

WHEREFORE, your petitioners herein respectfully pray the Board of Zoning Appeals of the City of Lebanon, Indiana, grant a variance permit for light industrial use and ordinance so as to permit the petitioners herein to utilize the garage located on the above described real estate for the business of chrome plating and polishing service on metal parts and stampings and for all other relief in the premises.

Michael A. Roth (Signed)
Michael A. Roth

Melanie A. Roth (Signed)
Melanie A. Roth

Petitioners

Variance R. Hubble 1974

STATE OF INDIANA)
COUNTY OF BOONE)

SS:

BEFORE THE BOARD OF ZONING APPEALS,
LEBANON, BOONE COUNTY, INDIANA

In the Matter of the Petition of Russell Hubble, for Variance from the Zoning Ordinance of the City of Lebanon, which petition is in the words and figures as follows, towit: (H.I.).

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

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

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

1. The petitioner, Russell Hubble, is the owner in fee simple of the following described real estate, to-wit:

Lot No. 114 in Kenworthy's Addition to the City of Lebanon, Boone County, Indiana.

2. That said real estate fronts on West Dicks Street, with the street address of 404 West Dicks Street, Lebanon, Indiana.

3. That said real estate is presently zoned "B" Residential, but that petitioner proposes to remodel the garage on said real estate and use said garage for the sale of specialized automobile parts.

4. That the variance granted herein should be personal to the petitioner only, and not run with the land, and in the event said real estate is transferred to a third party, that the garage located on the real estate will revert to its previous use of "B" Residential.

5. That the area in which the within described premises are located is beoming commercial and the proposed use described in said petition will not be detrimental to other property value in the same area.

6. That the literal enforcement of the Zoning Ordinance will result in hardship to the petitioner and that the use of petitioner's petition will not (a) impair the adequate supply of light and air to adjacent property; (b) increase the hazard of fire, flood and other dangers of said property; (c) deminish the marketable value of adjacent land and buildings; (d) increase the congestion in the public streets; (e) otherwise impair the public health, safety and comfort and general welfare.

7. That the garage will be used exclusively for the retail sales of specialized automobile parts and not for the repair, maintenance, tuning, or testing of customer's automobiles.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED that based upon the facts stated above, the petitioner is hereby authorized to convert the garage situated on said real estate for the purpose of establishing a retail sales outlet for customized automobile parts, in other words a "speed shop".

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said variance is granted personally to the petitioner and is not to run with the land and in the event that petitioner transfer said real estate to a third party, said variance will terminate.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the variance requested is granted on the condition that petitioner will not repair, maintain, tune or test customer's vehicles on the premises.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the variance requested in the petitioner as heretofore filed before this Board, is granted subject to the above and subject to the plans submitted before this board, and upon application being duly made by the petitioner's herein in conformity to this order and the plans submitted to this board, the use and occupancy permit shall be issued by the City Building Inspector of Lebanon, Indiana, for the proposed improvement.

IT IS FURTHER ORDERED, that the costs of this matter in the sum of \$4.76, shall be assessed against the petitioner.

Dated this 8th day of July, 1974.

BOARD OF ZONING APPEALS

By James L. Goodwin (Signed)
James L. Goodwin, Chairman

ATTEST: Vern Martin (Signed)
Secretary

STATE OF INDIANA)
COUNTY OF BOONE)

SS:

APPLICATION FOR VARIANCE TO THE BOARD OF ZONING APPEALS, LEBANON, BOONE COUNTY, INDIANA