

CITY OF LEBANON
APPLICATION FOR VARIANCE
STATEMENT OF INTENT

FILE
AUG 30 2021
CITY OF LEBANON
Planning & Zoning Department

Docket # 21-54

This application and all accompanying information must be completed and filed in the City of Lebanon Planning & Zoning Office not less than 15 days prior to the regular meeting of the City Board of Zoning Appeals.

1. **Applicant:** Name Key CAA WACH Phone # 317-408-6946
Address 1800 N. Lebanon St, Lebanon, IN 46052
E-Mail Address: david@jones9.com

2. **Property Owner:** Name DAVID JONES Phone # 317-408-6946
Address 104 WINDING WAY, Lebanon, IN 46052
E-Mail Address: david@jones9.com

3. **Applicants agent, attorney or other contact (if any):**
Name N/A Phone # _____
Address _____
E-Mail Address: _____

4. **Subject Property:**
Street or road #/ address of subject property: 1800 N. Lebanon St.
Zoning Classification of Property: PBC
Legal Description of property (attach sheet) See Attached
Size of property (dimensions and /or acreage): 0.98 acres
Current use of property: CONSTRUCTION SITE
Comprehensive Plan Designation: _____

5. **Requested Variance** (provide a detailed description of variances requested): _____
LED SIGN Variance, offsite SIGN

6. **Site Survey:** Attach a survey of the property drawn to scale showing the dimensions of the property, all required setbacks, and the size and location of all existing and proposed buildings and other improvements, including but not limited to those involving the requested variances...

I affirm that the information contained in the application and its supplements is true and correct.

Date 8-27-21 Signature [Signature]

VARIANCE FROM DEVELOPMENT STANDARDS

PROPOSED FINDINGS OF FACT

Pursuant to state statute and the Lebanon Unified Development Ordinance, the Board of Zoning Appeals must find that each of the following conditions is satisfied in order to grant a variance from the development standards in the Ordinance. It is your burden to demonstrate that each of these factors is satisfied. In the space provided, please indicate how you believe the facts or circumstances in your case satisfy each factor. Attach additional sheets if needed.

- 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

There is no affect to the above mentioned issues to the community.

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

There is no affect to the adjacent properties.

- 3. The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property.

No.

AFFIDAVIT AND CONSENT OF PROPERTY OWNER

If the owner(s) of the subject is/are giving authorization for someone else to apply for the variance, this Affidavit must be completed and signed by the owner(s), and submitted with the Application.

I (we) DAVID JONES, being duly sworn, state as follows:
(owner of subject property)

1. I am a competent adult, over 21 years of age, and have personal knowledge of the matters stated in this affidavit.
2. I (we) am (are) the owner(s) of the property commonly known or legally described as

1800 N. Lebanon St, Lebanon, IN 46052
(property address or legal description)
(1708, 1710 & 1804)

3. I (we) are aware of the variance requested by DAVID JONES,
(applicant's name)

relating to my property, and I (we) authorize the applicant to seek this variance.

I affirm under the penalties of perjury that the foregoing statements are true and correct.


Signature

8-27-21
Date

Signature

Date

RECORD LAND DESCRIPTION: (INSTR. # 201700002301)

A part of the Southeast Quarter of the Northeast Quarter of Section 25, Township 19 North, Range 1 West of the Second Principal Meridian, more particularly described as follows:

Beginning at a point 13.19 chains West and North 10 degrees West 7 chains 3.47 links from the Southeast corner of said Quarter Quarter Section, said point being in the center line of State Road No. 39 and run thence West 187.40 feet, to a point in the East line of Northfield Village, an addition to the City of Lebanon, Boone County, Indiana; thence North along said East line 155.67 feet, thence East 157.25 feet to a point in the center of State Road No. 39, thence South 10 degrees East 159.08 feet following the center line of State Road No. 39 to the Place of Beginning, containing 0.616 acres, more or less, but subject to legal highways, rights-of-way and easements. Located in Lebanon, Boone County, Indiana.

PRIOR SELL OFF: (PART OF DEED RECORD 239, PAGES 505-507)

1504
ALSO: A part of the Southeast Quarter of the Northeast Quarter of Section 25, Township 19 North, Range 1 West, Boone County, Indiana, described as follows:

Commencing at the Southeast corner of said Quarter Section; thence North 89 degrees 00 minutes 25 seconds West (assumed bearing) 870.09 feet along the South line of said Quarter Section to the center line of S.R. 39; thence North 09 degrees 54 minutes 00 seconds West 448.28 feet along said center line to the Point of Beginning of this description: thence North 89 degrees 55 minutes 38 seconds West 25.38 feet to the Western Boundary of said S.R. 39; thence North 09 degrees 54 minutes 00 seconds West 159.37 feet along the boundary of said S.R. 39 to the North line of the owners' land; thence South 88 degrees 56 minutes 27 seconds East 25.46 feet along said North line to the center line of said S.R. 39; thence South 09 degrees 54 minutes 00 seconds East 158.92 feet along said center line to the Point of Beginning and containing 0.091 acres, more or less. The portion of the above described real estate which is not already embraced within public right-of-way contains 0.000 acres, more or less.

Containing, after aforesaid prior sell off, 0.52 acres, more or less and being subject to all Legal Highways, Rights-of-way and Easements of Record.

RECORD LAND DESCRIPTION: (INSTRUMENT NUMBER 201700002302)

A part of the Southeast Quarter of the Northeast Quarter of Section 25, Township 19 North, Range 1 West of the Second Principal Meridian, more particularly described as follows:

Beginning at a point 13.19 chains West and North 10 degrees West 5 chains 36.8 links from the Southeast corner of said Quarter Quarter Section, said point being in the center of State Road No. 39 and run thence West 206.50 feet, more or less to the East line of Northfield Village, an addition to the City of Lebanon, Boone County, Indiana, thence North along said East line 108.33 feet, thence East 187.40 feet to the center line of State Road No. 39, thence South 10

degrees East 110 feet following the center line of State Road No. 39 to the Place of Beginning, containing 0.489 acres, more or less, but subject to legal highways, rights-of-way and easements.

PRIOR SELL OFF: (PART OF DEED RECORD 239, PAGES 505-507)

1740

A part of the Southeast Quarter of the Northeast Quarter of Section 25, Township 19 North, Range 1 West, Boone County, Indiana, described as follows:

Commencing at the Southeast corner of said Quarter Section; thence North 89 degrees 00 minutes 25 seconds West (assumed bearing) 870.09 feet along the South line of said Quarter Section to the center line of S.R. 39; thence North 09 degrees 54 minutes 00 seconds West 338.28 feet along said center line to the Southeast corner of the owners' land and the Point of Beginning of this description; thence North 89 degrees 55 minutes 38 seconds West 25.38 feet along the South line of the owners' land to the Western Boundary of said S.R. 39; thence North 09 degrees 54 minutes 00 seconds West 110.00 feet along the boundary of said S.R. 39; thence South 89 degrees 55 minutes 38 seconds East 25.38 feet to the center line of said S.R. 39; thence South 09 degrees 54 minutes 00 seconds East 110.00 feet along said center line to the Point of Beginning and containing 0.063 acres, more or less. The portion of the above described real estate which is not already embraced within public rights-of-way contains 0.00 acres, more or less.

Containing, after aforesaid prior sell off, 0.42 acres, more or less, and being subject to all Legal Highways, Rights-of-way and Easements of Record.

RECORD LAND DESCRIPTION: (INSTRUMENT NUMBER 201700002963)

A part of the Northeast Quarter of Section 25, Township 19 North, Range 1 West, Center Township, Boone County, Indiana, more particularly described as follows:

Beginning at the intersection of the center line of the aforesaid Northfield Drive with the center line of North Lebanon Street (Lebanon and Sugar Creek Gravel Road); running thence North on and along the center line of North Lebanon Street (Lebanon and Sugar Creek Gravel Road) a distance of 175.39 feet to a point which is 928.10 feet West and 333.96 feet North of the Southeast corner of the Northeast Quarter of said Section; thence deflecting 80 degrees to the left in a westerly direction a distance of 155.46 feet to the Point of Beginning; thence deflecting 100 degrees 00 minutes to the left in a Southeasterly direction a distance of 150.00 feet to a point on the Northern Right-of-way line of Northfield Drive, Lebanon, Indiana; thence deflecting 100 degrees to the right in a westerly direction a distance of 77 feet to a point the same being the Southeast corner of Lot 13 in Northfield Village, Lebanon, Indiana, thence North 149 feet to a point, thence East to the Point of Beginning. Containing .219 acres, more or less.

EXCEPTING therefrom the following described tract: (DEED RECORD 246, PAGE 8)

1708

A part of the Northeast Quarter of Section 25, Township 19 North, Range 1 West, Center Township, Boone County, Indiana more fully described by:

Commencing at the Intersection North Lebanon Street and Northfield Drive, said intersection being 928.10 feet West and 333.96 feet North of the Southeast corner of the Northeast Quarter of said Section 25; thence North 09 degrees 54 minutes 00 seconds West, along the centerline of North Lebanon Street, a distance of 175.39 feet; thence North 89 degrees 48 minutes 01 second West, a distance of 155.46 feet; thence South 09 degrees 54 minutes 00 seconds East, a distance of 36.77 feet to the Point of Beginning; thence South 09 degrees 54 minutes 00 seconds East, a distance of 114.14 feet; thence South 89 degrees 52 minutes 40 seconds West, along the North Right-of-way line of Northfield Drive, a distance of 76.69 feet; thence North 00 degrees 03 minutes 25 seconds East, along the East platted line of Northfield Village, as recorded in Plat Book 2, Page 140, a distance of 112.80 feet; thence South 89 degrees 48 minutes 01 second East, a distance of 56.95 feet to the Point of Beginning, containing 0.1728 of an acre.

Containing, after aforesaid exception, 0.04 acres, more or less, and being Subject to all Legal Highways, Rights-of-way and Easements of Record.