

doors shown in applicant's plans presented to the Board; that said additional doors shall be at the east end of the hallways shown in said plans; that said doors shall be 3' 0" x 6' 8" and shall be inside opening only.

IT IS FURTHER ORDERED AND DECREED that upon approved plans incorporating the conditions heretofore stated being presented to the City Building Inspector of Lebanon, for a permit for construction, said Building Inspector shall issue an Improvement Location Permit for the proposed mini-warehouse in accord with this finding and order.

Dated this 19th day of July, 1976.

BOARD OF ZONING APPEALS

Attest: Vern Martin (Signed)
Secretary

By James L. Goodwin (Signed)

Petition Mar-Kel Blders Inc.

STATE OF INDIANA)
COUNTY OF BOONE)

SS:

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

IN THE MATTER OF THE PETITION)
OF MAR-KEL BUILDERS, INC., FOR)
A VARIANCE)

Comes now the Petitioner, Mar-Kel Builders, Inc., by counsel and by duly authorized representatives, and having filed herein its Petition for Variance, which Petition for Variance, which Petition is in the following words and figures, to-wit: (H.I.)

And due notice of said petition for variance having been given by publication in the Lebanon Reporter, proof of said publication being in the following words and figures, to-wit: (H.I.)

And notice having been given to surrounding land owners, proof of said notice having been shown by return receipt of certified mail, said return receipts being in the following words and figures, to-wit: (H.I.)

And this matter now coming on for hearing, the Board does make the findings as follows:

1. That the Petitioner is a corporation organized and existing pursuant to the laws of the State of Indiana.

2: That the Petitioner is the owner of certain real estate located in the City of Lebanon, which real estate is being platted and will be known as Mar-Kel Meadows Subdivision in addition to the City of Lebanon.

3. That said real estate is zoned for residential construction.

4. There is located upon Lot #1 a resident structure and that the resident structure is not located pursuant to the requirements of the zoning ordinance of the City of Lebanon as to the front set-back line.

5. That the residence does not comply with the front set-back line due to the fact that there has been errors committed in the surveying of the street abutting said property and that the errors are not the fault of the Petitioner herein.

6. That the structure is located within allowable tolerances from the sidewalk contiguous to the street, however, the structure is not located within allowable tolerances from the right-of-way line as subsequently determined by survey.

7. That a plat of said subdivision is attached hereto and marked for identification as Exhibit "A".

8. That the Board does find as it relates to said variance:

a. There are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to the other property or class of use in the same vicinity and district.

b. It is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and district but which is denied to the property in question.

c. Will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and district in which the property is located.

d. 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.

9. The Petitioner should be granted a variance from the zoning ordinance of the City of Lebanon and that said variance should allow the structure to be located a distance of 9 feet 6 inches from the edge of the lot line or the right-of-way line.

IT IS THEREFORE, ORDERED, ADJUDGED, DECREED by the Board of Zoning Appeals of the City of Lebanon, that the Petitioner, Mar-Kel Builders, Inc., be and it hereby is granted a variance from the zoning ordinance of the City of Lebanon in that the front set-back line on Lot #1 of the Mar-Kel Meadows Subdivisions is reduced to 9 feet 6 inches or whatever the actual measurement is from the existing structure to the edge of the lot line or right-of-way line.

Dated this 4th day of October, 1976.

James L. Goodwin (Signed)
James Goodwin, Chairman

ATTEST: Vern Martin (Signed)
Vern Martin, Secretary

STATE OF INDIANA)
COUNTY OF BOONE)

SS:

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