

- 8. Said facilities will be used in such a manner that it will not:
  - (a) Impair the adequate supply of light and air to adjacent property.
  - (b) Increase the hazard from fire, flood and other dangers of said property.
  - (c) Diminish the marketable value of adjacent land and buildings.
  - (d) Increase the congestion in the public streets.
  - (e) Otherwise impair the health, safety, comfort and general welfare.

9. The petitioners would further show to the Board that on March 1, 1965, a variance was granted for the construction of the doctor and professional offices located on the south side of the shopping center; that on May 24, 1966, a variance was granted by this Board for the construction of the shopping center; that both of said areas were "A" residential, but a variance was granted pursuant to Chart 6, or Local Business Use, for both tracts for the purpose of erecting a business and professional building and a shopping center thereon.

WHEREFORE, petitioners respectfully pray the Board of Zoning Appeals of the City of Lebanon, Indiana, that a variance be granted for all the real estate described as Tracts I and II aforesaid, changing the zoning from "A" residential use to a zoning for Local Business Use, or such other use as will permit the petitioners to operate said entire real estate property, both as a nursing home and as a business oriented shopping area; that notice be given to all interested parties of the filing and dependency of and hearing on this petition; that a hearing be had pursuant to such notice and for all other proper relief in the premises.

Dated this 13<sup>th</sup> day of May, 1974.

BET-THE-MAR INC.

BY Donald J. Brandenburg (Signed)  
Donald J. Brandenburg, Pres.

Donald J. Brandenburg (Signed)  
Donald J. Brandenburg

Arthur O. Dickerson (Signed)  
Arthur O. Dickerson

Roth - Variance 1974

STATE OF INDIANA )  
                          )SS:  
COUNTY OF BOONE )

BEFORE BOARD OF ZONING APPEALS  
LEBANON, INDIANA

IN THE MATTER OF THE PETITION OF  
MICHAEL A. ROTH AND MELANIE A. ROTH,  
HUSBAND AND WIFE, FOR A VARIANCE

FINDING AND ORDER

Come now the petitioners herein, Michael A. Roth and Melanie A. Roth, husband and wife, and file their petition for a variance from the Zoning Ordinance of the City of Lebanon, Indiana, which petition is in the words and figures following, to-wit: (H.I.).

And now proof of publication to all interested parties in the Lebanon Daily Reporter is filed herein, which proof of publication is in the words and figures, to-wit: (H.I.).

And now the petition for a variance in this cause is heard by the Board of Zoning Appeals of Lebanon, Indiana, at the City Building, Lebanon, with all interested parties, including the general public, present, and now evidence is heard on the petition herein.

And the Board of Zoning Appeals having heard the evidence herein and being duly advised in the premises, finds:

1. That the petitioners herein are the owners in fee simple of the following described real estate, to-wit:

Lot No. 8 in Block No. 32 in Spencer and McLaughlin's Addition to Lebanon, Boone County, Indiana.

2. That the real estate fronts on South East Street, bearing the street address of 524 South East Street, Lebanon, Boone County, Indiana, and that the improvements located thereon consist of a dwelling house occupied by the petitioners.

3. That said real estate is presently zoned "C" residential and that the petitioners propose to use an auxiliary building, to-wit: a garage located at the rear of said real estate for a home occupation for chrome plating and polishing service on metal parts and stampings; that the petitioners will not engage in any retail sales; that their proposed home occupation is a service occupation for other businesses, but under the Lebanon Zoning Ordinance is classified as Light Industrial use,

4. That the petitioners proposed use for chrome plating and polishing metal parts and stampings does not conform with all requirements and restrictions as enumerated in the Zoning Ordinance as referred to therein by reason of the fact that the said proposed change of use of an accessory building for Light Industrial use is to be located in a residential zoned location.

5. That the literal enforcement of the Zoning Ordinance in this instance will result in unnecessary hardship to the petitioners and that upon the basis of the evidence in this matter the petitioners proposed use will not:

- 1. Impair the adequate supply of light and air to adjacent property.
- 2. Increase the hazard from fire, flood and other dangers of said property.
- 3. Diminish the marketable value of adjacent lands and buildings.
- 4. Increase the congestion in the public streets.