

Robert L. Whitmoyer
3510 Westfield Rd.
Westfield, In 46062-8934
Phone - 317-896-2453

December 15, 2011

Memo to:

Re: Trail Overlay Ordinance 11-32 - APC Agenda

This ordinance is scheduled for a public hearing on Tues., January 3. A summary of the impact on my property is outlined in the attached drawing. Also attached is a drawing, which clearly shows the complete overkill this ordinance provides. There is considerable confusion about its total impact, which we will clarify further at the public hearing. Some areas of confusion are:

- **Some are thinking that land use remains unchanged and this only would impact property owners when land is sold. The facts are, it immediately reduces the sale value of property, and also limits the landowner's options for using his property.**
- **Some do not understand that this is actually taking private property by governmental action with no payment to the taxpaying owner, who will continue paying the full taxes.**
- **Some do not understand that adding 200' of complex rules to the many miles of trails that wind thru the Twp. will further impair our ability to attract new business. We already have numerous development rules, regulations, procedures, plus various Zoning restrictions and highway overlays.**

Thank you for your time and decision to vote NO on Ord. 11-32.

MIDLAND R/W
MY 1/2 - 20 FT

**PAYMENT WILL BE
REC'D FOR TRAIL R/W
FOR THIS 20' AREA**

**CENTER OF
MIDLAND R/W**

1178'

**CURRENT
SETBACK**

10'

SETBACK ADDED

**ALL DEVELOPMENT IN
THIS AREA MUST
DIRECTLY BENEFIT
THE TRAIL AND IS
AT OWNERS EXPENSE**

40'

**NEW ZONING
RESTRICTIONS
ADDED HERE**

50'



Robert L. Whitmoyer
3510 Westfield Rd.
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8937

IMPACT OF

**LENGTH OF MY R/W
1178'**

**THE CITY WANTS TO
PAY FOR .54 ACRES
BUT RESRICT 3.25 ACRES**

**SCALE
1/2' = 10'**



RESTRICTED AREA

Ord.11-32 Impacts:

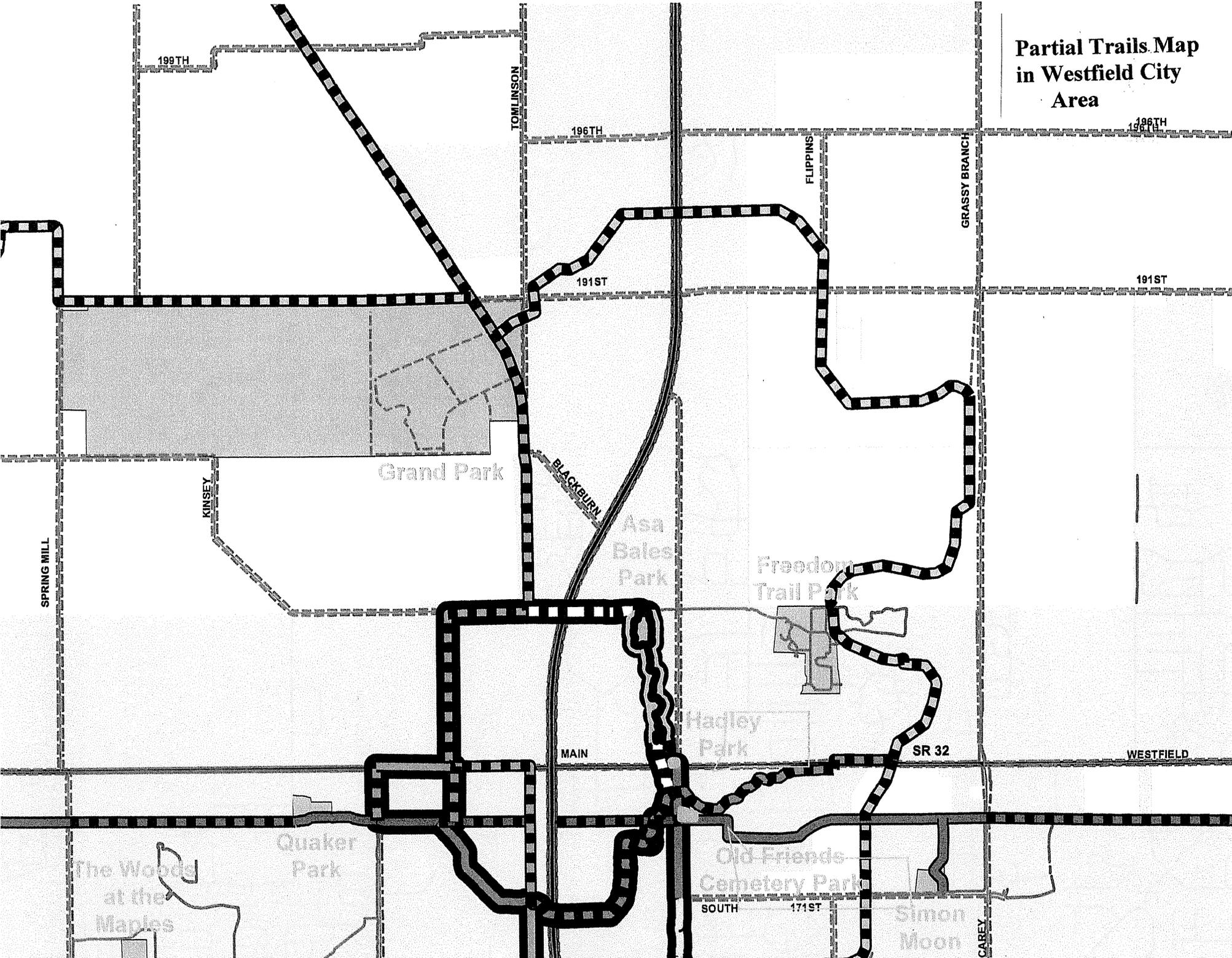
- 32 miles of trails
- Controls 930 Acres
- Trail surface covers 62 Acres or 7%
- Landowner is paid for 155 Acres or 17%
- Land taken for Trail Control with no Payment to Owner — 775 Acres or 83%.

RESTRICTED AREA

**THE CITY WANTS TO PUT THIS 16 FT TRAIL
IN A RESTRICTED CORRIDOR OF 240 FT.
THIS OVERKILL IS AN INFRINGEMENT ON
OUR LANDOWNERS RIGHTS.**

SCALE : ¼ INCH = 10 FT.

Partial Trails Map in Westfield City Area



Andrew Murray

From: Kevin M. Todd, AICP
Sent: Wednesday, November 30, 2011 9:23 AM
To: Andrew Murray; Matt Skelton
Subject: FW: Trail ordinance 11-32

FYI.

Andrew, this should go in the file as public comment and should be given to the APC members as part of the public hearing process on Monday.

-----Original Message-----

From: Phil Haas [mailto:pjhaashouse@yahoo.com]
Sent: Wednesday, November 30, 2011 9:21 AM
Subject: Trail ordinance 11-32

We strongly object to the overly restrictive zoning changes and vaguely worded ordinance and urge you to vote against it.

Philip & Judith Haas
714 E 161st
Westfield