property as the property is currently being used as a small accounting office, as allowed by right in the zoning ordinance.

The strict application of the five (5) acre requirement does create a practical difficulty in further developing the property. The existing lot configuration renders it impossible to meet the five (5) acre requirement.

RECOMMENDATIONS

Approve the request for the reduction in acreage based on the findings of this report.

Deny the parking request based on the findings of this report.

JCM

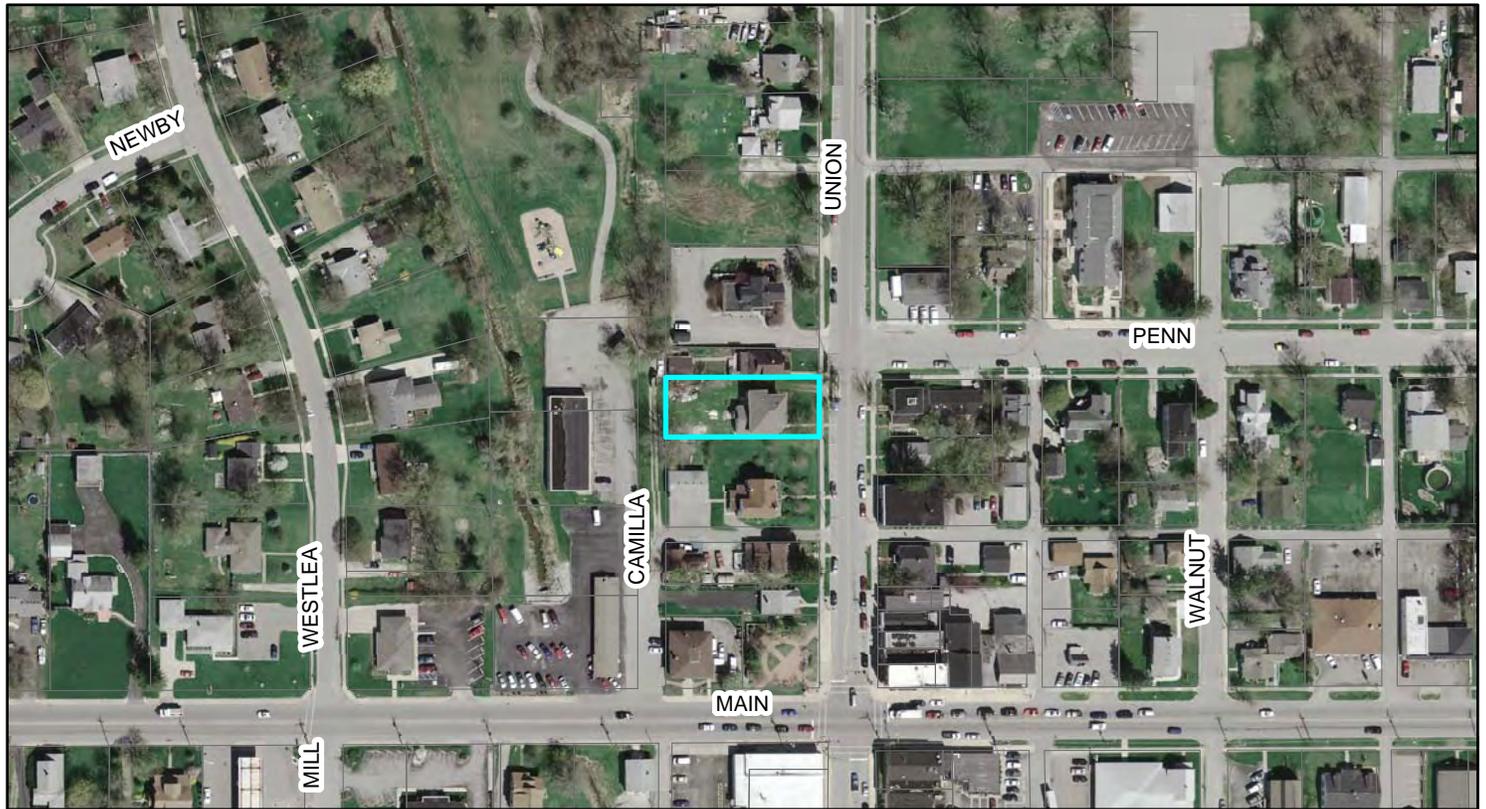


0901-VS-02
 09-05-36-04-07-032.000
 135 North Union Street
 Exhibit 2

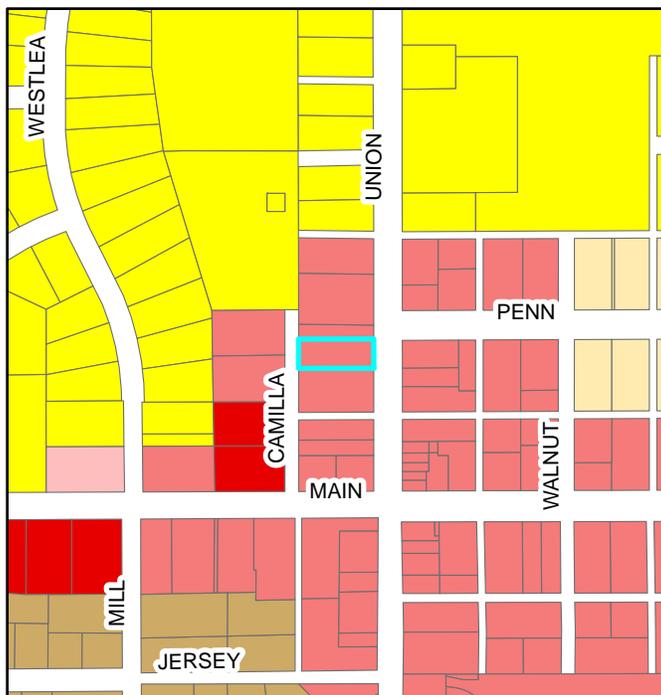


Aerial Location Map

Site

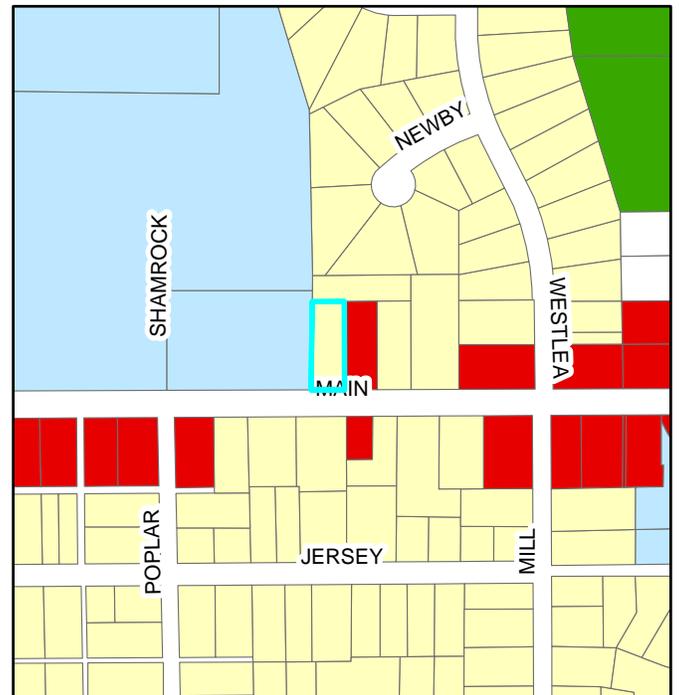


Zoning Map



- | | |
|------------------|-------------------------|
| General Business | Local Business Historic |
| Multi Family 1 | Single Family 3 |
| Local Business | Single Family 4 |

Existing Land Use Map



- | | |
|---------------|-------------|
| Commercial | Residential |
| Institutional | Vacant |
| Recreational | |

Property Card Report

1. report type

Reset

2. property search

new search

3. view reports

general parcel info.

spring tax statement

tax payments

property card

fall tax statement

Disclaimer:

This program allows you to view and print certain public records. **Each report reflects information as of a specific date**; so the information provided by different reports may not match. All information has been derived from public records that are constantly undergoing change and is not warranted for content or accuracy. It may not reflect the current information pertaining to the property of interest.

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Any, and all information contained on this web site report is the result of assessment data extracted on the most recent taxable year - **March 1, 2007**. Improvement characteristics may differ from those used to determine the total assessed value listed.

Summary Information - Parcel Number: 09-05-36-04-07-032.000

Property Data

Parcel Location	135 UNION ST N,WESTFIELD
Taxing Unit	Westfield
Legal Description	WESTFIELD ORIGINAL 60.0
Section/Township/Range	S36 T19 R03
Subdivision Name	WESTFIELD ORIGINAL
Lot and Block	Lot Pt25,Pt26 Block
Acres	0
Effective Frontage	60
Effective Depth	165
Property Class	One Family Dwelling Platted

Property Owner as of April 30, 2007

Callahan, Patrick & Jane E

Most Recent Valuation as of March 1, 2007

Assessed Value: Land	18900
Assessed Value: Improvements	96600
Total Assessed Value:	115500

Exterior Features and Out Buildings

2 Open Frame Porch,

Building 1, Card ID R01**Physical Characteristics**

Story Height	2.0
Attic	none
Basement	approx. 1/4
Crawl	approx. 3/4
Year Built	1901

Floor Construction

2.0 (second)	Sub and joists
1.0 (first)	Sub and joists
Basement	Slab

Floor Finish

2.0 (second)	Wood, None
1.0 (first)	Wood, None
Basement	Unfinished, None

Exterior Cover

2.0 (second)	Wood siding
1.0 (first)	Wood siding
Basement	Masonry

Interior Finish

2.0 (second)	Drywall
1.0 (first)	Drywall
Basement	None

Accommodations

Finished Rooms	15
Bedrooms	5

Heating and Air Conditioning

Primary Heat	YES
Air Conditioning	NO

Plumbing

Full Baths	2
Partial Baths	2

Fireplace

Fireplace Stacks	NO
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Basement Rec Room

Rec Room Type	
Rec Room Square Footage	0

Area/Square Footage (based on exterior eave to eave area)

Building Level	Base Area	Approx. Finished Area
2.0 (second)	1248	1248
1.0 (first)	1572	1572
Basement	312	0

Garage

Garage Type	
Garage Square Footage	0

TOWN OF WESTFIELD, INDIANA

Petition Number: _____

Date of Filing: _____

Application for VARIANCE OF DEVELOPMENT STANDARD**Westfield-Washington Township****Board of Zoning Appeal (BZA)**

1. Appellant's Name Patrick and Jane E. Callahan
 Address 135 North Union Street
 Westfield, Indiana 46074
 Telephone Number Patrick 317.867.2945 office
 Patrick 317.409.2066 cellular
 Jane E. 317.621.7434 office
 Jane E. 317.748.2386 cellular
 E-Mail Address Patrick pc_cpa@msn.com
 Jane E. duzydirtdigger@msn.com
2. Landowner's Name Patrick and Jane E. Callahan
 Address 135 North Union Street
 Westfield, Indiana 46032
 Telephone Number Patrick 317.867.2945 office
 Patrick 317.409.2066 cellular
 Jane E. 317.621.7434 office
 Jane E. 317.748.2386 cellular
3. *Representative N/A
 *Address N/A
 *Telephone Number N/A
 *Email Address N/A

*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.)
 The property address is 135 North Union Street, Westfield, IN. The property is located north of SR 32 on the West side of Union Street (4th building on the left as you head north from SR 32). The property is named The Fern of Westfield.
5. Legal description of property (list below or attach)
 Westfield Original 60.0 x 165.0 AUD 3/5/51 3/6/84 341-719. The property description is 60 feet off the entire North end of Lots 25 and 26 in ORIGINAL TOWN OF WESTFIELD, the plat of which is recorded in Deed Record D, page 121, in the Office of the Recorder, in HAMILTON County, Indiana. The property is 165' deep and 60' wide. The front of the property faces Union Street and a 12' Alley borders the rear of the property (see attached Surveyor Location Report, certified 12.10.03).
6. Complete description of the nature of the development standard variance applied for:
 During our pre-filing conference with Kevin M. Todd, AICP, Planner II and Jennifer M. Miller, Planner I, they informed us that we need three development standard variances.

TOWN OF WESTFIELD, INDIANA

The first variance needed is road frontage which must be 50'. As described above, we actually have 60' of road frontage, so we do not believe we need this variance.

The second variance needed is the requirement of 5 acres for development. We do not have five acres of land. Due to the city's desire to develop Historic Downtown Westfield and our desire to start this unique event venue business here, we respectfully request a variance from the 5 acre requirement. Our lot size is 60' wide by 165' in length.

The third variance needed is for parking spaces. According to Mr. Garry Harling, Division Chief of Fire Prevention, our maximum capacity is 83 people. According to Mr. Kevin Todd, this would require 20 - 21 parking places, using the Marion County standard of 1:4.

We respectfully request a waiver from this parking requirement for the following reasons:

- Parking on site will detract from the historical look of the property, having restored and preserved the original building.
- The business will offer a retreat setting with intricate, period landscaping surrounding the building.
- Many events are anticipated to be held evenings and weekends and therefore will not interfere with the normal business hours of the city.
- There is ample public parking available, including the Asa Bales Park Public lot directly behind the property with 17 parking places, the public lot at Penn Street and Walnut Street with 12 spaces (just 1 ½ blocks away), and the four Union Street parking spaces directly in front of the building on the same side of the street. In addition, there are many additional public parking spaces on either side of Union Street and on Penn Street.
- The use of the city parking lots will encourage our patrons to see and experience Historic Westfield as they progress to the venue.
- The current driveway of the building will accommodate 4 cars.

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;

See attached.

b. Location and dimensions of existing and proposed structures;

See attached.

c. Location and dimensions of existing and proposed points of ingress and egress; and

Ingress may be accessed from the front door facing Union Street and from a back door facing the alley. Egress is the same. The front door measures 96 inches in height by 34 inches in width. The back door measures 80 ½ inches in height by 61 ½ inches in width. We have obtained estimates (attached) to modify these doorways to comply with Fire Safety requirements. This will include changing the door swing and adding panic

TOWN OF WESTFIELD, INDIANA

hardware. Additionally, each door will be lighted with Exit signs and Emergency lighting installed in the venue (estimate attached).

- d. All topographic and natural features and/or other unusual characteristics associated with the property.

There are a couple of very large trees in the backyard and one in the front yard.

- 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:

Mr. Garry Harling, Division Chief of Fire Prevention has examined the site. We are following his recommendations regarding Ingress and Egress as noted above. He noted no further modifications needed when those are complete.

Mr. Marc Reynolds, Fire and Building Code Inspector for the Indiana Department of Homeland Security, Division of Fire and Building Safety Code Enforcement & Plan Review Branch inspected the site and released it. He commented that the structure was in excellent condition and in fact much better than most buildings in Marion County that convert to business use. The release date is 11.12.08 (see attached). Please note: the infrastructure of the building has been updated with completely new electrical, plumbing, heating and cooling systems.

The planned use for the building should be a testament to the morals and general welfare of the community. As a small event venue in a retreat like setting, it is a place for people to gather with colleagues, friends and family for special occasions, board retreats, business meetings, etc. (see attached description).

- 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 planned use and value of the building should enhance the adjacent properties as the building is a showcase for the Historical City of Westfield. The property has been completely restored with period landscaping in the front facing Union Street. And the landscape plan for the rear of the building (attached) will be completed in Spring 2009.

The interior of the building is beyond words. All original windows and stained glass, woodwork, fixtures and floors have been returned to their yesteryear beauty. Period lighting accent each room magnificently. Some unique elements have been added such as a quarter-sawn oak counter from Marion College and two solid oak and beveled glass doors from a public school in Indianapolis.

The use of the surrounding residences and businesses will not be impeded. If anything, it will bring new customers to the surrounding businesses. In fact, Kelties will be a preferred caterer for the venue. Located in the heart of Historic Downtown Westfield,

TOWN OF WESTFIELD, INDIANA

this venue is sure to become a valued treasure for the city. And as a small event venue, it will attract and bring new people to the city who would otherwise never venture here.

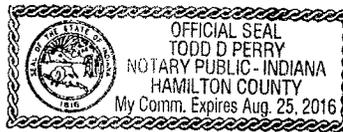
c. That the strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property:

Because such care has been taken to restore this 1901 American Foursquare to its original grandeur, a parking surface would substantially detract from the property. The back area is scheduled to be landscaped beautifully with plantings common to the early 1900s and with an outdoor seating area which will also be available to guests renting the facility.

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

James E. Callahan
Applicant

SUBSCRIBED AND SWORN TO ME THIS 16th DAY OF DEC, 2008.



Todd D. Perry
Notary Public

My commission expires: 8-25-2016

Would you like to reduce your turnaround time?

ELECTRONICALLY FILE YOUR PROJECT WITH STATE OF INDIANA at http://www.in.gov/dhs/fire/branches/plan_review/index.html.
This on-line filing is through a secure site, you can use it to submit your project information, pay the fees and upload your project plans.

As of June 16th, 2008, the 2008 Indiana Building, Fire, Mechanical and Fuel Gas codes will be in effect. 675 IAC 12-4-7 (a) states in part: "Construction projects shall be done in compliance with the applicable rules of the commission in effect on the date the plans were filed with the division". Therefore, all plans received in the Plan Office on or after June 16th will be reviewed in accordance with the provisions of the 2008 codes.

 <p>CONSTRUCTION DESIGN RELEASE State Form 41191 (R9/5-98) Report Printed on: November 13, 2008</p> <p>Indiana Department of Homeland Security DIVISION OF FIRE & BUILDING SAFETY PLAN REVIEW DIVISION 402 W. Washington St., Room E245 Indianapolis, IN 46204</p> <p>To: Owner / Architect / Engineer Patrick and Jane E. Callahan Jane E Callahan 135 North Union Street Westfield IN 46074</p> <p>Fax & e-mail: 3178672950, duzydirtdigger@msn.com</p>	Project number 337860		Release date 11/12/08
	Construction type EXST		Occupancy classification A-3
	Scope of release ARCH		
	Type of release STD-Rule 13		
	Project name The Fern of Westfield		
	Street address 135 N Union St		
	City WESTFIELD		County HAMILTON
	 <p>Available At Your Local Licence Branch SUPPORT HOOSIER SAFETY</p>		

The plans, specifications and application submitted for the above referenced project have been reviewed for compliance with the applicable rules of the Fire Prevention and Building Safety Commission. The project is released for construction subject to, but not necessarily limited to, the conditions listed below. THIS IS NOT A BUILDING PERMIT. All required local permits and licenses must be obtained prior to beginning construction work. All construction work must be in full compliance with all applicable State rules. Any changes in the released plans and/or specifications must be filed with and released by this Office before any work is altered. This release may be suspended or revoked if it is determined to be issued in error, in violation of any rules of the Commission or if it is based on incorrect or insufficient information. This release shall expire by limitation, and become null and void, if the work authorized is not commenced within one (1) year from the above date.

CONDITIONS:

Note :(A1A & A1B): In accordance with the affidavit sworn under penalties of perjury in the application for construction design release the plans and specifications filed in conjunction with this project shall comply with all of the applicable rules and laws of Fire Prevention and Building Safety Commission. Providing false information constitutes an act of perjury, which is a Class D felony punishable by a prison term and a fine up to \$10,000.

In accordance with Section 19 of the General Administrative Rules (675 IAC 12-6-19) a complete set of plans and specifications that conform exactly to the design that was released by the office of the state building commissioner shall be maintained on the construction jobsite as well as a copy of the design release.

4G1302AA This project has been filed, reviewed, and the preliminary inspection has been performed in accordance with 675 IAC 12-13-4(a).

4G1302AB All construction work done to accomplish the conversion (construction includes alteration) shall be done in accordance with current applicable rules for new construction in accordance with 675 IAC 12-13-2(a).

Please be advised that if an administrative review of this action is desired, a written petition for review must be filed at the above address with the Fire Prevention and Building Safety Commission identifying the matter for which a review is sought no later than eighteen (18) days from the above - stated date, unless the eighteenth day falls on a Saturday, a Sunday, a legal holiday under State statute, or a day in which the Department of Fire and Building Services is closed during normal business hours. In the latter case, the filing deadline will be the first working day thereafter. If you choose to petition, and the before-mentioned procedures are followed, your petition for review will be granted, and an administrative proceeding will be conducted by an administrative law judge of the Fire Prevention and Building Safety Commission. If a petition for review is not filed, this Order will be final, and you must comply with its requirements.

Filed By	Code review official DONALD LEBRUN	Code Enforcement & Plan Review Branch Director 
Address (name, title of local official, street, city, state and ZIP code) BUILDING COMMISSIONER JOHN WHITE 130 PENN STREET BOX 322 WESTFIELD, IN 46074		State Fire Marshal 
Fax & e-mail: 3178962791, jwhite@westfield.in.gov		



ASHPAUGH ELECTRIC

17902 U.S. 31 North, Suite 5 • Westfield, IN 46074
(317) 896-2605 Fax (317) 867-1302

Customer Name Pat-Jane Calahan Date 12-12-08

Address _____

Job Location 135 N. Union St. Westfield IN 46074

Description of Work Please find our quote to install and furnish 1- Exit light with Battery and 2- Emergency Heads
1- Battery Exit light 2- Emergency lights
Furnish all wiring and boxes Labor for complete job

Total Bid \$737.69
S.S.T. Included

Shambhoo

Total Number of Working Days _____

WORK SHALL BE LISTED ABOVE

Proposal or Contract

Terms of Payment In full at Completion

Accepted By _____ Date _____

Salesman Signature [Signature] Contact Number _____

(SEE OTHER SIDE FOR TERMS OF CONTRACT)

CUSTOM WOODWORKS INC.

17440 WESTFIELD PARK DR.
WESTFIELD IN 46074

PROPOSAL

DATE	NUMBER
12/12/2008	0105-80

NAME / PROJECT
JANE CALLAHAN 13633 THISTLEWOOD DR. CARMEL IN 46032

ITEM	DESCRIPTION	QTY	COST	TOTAL
Labor and m...	ESTIMATED LABOR AND MATERIAL TO CONVERT EXTERIOR INSWING ENTRY DOORS TO OUTSWING. INCLUDES NEW JAMBS BUT NO HARDWARE INDIANA SALES TAX	2	1,250.00	2,500.00
			6.00%	0.00

TOTAL	\$2,500.00
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SIGNATURE _____



Stanley Security Solutions, Inc.

11947 Cumberland Rd, Fishers IN 46038
 Phone: 317-985-4837 Fax: 1-317-952-5045

The Fern of Westfield
 135 N Union
 Westfield, IN 46033
 USA
 Account #: The Fern of Westfield

Date: 12/5/2008
 Quote Number: 128867

Attn: Jeremy Callahan

Phone:

Fax: 317-867-2950

The Fern of Westfield Exit Device Project-128867-0
 The Fern of Westfield Exit Device

WE ARE PLEASED TO QUOTE AS FOLLOWS

Item	Catalog No.	Description	Qty Unit	Unit Price	Amount
Back Door					
1	5R0305-M1705B-LHRB-605-605-3	OLYMPIAN PANIC EXIT DEVICES, PHI	1 each	\$1,588.00	\$1,588.00
2	1E74-C181-605 - Less Core	1E MORTISE CYLINDER	1 each	\$39.85	\$39.85
				Total	\$1,727.85
Front Door					
3	5R0105-Y1705B-RHRB-605-605-3	OLYMPIAN PANIC EXIT DEVICES, PHI	1 each	\$1,326.00	\$1,326.00
4	1E72-S2-605 - Less Core	1E2 RM CYLINDER	1 each	\$39.85	\$39.85
				Total	\$1,365.85

MATERIAL	\$3,093.70
INSTALLATION	\$321.75
TOTAL	\$3,415.45

WHEN ORDERING PLEASE SUPPLY SPECIFIC KEYING INFORMATION

Locking and latching hardware may be subject to ADA technical requirements concerning access for disabled persons. Conformance to such requirements, as well as other building safety code regulations, is the responsibility of the end user.

These commodities, technology or software may be exported or re-exported from the United States only in accordance with U.S. export administration regulations. Diversion contrary to U.S. law prohibited.

TERMS AND CONDITIONS

Prices quoted are effective for 90 days.

Terms: Net 30 Upon Approval

Quotes subject to correction of clerical error.

Note: This quote does not include tax, shipping and handling charges.

Tax, shipping and handling charges will be calculated at the time the order is placed.

PREPARED BY

Chris McNertney
 Keying Systems Specialist
 Phone: 317-985-4837
 Fax: 1-317-852-5045
 Email: cmcnertney@stanleyworks.com

 Customer Signature

DRAFT PROMOTIONAL PIECE



An extraordinary, intimate event venue for small gatherings, this restored 1901 American Foursquare will make your next event unforgettable!

The perfect venue for:

- Business Meetings
- Board Retreats
- Planning Retreats
- Bridal Showers
- Baby Showers
- Small Wedding Receptions

Located in the heart of Historic Downtown Westfield at 135 North Union.

Proprietor: Jane Callahan
317.748.2386
thefernofwestfield@msn.com

DRAFT PROMOTIONAL PIECE

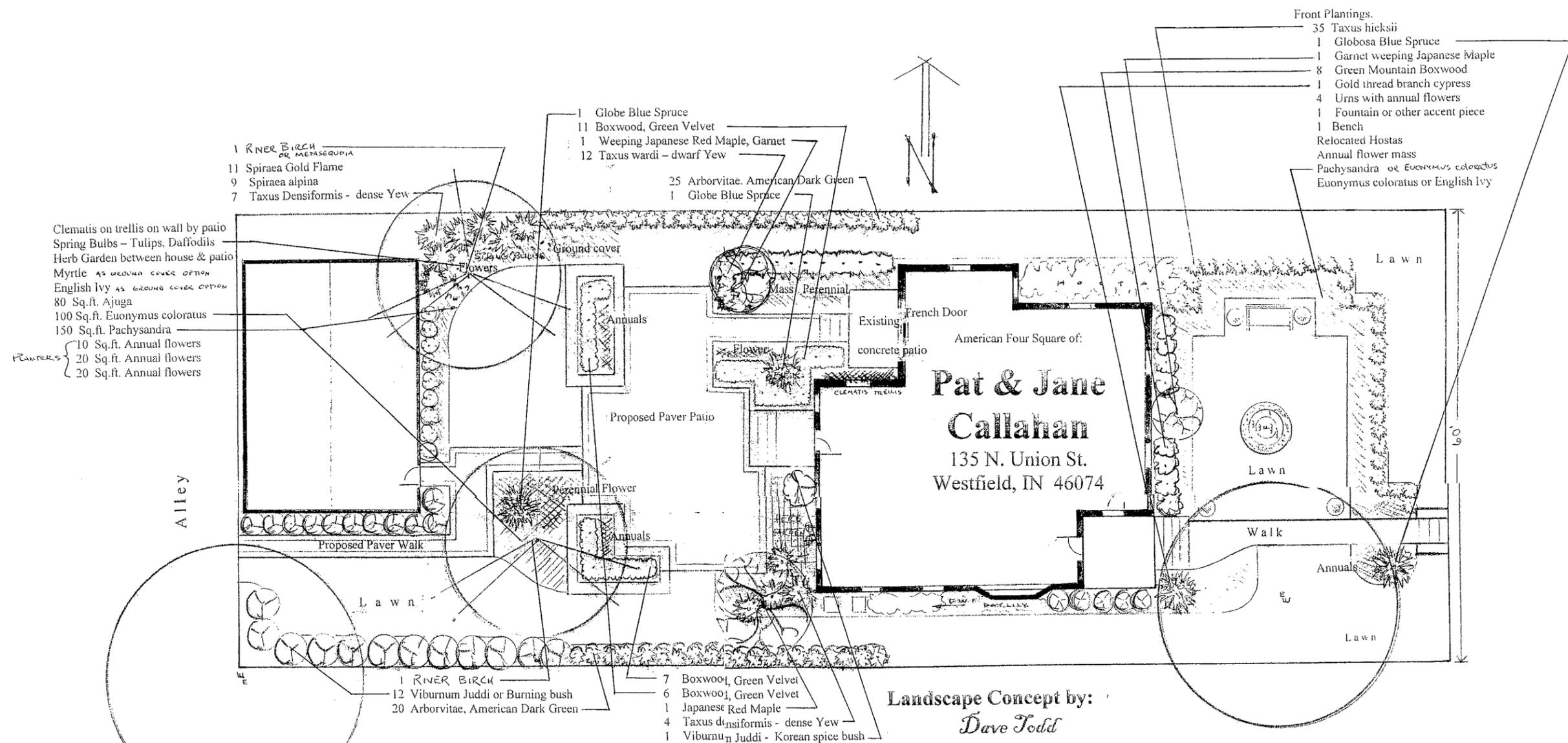


Our purpose is to provide an extraordinary, warm and intimate setting enabling you to:

- Celebrate
- Rejoice
- Think
- Reflect
- Imagine
- Dream
- Plan
- Collaborate
- Strategize
- Have fun with family, friends and colleagues
- Make our community a better place to live and work

**Located in the heart of the Historic
Downtown**

**135 North Union
Westfield, Indiana**



Clematis on trellis on wall by patio
 Spring Bulbs - Tulips, Daffodils
 Herb Garden between house & patio
 Myrtle AS GROUND COVER OPTION
 English Ivy AS GROUND COVER OPTION
 80 Sq.ft. Ajuga
 100 Sq.ft. Euonymus coloratus
 150 Sq.ft. Pachysandra
 PLANTERS {
 10 Sq.ft. Annual flowers
 20 Sq.ft. Annual flowers
 20 Sq.ft. Annual flowers

- 1 RIVER BIRCH OR METASEQUOIA
- 11 Spiraea Gold Flame
- 9 Spiraea alpina
- 7 Taxus densiformis - dense Yew

- 1 Globe Blue Spruce
- 11 Boxwood, Green Velvet
- 1 Weeping Japanese Red Maple, Garnet
- 12 Taxus wardi - dwarf Yew

- 25 Arborvitae, American/Dark Green
- 1 Globe Blue Spruce

- Front Plantings.
- 35 Taxus hicksii
 - 1 Globosa Blue Spruce
 - 1 Garnet weeping Japanese Maple
 - 8 Green Mountain Boxwood
 - 1 Gold thread branch cypress
 - 4 Urns with annual flowers
 - 1 Fountain or other accent piece
 - 1 Bench
 - Relocated Hostas
 - Annual flower mass
 - Pachysandra or EUONYMUS coloratus
 - Euonymus coloratus or English Ivy

Alley

Union Street

American Four Square of:
Pat & Jane Callahan
 135 N. Union St.
 Westfield, IN 46074

- 1 RIVER BIRCH
- 12 Viburnum Juddi or Burning bush
- 20 Arborvitae, American Dark Green
- 7 Boxwood, Green Velvet
- 6 Boxwood, Green Velvet
- 1 Japanese Red Maple
- 4 Taxus densiformis - dense Yew
- 1 Viburnum Juddi - Korean spice bush

Paver Patio to have one full course edge color.
 Soil may be required to level grade in rear.
 Spade cut beds and amend soil as needed.
 Fertilize and Mulch all plantings and planting beds.
 Provide yearly fertilization and mulching.
 Irrigate all ground cover and flowerbeds throughout warm months.
 Easement & underground locations unknown to designer. Elevations unknown.
 Dimensions are approximate and not verified.
 Plan is conceptual.
 E = EXISTING TREE

Landscape Concept by:
Dave Todd
 August 30, 2005
 New Augusta Nursery, Inc.
 Toddesign
 Scale of original approx. 1" = 10'
 See dimensions to verify print scale.

Westfield-Washington Township Board of Zoning Appeals (BZA)





-
- ❑ 135 North Union purchased 12.23.03 by Patrick and Jane E. Callahan
 - ❑ Originally built in 1901, the building was carefully restored including original woodwork, flooring, windows, stained glass, tubs, sinks
 - ❑ Where original parts could not be restored, custom matching was done (e.g. glass from Germany, special milled oak hardwood flooring)
 - ❑ Infrastructure was replaced: plumbing, electrical, heating, cooling, roof



- ❑ Interior design is true to turn-of-the-century including lighting, finishes, colors, kitchen
- ❑ Professional landscaping design for front and rear of building

BEFORE





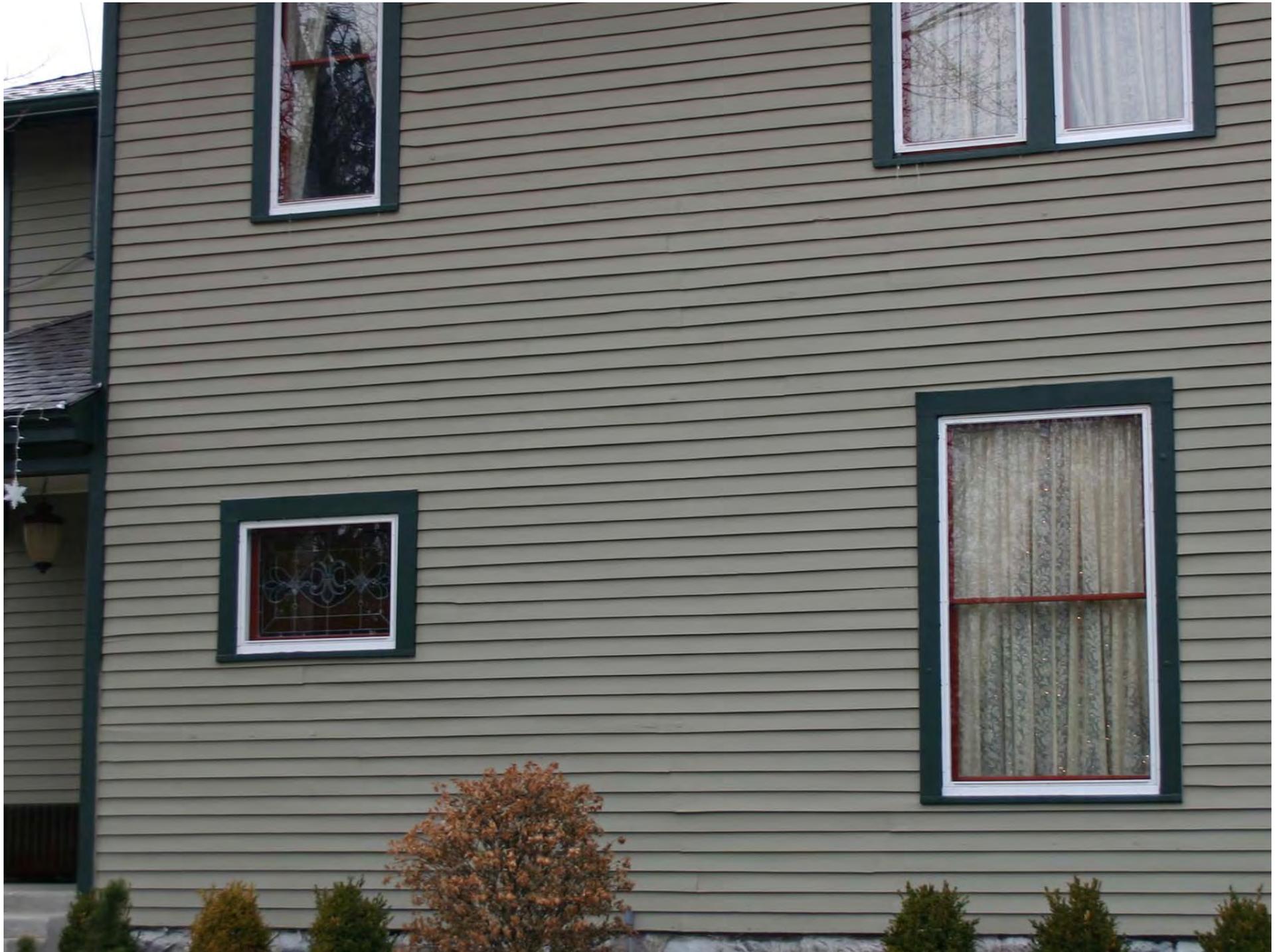




the Fern
of Westfield





























WELCOME #KOMEN!



5	3
1	0
8	2
0	1



20%

Design

(Promotes Change for the Customer)

0%

Default

(Accepts Status Quo)

30%

Defiance

(Resists Change)

THE NEW REALITY









- ❑ Patrick Callahan, CPA occupies the second floor of the building
- ❑ The first floor is intended for a small event venue
- ❑ Most events will be 20 to 50 people, but, the venue can hold up to 83



- We respectfully request two variances:
 - Requirement of 5 acres for development
 - Parking spaces

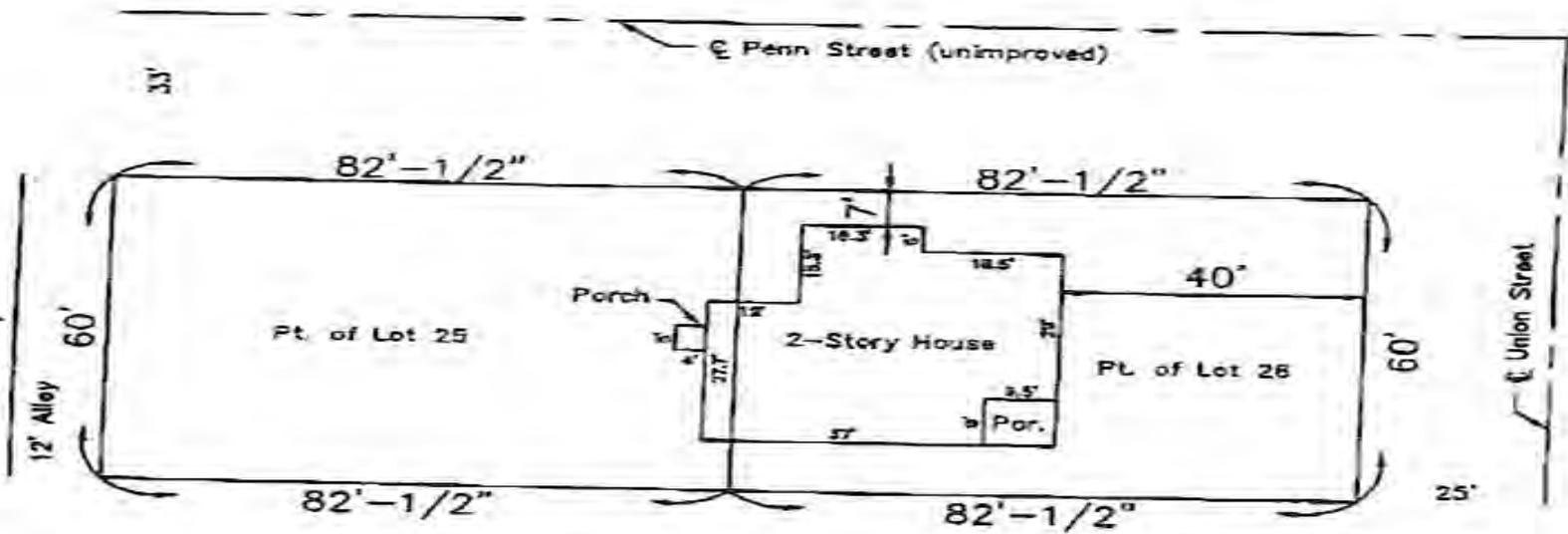
This is to certify that the subject property does not lie within that Special Flood Hazard Area Zone "A".
The accuracy is subject to map scale uncertainty and to any other uncertainty in location or elevation on Community
Panel Number 180576 0120 F of the Flood Insurance Rate Maps, effective date 2/19/03.

PROPERTY ADDRESS: 135 N. Union Street

PROPERTY DESCRIPTION: 60 feet off the entire North end of Lots 25 and 26 in ORIGINAL TOWN OF WESTFIELD, the plat of which is recorded in Deed Record D, page 121, in the Office of the Recorder, in HAMILTON County, Indiana



Note:
Due to the lack of qualified monuments found,
the accuracy of this report is limited to 3'±.



TITLE COMPANY: MERIDIAN TITLE CORPORATION

LENDER:

I hereby certify to the parties named above that the real estate described herein was inspected on the date indicated and that...



See Display Board



□ Parking Spaces

- Period landscaping surrounds building
- Terrace area in rear of building for event use
- Parking will detract from the use and appearance of this historic retreat setting
- Event schedules
- Ample public parking
- Patrons will experience Westfield



-
- What does The Fern bring to Westfield?
 - Maintains the heritage of Westfield the and history of the building – was formally The Tourist Home
 - Patrons from areas outside of Westfield
 - Beautifully restored building in the heart of Historic Downtown Westfield – a destination place, a showcase for the city
 - A place for locals to conduct meetings, planning retreats, gatherings



Thank you!

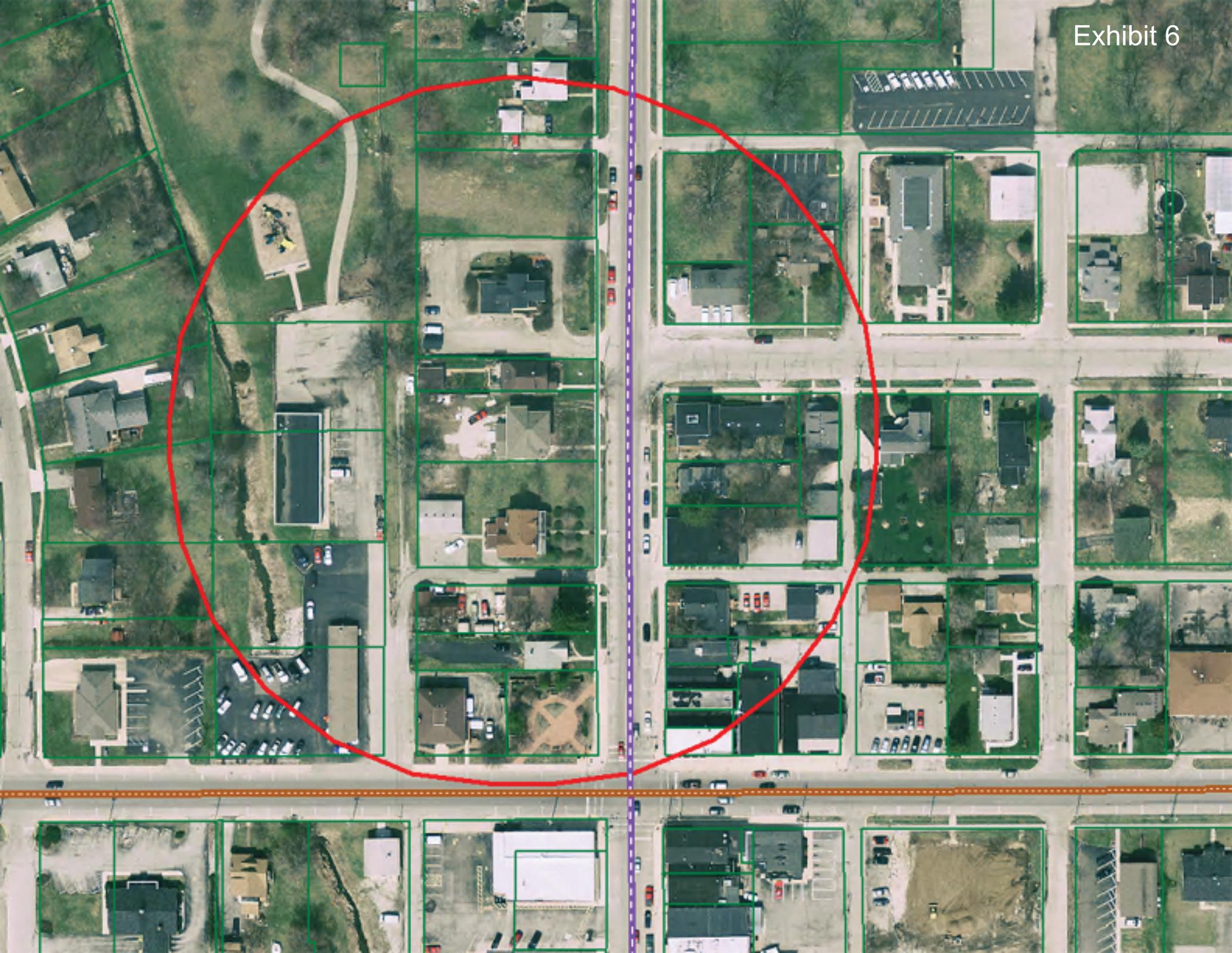


Exhibit 7



JAN 7 2009



JAN 7 2009



JAN 7 2009