

The second item was Michael West of 1137 S. East St. who proposed the Commission take some action to permit better access to his property. He was informed that the Commission had no authority in this matter, only the Board of Works and the City Council had this authority. He was requested to contact either of the two City Government groups with this request.

Third on the agenda was Gary Steward who proposed to remodel the Cedars Hotel and made 17 apartments, five would have two bedrooms and twelve one bedroom units. However the parking facilities did not meet the requirements of the Zoning Ordinance and this matter on motion of McVey seconded Isenhour was referred with recommendation to the Board of Zoning Appeals. State approval had not been received.

The last item on the Agenda was a public hearing on the request of Parkwood Health Care Center, Inc. to amend the Zoning Ordinance changing the zoning from "B" residential to "C" residential and a conditional use be granted for the Health Care Center on 4.4818 acres on North Grant Street, now owned by Richard Lenox and Phil Adler. After hearing G. Kent Frandsen and Max Cowen for the petitioners and others the Chairman asked for any one in the audience who opposed this petition. A petition opposing this rezoning was read by Dave Robbins of 930 N. Grant St. signed by nineteen residents in this general area. Following continued discussion both pro and con the Chairman read a letter from the Mayor addressed to him and members of the Commission stating his views on this matter. The Chairman then asked if there was a motion by a member of the Commission. McVey requested that the vote be by ballot, the request was granted. It was then moved Isenhour, seconded by Martin that the Commission recommend to the Council the rezoning of the area to "C" residential and that a conditional use for a Nursing Home be granted subject to rezoning. Motion was passed the vote being seven in flavor and one opposed.

It was then moved Burrin seconded McVey that the meeting adjourn, motion carried.

Respectfully submitted,

Noble B. Waggener (Signed)

Noble B. Waggener, Secretary

STATE OF INDIANA )  
                          ) SS:  
COUNTY OF BOONE )

BEFORE THE BOARD OF ZONING  
APPEALS OF THE CITY OF  
LEBANON, INDIANA

IN THE MATTER OF THE PETITION OF RICHARD THOMAS UHLER  
AND GARY A. STEWART, FOR A VARIANCE

Comes now Richard Thomas Uhler and Gary A. Steward, and for Petition for Variance herein, allege and say:

1. That Petitioners are the owners of the following described real estate, to-wit:

A part of Lot No. 7 in Block No. 22 in Rose, Harris and Longley's Addition to Lebanon, Boone County, Indiana, described as follows: Commencing at the southwest corner of said Lot No. 7 in said Addition and run thence north 30 feet, thence east 122 1/2 feet to the alley, thence south 30 feet, thence west 122 1/2 feet to the place of beginning.

Also, commencing 30 feet north of the southwest corner of Lot No. 7 in Block No. 22 in Rose, Harris and Longley's Addition to Lebanon, Boone County, Indiana, and running east 122 3/4 feet to the alley, thence north 42 feet, thence west 122 3/4 feet to Lebanon Street, thence south 42 feet to the place of beginning.

Bearing the street address of 221 South Lebanon Street, Lebanon, Indiana.

2. That said real estate is located in a zone designated as (G. B.) General Business.

3. That said owners intend to alter and remodel said building for the purpose of a multiple dwelling construction, containing more than four dwelling units.

4. That said Petitioners have appeared before the Lebanon Plan Commission, submitted plans for said construction work and received approval from said Plan Commission, and that said Commission recommended a petition be filed before the Board of Zoning Appeals for a variance, for the following reason:

That said improvement does not conform to the requirements for the zoning ordinance of the City of Lebanon, in that there will be inadequate off-street parking facilities to provide two parking spaces for each dwelling unit therein.

5. That the construction now situated on said real estate has been used as a hotel containing thirty-four (34) rental facilities, which would indicate that thirty-four (34) different automobiles could be parked around said hotel at any one time; that plans of Petitioners call for eight off-street parking areas, or spaces, and would tend to relieve congestion, making the problem less under the proposed remodelling than has been had in the past.

6. That Petitioners allege that the requested variance will not interfere with the use and enjoyment of other real estate by any contiguous property owners, nor would the granting of said variance be contrary to public interest; that it will not alter the land use characteristics of the vicinity, diminish the marketable value of adjacent land and improvements, or increase the congestion in the public street.

WHEREFORE, Petitioners respectfully pray the Board of Zoning Appeals of the City of Lebanon, for a variance as set forth above, and for all other proper relief in the premises.