

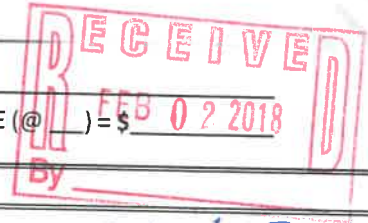
VARIANCE APPLICATION

OFFICE USE ONLY

DOCKET #: 1803-VS-04

FILING DATE:

FILING FEE: \$ _____ FEE PLUS \$ _____ PER ADDITIONAL VARIANCE (@ _____) = \$ FEB 02 2018



PRE-FILING CONFERENCE

PRE-FILING CONFERENCE WITH: Ms Pamela Howard (STAFF NAME) DATE: 2/1/18

PRIOR OR RELATED DOCKET NUMBERS

CHANGE OF ZONING: _____ AMENDMENTS: _____ DEVELOPMENT PLAN: _____

PRIMARY PLAT: _____ SECONDARY PLAT: _____ VARIANCE(S): _____

APPLICANT INFORMATION

APPLICANT'S NAME: Gennadiy Kelmasov TELEPHONE: 317-679-4449

ADDRESS: 16133 Haddam Lane EMAIL: Gepakelm@gmail.com

PROPERTY OWNER'S NAME: Gennadiy and Svetlana Kelmasov TELEPHONE: 317-679-4444

ADDRESS: 16133 Haddam Lane EMAIL: same

REPRESENTATIVE'S NAME: Raymond J. Hafsten Jr TELEPHONE: 317-635-2244

COMPANY: Attorney EMAIL: hafsten@sbeGLOBAL.NET

ADDRESS: 841 N. Park Indpls, IN 46202

PROPERTY AND PROJECT INFORMATION

ADDRESS OR PROPERTY LOCATION: 16133 Haddam Lane Westfield, IN

COUNTY PARCEL ID #(S): 08-10-08-00-01-029.002

EXISTING ZONING DISTRICT(S): AG SF1 EXISTING LAND USE(S): Residential

VARIANCE REQUEST

VARIANCE OF LAND USE CODE CITATION: _____

VARIANCE OF DEVELOPMENT STANDARD(S) CODE CITATION: 4.2C, 4.2D, 4.2e1, 4.2i

FINDINGS OF FACT: (PLEASE SEE ATTACHED)

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

To divide the realty in two separate parcels as illustrated to/in attached exhibit A

FINDINGS OF FACT (VARIANCE OF DEVELOPMENT STANDARD)

APPLICANT: Georgiy Kelmasov

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 division of the parcel into two equals 1.83 acre parcels will provide two residential conforming homes. The two parcels have access to city water.

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 addition of another residence conforming to the covenants, conditions and restrictions of Woodshire Subdivision will enhance adjacent property value, and revenue to the city of Westfield

C. The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property because: _____

Not all parcels in Woodshire conform to a 3 acre size. There is no reason to ask for such an acreage for water and septic because the parcels have city water. There are two contiguous parcels/ lots to the north which are functionally equivalent to the requested divided parcel. The division would/will result in ~~1~~ ² equal lots of 1.83 acres



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)

Georgiy Kelmansov
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 1st day of February, 2019.

State of Indiana, County of Hamilton, SS:

Kristen M Sparks
Notary Public Signature

Kristen M Sparks
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)*

Georgiy Kelmansov
Property Owner (printed)

Svetlana Kelmansov

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 1st day of February, 2018.

State of Indiana, County of Hamilton, SS:

Kristen M Sparks
Notary Public Signature

Kristen M. Sparks
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.

DULY ENTERED FOR TAXATION
Subject to final acceptance for transfer
29 day of June, 2000

Auditor
Hamilton County
J. M. Ogle
Parcel # 08-10-08-00-01

16.00
②

200000031807
Filed for Record in
HAMILTON COUNTY, INDIANA
MARY L. CLARK
On 06-29-2000 At 03:04 pm.
WARR DEED 16.00

Warranty Deed

THIS INDENTURE WITNESSETH, That LANGSTON DEVELOPMENT COMPANY, INC., an Indiana Corporation ("Grantor"), CONVEYS AND WARRANTS to Gennadiy Kelmanson* ("Grantee"), for the sum of Ten Dollars (\$10) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described Real Estate in Hamilton County, State of Indiana:

*and Svetlana Kelmanson, Husband and Wife

Parcel "A-3": Part of Block "A" of Woodshire, a subdivision in Hamilton County, Indiana, as per plat thereof, recorded December 3, 1996 as Instrument No. 9650688, amended by Certificate of Correction recorded as Instrument No. 9652794 in the Office of the Recorder of Hamilton County, Indiana, described as follows: Commencing at the Northeast corner of Block "A" of Woodshire, as per plat thereof, recorded as Instrument No. 9650688 in Plat Cabinet One, on Slide 743 in the Office of the Recorder of Hamilton County, Indiana; thence South 59 degrees 31 minutes 31 seconds West (assumed bearing) on the Northerly line of said Block "A", a distance of 633.80 feet to the PLACE OF BEGINNING of the within described real estate; thence continuing South 59 degrees 31 minutes 31 seconds West on the Northerly line of said BLOCK "A", a distance of 461.30 feet to the Northwesterly corner of said BLOCK "A", said corner being on the Easterly right-of-way line of Haddam Lane and on a curve having a radius of 115.00 feet; thence Southeasterly, curving to the left on said curve and the Westerly line of said BLOCK "A", being also the Easterly right-of-way line of Haddam Lane, an arc distance of 30.33 feet to the point of tangency of said curve at a point that is 115.00 feet South 58 degrees 09 minutes 32 seconds West of the radius point of said curve; thence South 31 degrees 50 minutes 28 seconds East on the Westerly line of said BLOCK "A" and right-of-way line, a distance of 139.49 feet to the point of curvature of a curve to the right having a radius of 335.00 feet; thence Southeasterly, curving to the right on said Westerly line of BLOCK "A" and right-of-way line, an arc distance of 133.45 feet to a point that is 48 feet Northwesterly of the point of tangency of said curve; thence North 67 degrees 49 minutes 00 seconds East 307.46 feet; thence North 85 degrees 15 minutes 07 seconds East 186.00 feet to a point on a line that bears South 28 degrees 47 minutes 05 seconds East from the place of beginning; thence North 28 degrees 47 minutes 05 seconds West on said line 425.32 feet to the place of beginning.

Subject to an Access, Drainage, Utility and Sign Easement, being twenty feet by parallel lines off the entire southerly side of the above described real estate.

Subject further to all easements and rights-of-way of record, including, but not limited to the easements as set out in the plat of said Woodshire Subdivision.

Subject to the recorded Covenants, Conditions and Restrictions of the said Woodshire Subdivision.

Subject to real estate taxes for 2000 due and payable in May 2001 and all real estate taxes due and payable thereafter.

Grantor certifies that there is not Indiana Gross Tax due with respect to this conveyance.

The undersigned persons executing this deed on behalf of Grantor represent and certify that they are duly authorized officers of Grantor and have been fully empowered and duly authorized by all necessary action of Grantor to execute and deliver this Warranty Deed; that Grantor has full capacity to convey the Real Estate described herein; and that all necessary action for the making of such conveyance has been taken or done.

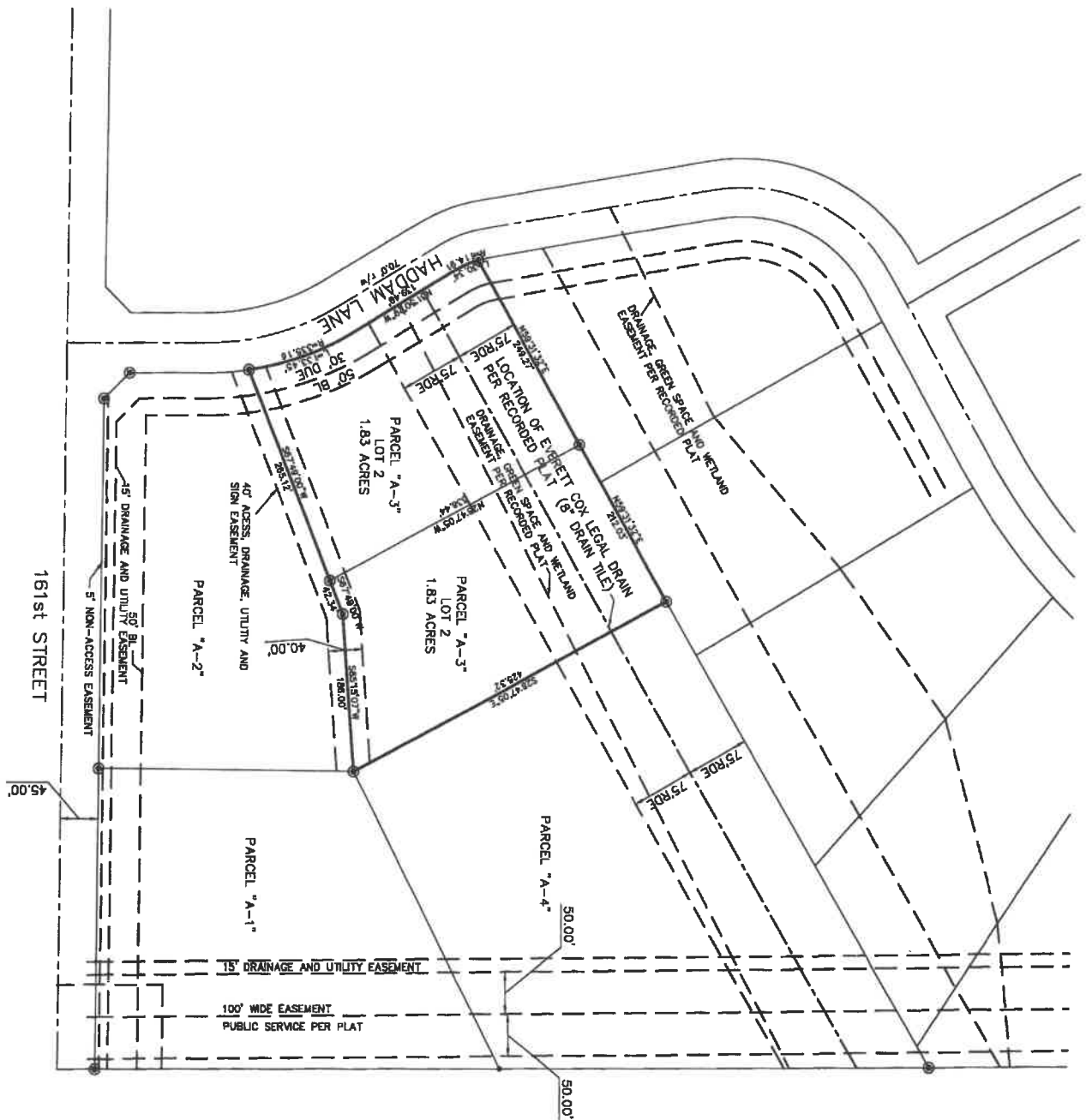


Exhibit A

AFFIDAVIT OF NOTICE OF PUBLIC HEARING

DOCKET #: 1803-VS-04

PUBLIC HEARING DATE: March 13, 2018

APPLICANT'S NAME: Gennady Kelmarson

REPRESENTATIVE'S NAME: Raymond J. Hafsten, Jr COMPANY: Attorney

PROJECT TO BE KNOWN AS: _____

- APPLICATION TYPE: CHANGE OF ZONING TEXT AMENDMENT COMMITMENTS PRIMARY PLAT
- DEVELOPMENT PLAN (SITE PLAN) BOARD OF ZONING APPEALS (VARIANCE, SPECIAL EXCEPTION)

PUBLIC NOTICE AFFIDAVIT

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath does hereby certify that notice of public hearing to consider above petition was sent by certified, registered or first class mail to the last known address of each of the following persons, as attached hereto as **Exhibit A**, they being all persons to whom notice was required to be sent by the Plan Commission's Rules of Procedure, and that said notices were postmarked on the 12 day of Feb, 2018, being at least ten (10) days prior the scheduled public hearing.

I (We) further certify that the notice required to be posted on the subject property described in the above petition was posted on the subject property in accordance with the Plan Commission's Rules of Procedures on the 13 day of Feb - 2018, being at least ten (10) days prior the scheduled public hearing.

[Signature]
Applicant/Representative (signature)*

Gennady Kelmarson
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 instrument.

Witness my hand and Notarial Seal this 13 day of February, 2018.

State of Indiana, County of Hamilton:

[Signature]
Notary Public Signature
Kimberly Stakelbeck
Notary Public (printed)



HAMILTON COUNTY AUDITOR

I, ROBIN M. MILLS, AUDITOR OF HAMILTON COUNTY, INDIANA, CERTIFY MY OFFICE HAS SEARCHED OUR RECORDS AND BASED ON THAT SEARCH, IT APPEARS THAT THE PROPERTY OWNERS MARKED AS NEIGHBORS ARE THE PROPERTY OWNERS THAT ARE TWO PROPERTIES OR 660' FEET FROM THE REAL ESTATE MARKED AS SUBJECT PROPERTY.

THIS DOCUMENT DOES NOT CERTIFY THAT THE ATTACHED LIST OF PROPERTY OWNERS IS ACCURATE OR INCLUDES ALL PROPERTY OWNERS ENTITLED TO NOTICE PURSUANT TO LOCAL ORDINANCE. ANY PERSON SEEKING A MORE ACCURATE SEARCH OF THE REAL ESTATE RECORDS OF THE COUNTY SHOULD SEEK THE OPINION OF A TITLE INSURANCE COMPANY.

ROBIN M. MILLS, HAMILTON COUNTY AUDITOR

DATED:

Barton Griesenauer 2/8/2018

SUBJECT PROPERTY:

08-10-08-00-01-029.002	Subject
Kelmanson, Gennadiy & Svetlana	
16133 HADDAM LN	
Westfield	IN 46062

Pursuant to the provisions of Indiana Code 5-14-3-3-(e), no person other than those authorized by the County may reproduce, grant access, deliver, or sell any information obtained from any department or office of the County to any other person, partnership, or corporation. In addition any person who receives information from the County shall not be permitted to use any mailing list, addresses, or databases for the purpose of selling, advertising, or soliciting the purchase of merchandise, goods, services, or to sell, loan, give away, or otherwise deliver the information obtained by the request to any other person.

HAMILTON COUNTY NOTIFICATION LIST

PLEASE NOTIFY THE FOLLOWING PERSONS

08-10-08-00-00-008.000		Neighbor
Omori, Dean M & Carolyn J		
16240 Gray Rd N		
Westfield	IN	46062

08-10-08-00-00-009.001		Neighbor
Delong, Kurt E		
17377 Little Eagle Creek		
Westfield	IN	46074

08-10-08-00-00-030.000		Neighbor
Molter, Patrick J & Margaret		
4025 E 161ST ST		
Westfield	IN	46062

08-10-08-00-00-030.001		Neighbor
Merritt, Christopher		
3945 E 161ST ST		
Westfield	IN	46062

08-10-08-00-00-030.004		Neighbor
Loane, Kevin & Stephanie		
4007 E 161ST ST		
Westfield	IN	46062

08-10-08-00-01-001.000		Neighbor
Richardson, C Todd & Debra K		
16128 HADDAM LN		
Westfield	IN	46062

08-10-08-00-01-002.000		Neighbor
Fleming, Ryan C & Aimee		
16136 HADDAM LN		
Westfield	IN	46062

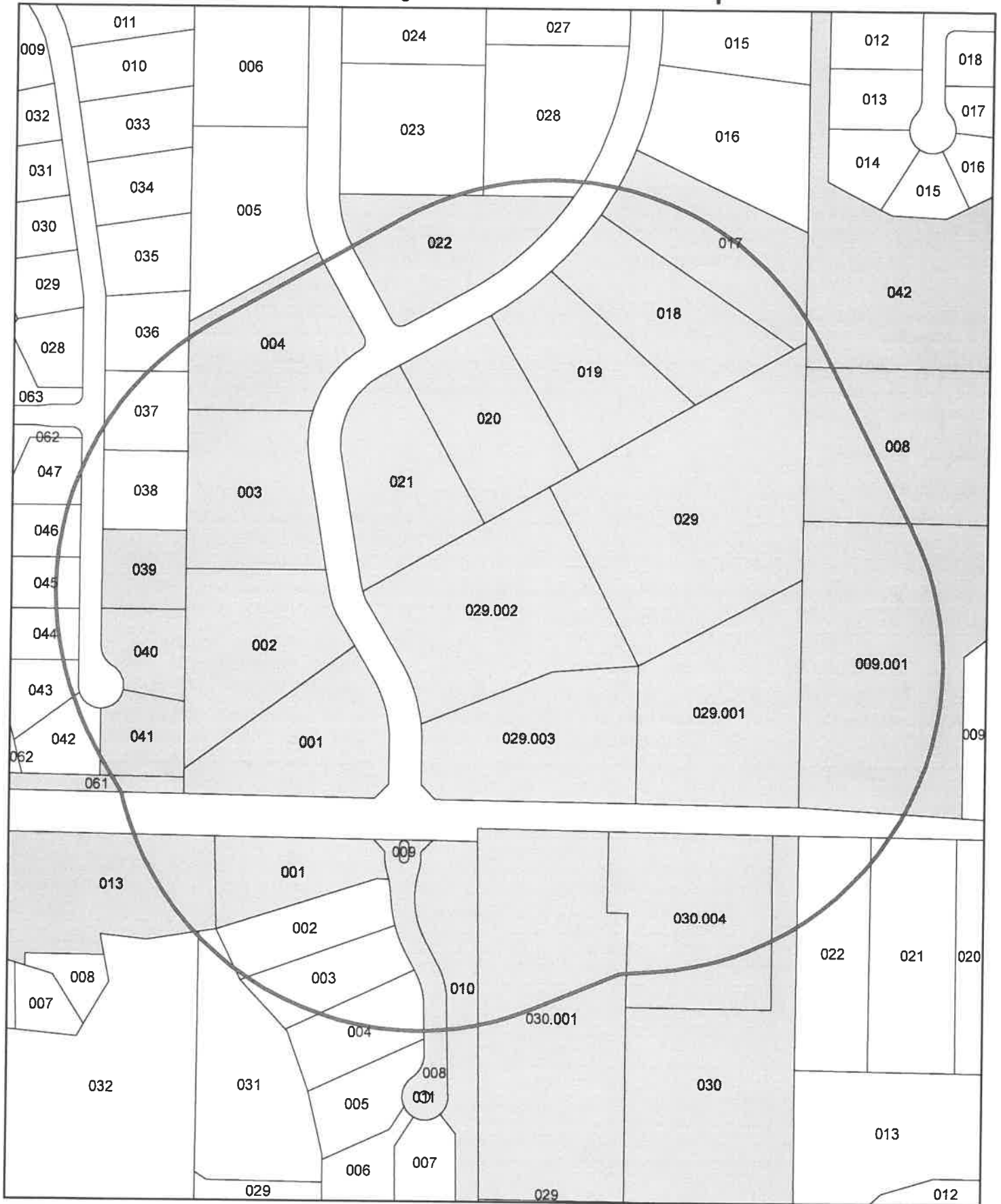
08-10-08-00-01-003.000		Neighbor
Kemper, Lawrence J & Kelley J		

16218 HADDAM LN		
Westfield	IN	46062
08-10-08-00-01-004.000		Neighbor
Patton, Troy & Kim		
16308 GREENWICH DR		
Westfield	IN	46062
08-10-08-00-01-017.000		Neighbor
Hartford, W B & M R		
16401 HADDAM LN		
Westfield	IN	46062
08-10-08-00-01-018.000		Neighbor
Schiffer, Adam H & Karen Lamott Schiffer		
16323 HADDAM LN		
Westfield	IN	46062
08-10-08-00-01-019.000		Neighbor
Smith, Frank & Lynn H		
16311 HADDAM LN		
Westfield	IN	46062
08-10-08-00-01-020.000		Neighbor
Hovhanessian, Banipal & Sleen K		
16303 HADDAM LN		
Westfield	IN	46062
08-10-08-00-01-021.000		Neighbor
Manning, Lonnie D & Linda S		
16239 HADDAM LN		
Westfield	IN	46062
08-10-08-00-01-022.000		Neighbor
Hadden, Jeffery C & Tracy H		
16317 GREENWICH DR		
Westfield	IN	46062
08-10-08-00-01-029.000		Neighbor
Dickerson, James N & Kathleen Jo		
16129 HADDAM LN		

Westfield	IN	46062
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08-10-08-00-01-029.001		Neighbor
Baker, Robert V & Sheila L		
16125 HADDAM LN		
Westfield	IN	46062
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08-10-08-00-01-029.003		Neighbor
Gutrich, William F & Janet L		
16121 Haddam Ln		
Noblesville	IN	46062
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08-10-08-00-02-039.000		Neighbor
Spoljaric, Andrew J & Cindy L		
16131 Chancellors Ridge Way		
Westfield	IN	46062
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08-10-08-00-02-040.000		Neighbor
Heirbrandt, Mark & Gina M		
16121 Chancellors Ridge Way		
Westfield	IN	46062
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08-10-08-00-02-041.000		Neighbor
Munneke, Dwayne M & Diane L h&w		
16109 Chancellors Ridge Way		
Westfield	IN	46062
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08-10-08-00-02-061.000		Neighbor
Brookside Property Owners Association Inc		
PO Box 1706		
Carmel	IN	46082
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08-10-08-00-06-001.000		Neighbor
Wise, Mark E & Abby M		
16062 Colleton Ct		
Carmel	IN	46033
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08-10-08-00-06-008.000		Neighbor
Heron Ridge Neighborhood Association Inc		
3535 E 161ST ST		

Carmel	IN	46033
<hr/>		
08-10-08-00-06-009.000		Neighbor
Heron Ridge Neighborhood Association Inc		
3535 161st St E		
Carmel	IN	46033
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08-10-08-00-06-010.000		Neighbor
Heron Ridge Neighborhood Association Inc		
3535 E 161ST ST		
Carmel	IN	46033
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08-10-08-00-07-013.000		Neighbor
Bridgewater Club Master Association Inc		
3535 E 161ST ST		
Carmel	IN	46033
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08-10-08-00-16-042.000		Neighbor
Brookside Property Owners Association Inc		
PO Box 1706		
Carmel	IN	46082
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Adjoiner Notification Map



Legend

- Buffer
- Notify
- Subject

