

VARIANCE APPLICATION



OFFICE USE ONLY

DOCKET #: 1911-VS-22 FILING DATE: _____
 FILING FEE: \$ _____ FEE PLUS \$ _____ PER ADDITIONAL VARIANCE (@ _____) = \$ _____

PRE-FILING CONFERENCE

PRE-FILING CONFERENCE WITH: Pam Howard (STAFF NAME) DATE: 9.27.19

PRIOR OR RELATED DOCKET NUMBERS

CHANGE OF ZONING: _____ AMENDMENTS: _____ DEVELOPMENT PLAN: _____
 PRIMARY PLAT: _____ SECONDARY PLAT: _____ VARIANCE(S): _____

APPLICANT INFORMATION

APPLICANT'S NAME: Wayne Wheeler TELEPHONE: 317.697.1160
 ADDRESS: 20889 Anthony Rd Westfield IN 46062 EMAIL: wwheeler@reinders.com
 PROPERTY OWNER'S NAME: Wayne Wheeler TELEPHONE: _____
 ADDRESS: 20889 Anthony Rd Westfield IN 46062 EMAIL: _____
 REPRESENTATIVE'S NAME: _____ TELEPHONE: _____
 COMPANY: _____ EMAIL: _____
 ADDRESS: _____

PROPERTY AND PROJECT INFORMATION

ADDRESS OR PROPERTY LOCATION: 20889 Anthony Rd Westfield IN 46062
 COUNTY PARCEL ID #(S): 08-06-18-00-00-013.112
 EXISTING ZONING DISTRICT(S): AG-SF1 EXISTING LAND USE(S): single family residential

PROPERTY AND PROJECT INFORMATION

VARIANCE OF LAND USE CODE CITATION: _____
 VARIANCE OF DEVELOPMENT STANDARD(S) CODE CITATION: 4.2(E)(2)

FINDINGS OF FACT: (PLEASE SEE ATTACHED)

STATEMENT OF INTENT (EXPLANATION OF REQUEST - ATTACH SEPARATE SHEET IF NECESSARY):
Requesting reduction of building setback from 30' to 15' on south property line.

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)

Wayne Wheeler
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 27th day of September, 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)*

Wayne Wheeler
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 27th day of September, 2019
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.



FINDINGS OF FACT (VARIANCE OF USE)

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. 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 use will not be injurious to the public health, safety, morals, and general welfare of the community because: _____

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: _____

C. The need for the variance arises from some condition particular to the property involved because: _____

D. The strict application of the terms of the Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought because: _____

E. The variance of use does not interfere substantially with the Comprehensive Plan because: _____

FINDINGS OF FACT (VARIANCE OF DEVELOPMENT STANDARD)

APPLICANT: Wayne Wheeler

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: _____

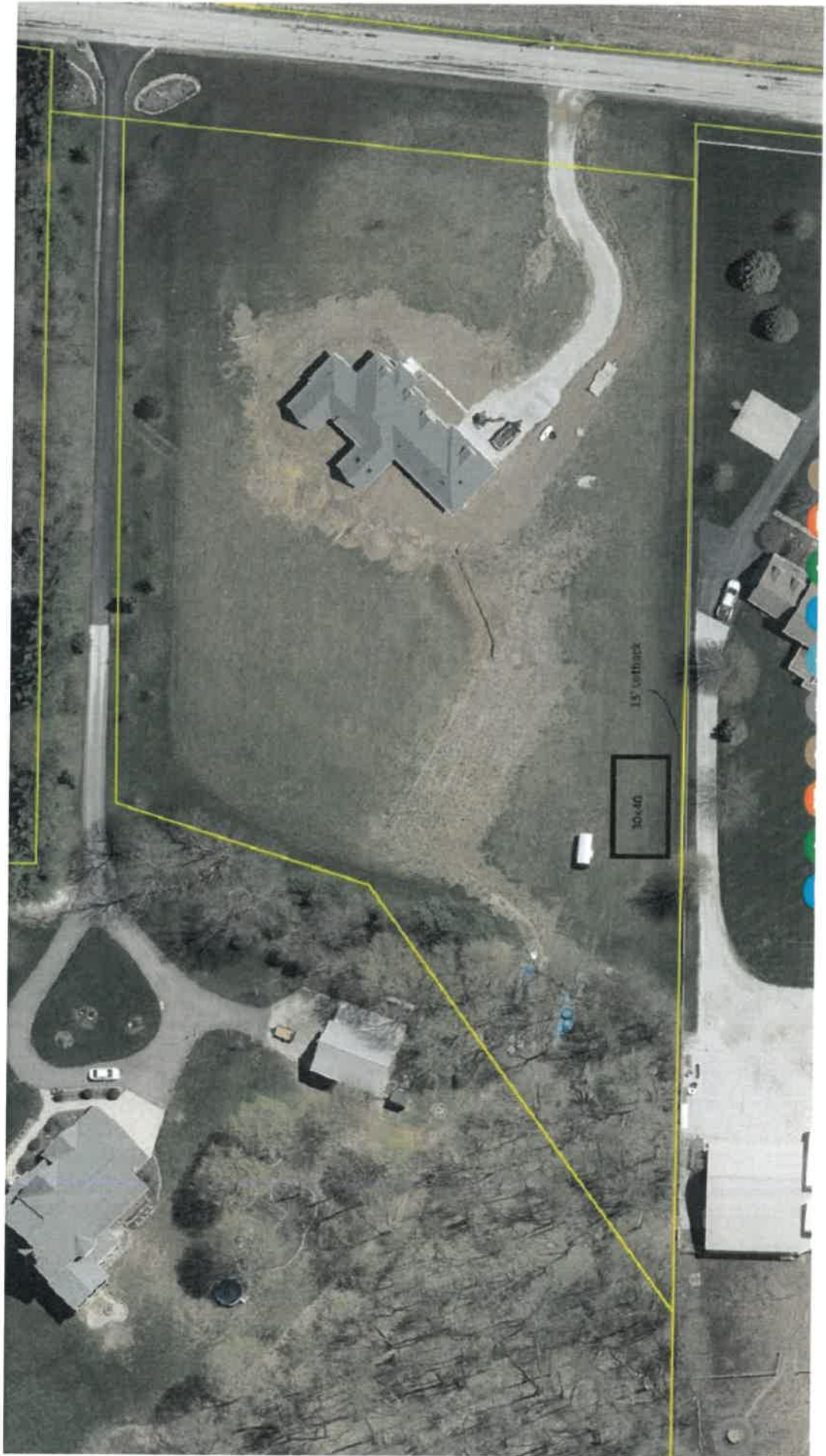
This structure is located several hundred feet from any public thoroughfare or area and is situated at the back of fenced in private area. The structure matches in style and construction of surrounding buildings on neighboring properties and will be built to all current building codes.

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: _____

This structure will not deter from any neighboring property values, as it is the same style and construction type as the buildings that currently exist on the neighboring properties.

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

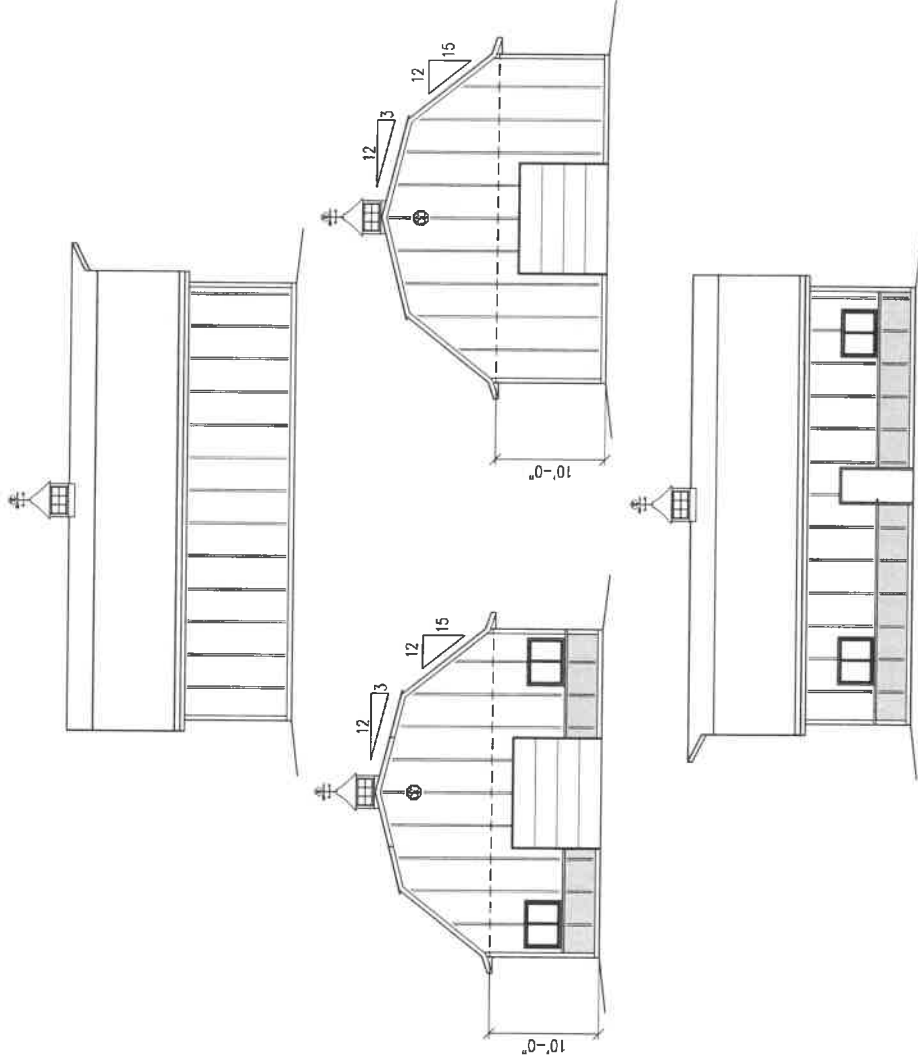
The placement of the barn within the current allowable setback area could infringe on the perimeter of the septic field in the future, also the placement of the barn on the south property line is the only practical option to access it without driving across the existing septic field.





Proposed Building for: Wayne Wheeler


30'x40' Centurian



We Protect What You Value

NKC

DULY ENTERED FOR TAXATION
Subject to final acceptance of transfer
3rd day of February 2017 - ALC
Robin M. Miller Auditor of Hamilton County
Parcel # 08-06-18-00-00-013.

2017005294 WD \$20.00
02/03/2017 04:25:45PM 3 PGS
Jennifer Hayden
Hamilton County Recorder IN
Recorded as Presented


Tax ID Number(s):
08-06-18-00-00-013.012
of)

29-06-18-000-013.012-014 (Pt.

WARRANTY DEED

THIS INDENTURE WITNESSETH THAT

Brian Swanson and Kristina Swanson, Husband and Wife

CONVEY(S) AND WARRANT(S) TO


Wayne K. Wheeler and Christina S. Wheeler, Husband and Wife, for Ten Dollars and other valuable consideration the receipt whereof is hereby acknowledged, the following described REAL ESTATE in Hamilton County, in the State of Indiana, to wit:

SEE ATTACHED EXHIBIT "A"

Subject to Real Estate taxes now due and payable and thereafter.

Subject to covenants, restrictions and easements of record.

IN WITNESS WHEREOF, the Grantor has executed this Deed this 3 day of Feb 2017.



Brian Swanson



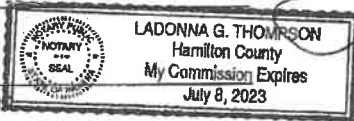
Kristina Swanson

State of Indiana, County of Hamilton ss:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named **Brian Swanson and Kristina Swanson** who acknowledged the execution of the foregoing Deed and who, having been duly sworn, stated that the representations therein contained are true.

WITNESS, my hand and Seal this 3 day of Feb 2017.

My Commission Expires:



Signature of Notary Public

Printed Name of Notary Public

Notary Public County and State of Residence

This instrument was prepared by:
Andrew R. Drake, Attorney-at-Law
11711 N. Pennsylvania St., Suite 110, Carmel, IN 46032

Property Address:
Vacant Land, 20945 Anthony Road
Westfield, IN 46074

Grantee's Address and Mail Tax Statements To:
6831 Carters Grove Dr
Noblesville, IN 46062

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law. Andrew R. Drake

EXHIBIT A

A part of the East Half of the Southeast Quarter of Section 18, Township 19 North, Range 4 East, located in Washington Township, Hamilton County, Indiana, being described as follows:

Commencing at a point (iron rod found) on the North line of the Southeast Quarter of Section 18, Township 19 North, Range 4 East, said point being on the centerline of Anthony Road, said point also being South 88°48'26" West (assumed bearing) 81.44 feet from the Northeast corner of said Southeast Quarter; thence South 04°05'16" West 635.19 feet on and along said centerline of Anthony Road to the point of beginning of this description; thence South 88°48'26" West 408.73 feet; thence South 15°46'47" West, 106.32 feet; thence South 45°41'10" West 286.46 feet to the North line of a 7.25 acre tract of real estate described in Instrument No. 9360120, said Public Records of Hamilton County, Indiana; thence North 88°48'26" East 621.36 feet on and along the North line of said 7.25 acre tract of real estate to a mag nail in the centerline of said Anthony Road; thence North 04°05'16" East 298.76 feet on and along said centerline to the point of beginning, containing 3.34 acres, more or less.