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MAY 17 2013

TOWN OF WESTFIELD, INDIANA

Petition Number:
Date of Filing:

1306-VS-05
05-17-2013

**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 Wellbrooke of Westfield
Address 937 E. 186th St.
Westfield, IN 46037
Telephone Number 317-804-8044
E-Mail Address heerphil@lifecareserviceslcs.com
2. Landowner's Name Henke Development Group, LLC
Address 1 South Rangeline Road, LLC
Carmel, IN 46032
Telephone Number 317-439-2731
3. *Representative _____
*Address _____

*Telephone Number _____
*Email Address _____

*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.)
SR 32 + Wheeler Rd. North East Corner
See attached
5. Legal description of property (list below or attach)
See Attached.
6. Complete description of the nature of the development standard variance applied for:
Sign Ordinance; Section K. Temporary Signage;
4. Real Estate Signs; c. Nonresidential Real Estate
Signs; iii and iv.
Installation of sign will not be installed on parcel for sale.
Removal of sign will be after a maximum of six months.

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:

The proposed sign will be located in an area that would not cause a visual hazard to traffic. The sign would have a very simple message that would not be offensive in any interpretation.

- 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 sign will be temporary and will be professionally designed and constructed and will be well maintained while it is up. The sign would not negatively affect the value of the area adjacent to the property.

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

Wellbrooke of Westfield Health and Wellness Center is a new business in the Grand Park development and has very limited visibility and accessibility which has effected the public awareness of our new business.

TOWN OF WESTFIELD, INDIANA

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

Philip Hee
Applicant

SUBSCRIBED AND SWORN TO ME THIS 17th DAY OF May, 2013.

Patricia J. Leuteritz
Notary Public

My commission expires: 3/13/16

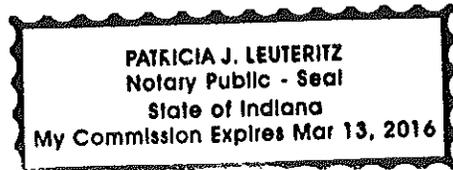
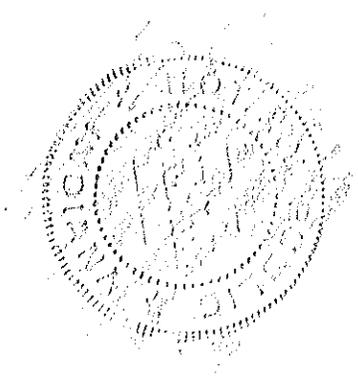


EXHIBIT A
LEGAL DESCRIPTION

File No.: 542331

The land referred to in this Commitment, situated in the County of Hamilton, State of Indiana, is described as follows:

PARCEL I:

A part of the Southwest Quarter of Section 36, Township 19 North, Range 3 East located in Washington Township, Hamilton County, Indiana, being more particularly described as follows:

Commencing at the brass pin marking the Southeast corner of the Southwest Quarter of Section 36, Township 19 North, Range 3 East; thence on the South line of said Southwest Quarter North 89 degrees 42 minutes 22 seconds West (Assumed bearing) 1324.73 feet to the Southwest corner of the East Half of said Southwest Quarter, said point being equidistant from the Southwest corner of said Southwest Quarter; thence on the West line of the East Half of said Southwest Quarter North 00 degrees 47 minutes 11 seconds East 492.50 feet; thence South 89 degrees 42 minutes 22 seconds East 17.50 feet to a 5/8 inch iron rod with yellow cap stamped Miller Surveying on the right of way line per Instrument No. 2007040170 and the point of beginning of this description;

Thence on the South line of a tract of real estate as described in Instrument #87-11535 South 89 degrees 42 minutes 22 seconds East 246.50 feet to a 5/8 inch Iron rod with yellow cap stamped Miller Surveying at the Southeast corner of a tract of real estate as described in Instrument No. 87-11535; thence on the East line of said tract of real estate North 00 degrees 47 minutes 11 seconds East 250.00 feet to a 5/8 inch iron rod with yellow cap stamped Miller Surveying at the Southwest corner of a tract of real estate as described in Instrument #200500045217; thence on the South line of said tract of Real Estate South 89 degrees 42 minutes 22 seconds East 258.10 feet to a 5/8 inch iron rod with yellow cap stamped Miller Surveying; thence continuing on said South Line South 62 degrees 20 minutes 43 seconds East 10.00 feet to a 5/8 inch iron rod with yellow cap stamped Miller Surveying on the Westerly right of way line of Sun Park Drive, said point being on a curve to the left and having a radius of 300.09 feet and having a chord bearing of South 14 degrees 12 minutes 53 seconds West and a distance of 139.44 feet; thence on the arc of said curve 140.73 feet to a 5/8 inch iron rod with yellow cap stamped Miller Surveying; thence continuing on said West right of way line South 00 degrees 46 minutes 41 seconds West 302.35 feet to a 5/8 inch iron rod with yellow cap stamped Miller Surveying to the right of way of State Road 32 per Instrument No. 2007040170; thence on said right of way line the following 10 courses 1) South 05 degrees 30 minutes 24 seconds West 130.44 feet to a 5/8 inch iron rod with yellow cap stamped Miller Surveying; 2) thence South 41 degrees 58 minutes 22 seconds West 60.73 feet to a 5/8 inch iron rod with yellow cap stamped Miller Surveying; 3) thence South 00 degrees 51 minutes 30 seconds West 23.73 feet to a 5/8 inch iron rod with yellow cap stamped Miller Surveying; 4) thence North 89 degrees 51 minutes 39 seconds West 313.71 feet to a 5/8 inch iron rod with yellow cap stamped Miller Surveying; 5) thence North 88 degrees 57 minutes 19 seconds West 38.38 feet to a 5/8 inch iron rod with yellow cap stamped Miller Surveying; 6) thence North 88 degrees 02 minutes 59 seconds West 120.57 feet to a 5/8 inch iron rod with yellow cap stamped Miller Surveying; 7) thence North 13 degrees 01 minute 46 seconds West 120.57 East 79.30 feet to a 5/8 inch iron rod with yellow cap stamped Miller Surveying; 8) thence North 00 degrees 47 minutes 04 seconds 56 seconds West 25.77 feet to a 5/8 inch iron rod with yellow cap stamped Miller Surveying; 9) thence North 89 degrees 12 minutes 47 minutes 11 seconds East 214.72 feet to the point of beginning, containing 5.70 acres, more or less.

PARCEL II:

A part of the Southwest Quarter of Section 36, Township 19 North, Range 3 East located in Washington Township, Hamilton County, Indiana being bounded as follows:

Commencing at the Southeast corner of the Southwest Quarter of Section 36, Township 19 North, Range 3 East; thence North 89 degrees 42 minutes 22 seconds West (assumed bearing) 1,324.73 feet along the South line of said Southwest Quarter to the Southwest corner of the Southeast Quarter of said Southwest Quarter, said corner being collinear with and equidistant from the Southeast corner and the Southwest corner of said Southwest Quarter; thence North 00 degrees 47 minutes 11 seconds East 492.50 feet along the West line of the Southeast Quarter of said Southwest Quarter to the POINT OF BEGINNING of this description; thence North 00 degrees 47 minutes 11 seconds East 250.00 feet along the West line of the Southeast Quarter of said Southwest Quarter to the Southwest corner a 3.5 acre tract of land described in Instrument #609 and recorded in Deed record 219, Page 289 in the Records of Hamilton County, Indiana; thence South 89 degrees 42 minutes 22 seconds East 264.00 feet parallel with the South line of said Southwest Quarter; thence

South 00 degrees 47 minutes 11 seconds West 250.00 feet parallel with the West line of the Southeast Quarter of said Southwest Quarter; thence North 89 degrees 42 minutes 22 seconds West 264.00 feet parallel with the South line of said Southwest Quarter to the POINT OF BEGINNING.

May 1, 2013

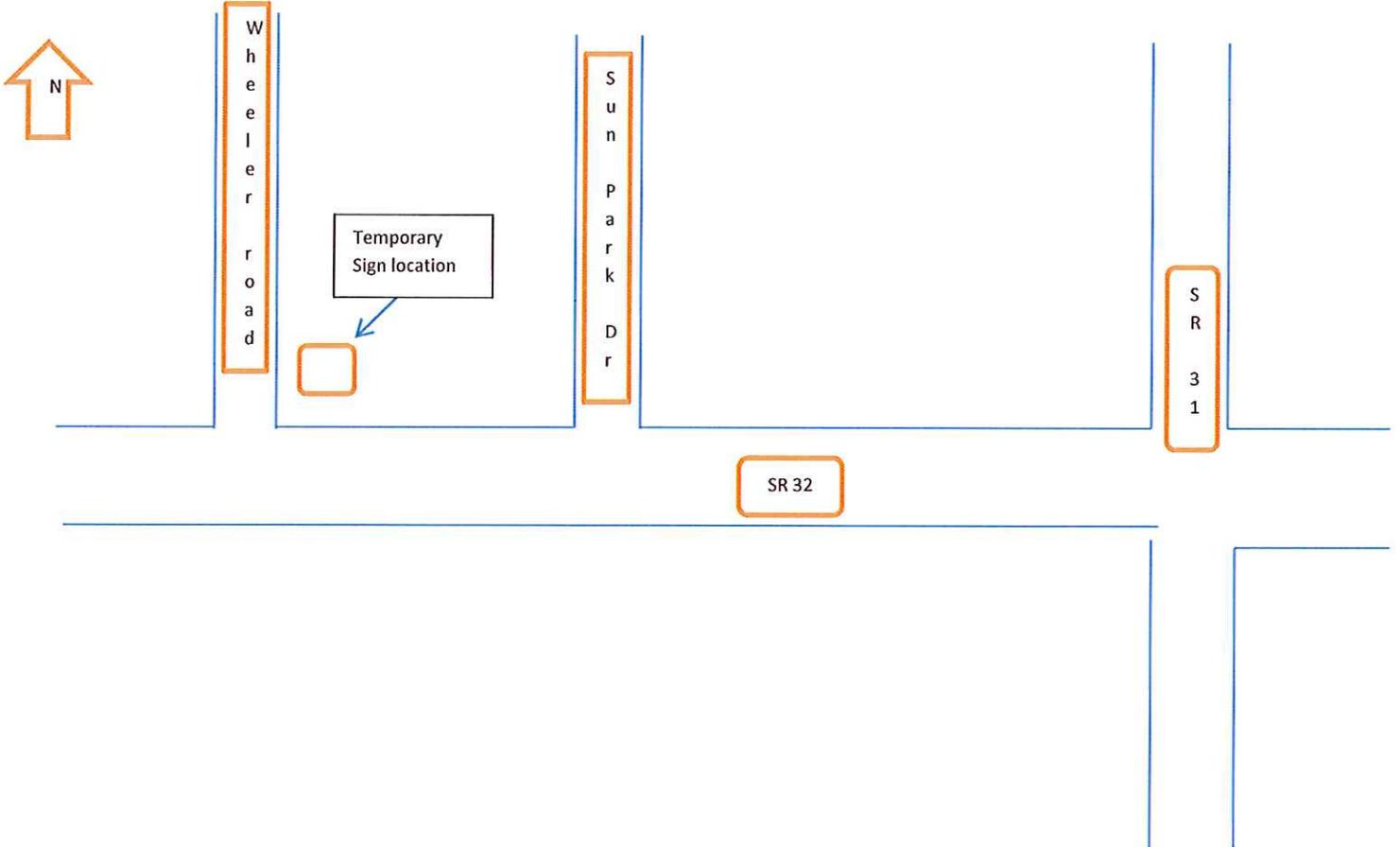
To Whom It May Concern:

As the representative for Hamilton West Investments, the landowners of the property located on SR 32 and Wheeler Rd., I give the operators of Wellbrooke of Westfield Health and Wellness Center permission to construct a temporary construction sign on this property for a period of four (4) months with an extension possibility up to six (6) months. Wellbrooke has agreed to remove the sign after four (4) months upon our request. Any relocation of the sign on the site for construction or other necessity would be at the expense of Wellbrooke of Westfield. We have also informed the Operators of Wellbrooke that there is a gas line on this property that they will need to avoid.

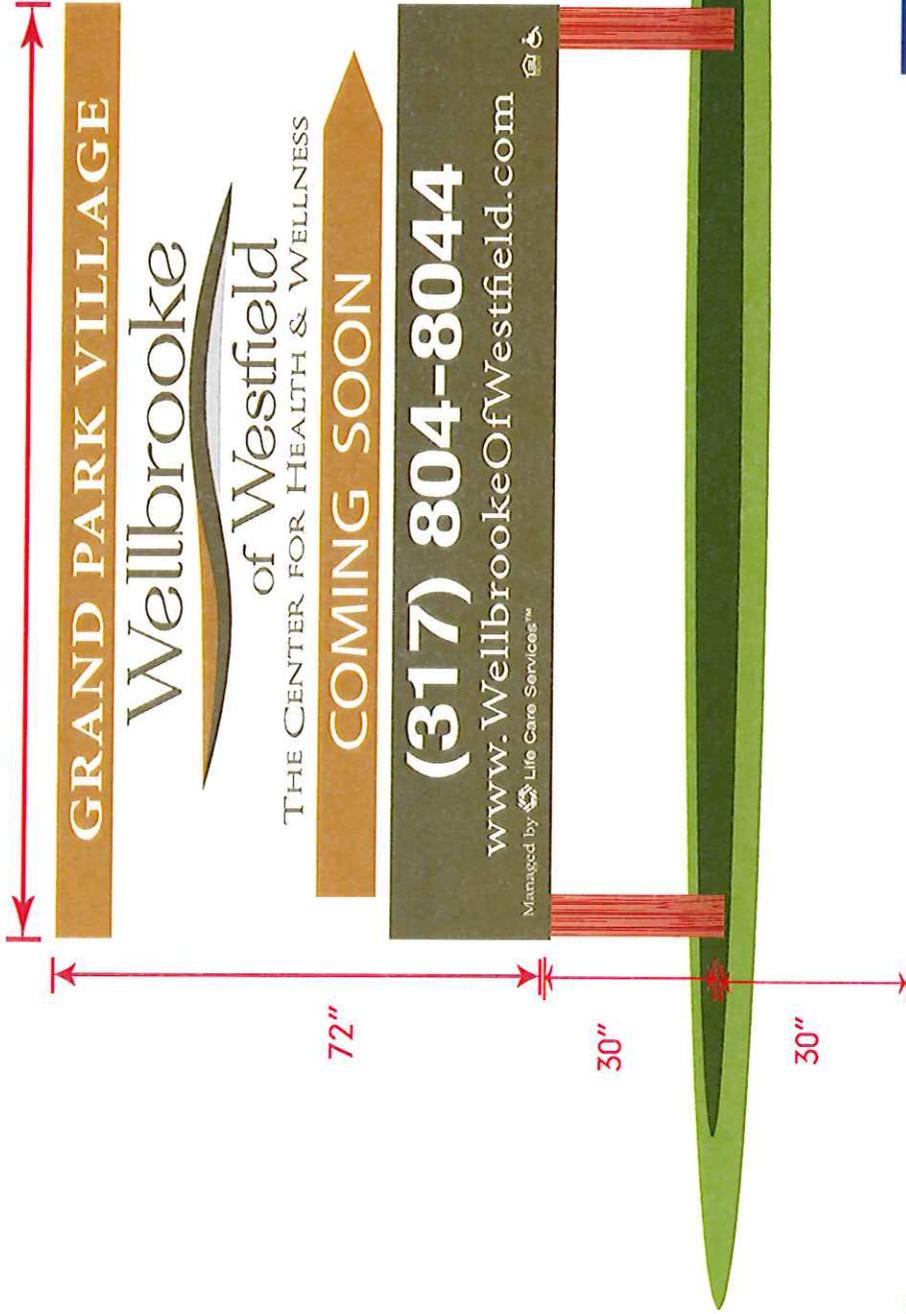
Sharlene Carman
Printed Name

Sharlene Carman
Signature

Site Plan for Temporary Sign for
Wellbrooke of Westfield



96"



Date: 5.17.2012

Version: 1

Approved by: _____

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COLOR VALUES

#1	C	M	Y	K
	0	0	0	0

#2	C	M	Y	K
	0	0	0	0

SIGN INFORMATION

6x8 double sided alum sign on 4x4 treated posts installed 30" into ground and ...30" between ground and sign panel

