

5. Otherwise impair the public health, safety, comfort and general welfare.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that upon the basis of the facts enumerated above, the petitioners herein are hereby authorized to build and/or construct in the garage at the rear of the real estate heretofore described the necessary equipment to engage in a part time occupation and extra work of chrome plating and polishing service on metal parts and stampings; that said use is a Light Industrial use; that said use shall be confined exclusively within the four walls of the existing garage or accessory building at the rear of the lot as described in this order.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the variance herein granted, towit: a home occupation designated for Light Industrial use, shall be personal to the petitioners, Michael A. Roth and Melanie A. Roth, husband and wife, so long as they are the owners in fee simple of the real estate heretofore described, but upon the sale or transfer of said real estate by any deed or other like conveyance, the use herein granted shall automatically cease and the same shall not be a covenant running with the land.

IT IS FURTHER ORDERED AND DECREED that the application duly made by the petitioners herein in conformity to this order that an Improvement Location Permit shall be issued by the City Building Inspector for the proposed improvements, if any, necessary to enable the petitioners to fully utilize the variance herein granted.

Costs of \$6.04 vs Petitioners.

BOARD OF ZONING APPEALS

BY Carroll Dickerson (Signed)
Acting Chairman

ATTEST: Roy L. Lynch (Signed)
Acting Secretary

STATE OF INDIANA)
)SS:
COUNTY OF BOONE)

BEFORE BOARD OF ZONING APPEALS
CITY OF LEBANON, INDIANA

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

PETITION FOR A VARIANCE

Come now the petitioners, Michael A. Roth and Melanie A. Roth, husband and wife, and for their petition for variance before the Board of Zoning Appeals of the City of Lebanon, Boone County, Indiana, allege and say:

1. That petitioners are owners in fee simple of the following described real estate located in the City of Lebanon, Indiana, towit:

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

2. That said real estate is located at 524 South East Street, Lebanon, Indiana, and is presently zoned "C" residential; that petitioners reside on the premises; that said real estate is improved and presently has a dwelling and garage located thereon.

3. That the petitioners, together with one John Holman, have a part time occupation and extra work of chrome plating and polishing service on metal parts and stampings; that said petitioners do not engage in any retail sales; that the primary business of chrome plating and polishing of metals is a service occupation for other businesses, manufactures, contractors, etcetera; that said petitioners employ no employes in this occupation.

4. That said petitioners desire to use the garage located at the rear and on the alley of the aforescribed real estate as an accessory building for the purpose of engaging in the business of chrome plating and polishinh metal parts.

5. That petitioners use of the premises as outlined aforesaid is a home occupation as defined in Chart 5, Contigent Uses, of the Zoning Ordinance of the City of Lebanon, Indiana, which permits a home occupation in all districts, including "C" residential, but there is a question as to whether or not, since the actual business is classed as Light Industrial Use, a home occupation does include Light Industrial Use, and for that reason petitioners seek a variance for a Light Industrial Use instead of a home occupation.

6. That the granting of a variance for Light Industrial Use will not be contrary to the public interest and will not create any additional traffic problems or hazards or additional parking difficulties.

7. That the granting of a variance will not:
- (a) Impair the adequare supply of light and air to adjacent property.
 - (b) Increase the hazard from fire, flood and other dangers to said property.
 - (c) Diminish the marketable value of adjacent lands and buildings.
 - (d) Increase the congestion in the public streets.
 - (e) Otherwise impair the public health, safety, comfort and general welfare.

8. That the requested variance herein will not be contrary to the public interest, but that failure to grant said variance and light industrial use would result in unnecessary hardship upon petitioners, and furthermore, that the granting of said variance and contingent Use would not be contrary to the spirit of the Zoning Ordinance presently in effect and would serve the interest of substantial justice.

9. That the granting of such variance and light industrial use will not alter the land use characteristics of the vicinity and district, diminish the marketable value of adjacent land and improvements or increase the congestion in the public streets.