

Comes now the Petitioner, Mar-Kel Builders, Inc., and for Petition for Variance alleges:

1. That the Petitioner herein 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 presently being platted and will be known as Mar-Kel Meadows Subdivision, and Addition to the City of Lebanon.
 3. That said real estate is zoned for residential use and contains lots 1 through 12.
 4. That the plat of said Subdivision was prepared by Robert F. Hutchinson a Registered Land Surveyor.
 5. That Lot No. 1 has improvements placed upon said real estate in that a residence has been constructed.
 6. That at the time of placing said improvements upon the real estate, the front set back line was placed at a distance from the street as would conform to the Zoning Ordinance of the City of Lebanon.
 7. That after a survey was made, it was learned that the set back line is 9 feet 6 inches from the structure to the edge of the lot line which is less than is required by the Zoning Ordinance of the City of Lebanon.
 8. That the distance from the edge of the permanent structure to the edge of the street would conform to the requirements of the Zoning Ordinance. That due to said unforeseen error a variance should be granted from the Zoning Ordinance and that said Variance will not interfere with the use and enjoyment of other real estate by contiguous property owners nor would the granting of the Variance be contrary to public interest.
 9. Petitioner further states in requesting the 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.
- WHEREFORE, Petitioner respectfully prays 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.

MAR-KEL BUILDERS, INC.

By Jerry W. Erskine (Signed)

ATTEST: Donald Brown (Signed)

Petition for Annexation Charles Wolfe

IN THE MATTER OF THE)
 PETITION FOR ANNEXATION BY)
 CHARLES W. WOLFE, and MARY)
 A. WOLFE.)

PETITION FOR ANNEXATION

Comes now Charles W. Wolfe and Mary A. Wolfe, and respectfully shows:

1. That they are the owners of the following described property in Boone County, Indiana:

A part of the southeast quarter of Section 30 and also a part of the northeast quarter of Section 31, both in Township 19 North, Range 1 East, situated in Center Township, Boone County, Indiana; and being more particularly described, as follows, to-wit:

Begin at a railroad rail at the southeast corner of the aforesaid Section 30 and proceed thence South 0°01'31" West, along the east line of the section, for a distance of 199.94 feet; thence North 89°45'05" West to the centerline of the Mann Drain, the same being a point in the boundary line of the City of Lebanon, Indiana; thence northeast with said Centerline and boundary line to the east line of the section line, for a distance of 225.03 feet to the point of beginning.

That said real estate is contiguous to and adjacent to the present city limits of Lebanon, Indiana.

2. That your petitioners are the sole and only owners of the aforesaid real estate, and, as such, constitutes more than fifty-one (51%) per cent of the ownership of said real estate as required by Burns Indiana Statute 48-720.
3. That petitioners' private water system has failed, and petitioners have connected to the water system of the City of Lebanon, Indiana; that adjoining real estate in the City is zoned as "AA" residential; that petitioners request their real estate be so zoned.
4. That the annexation of the above described territory into the city limits of Lebanon, Indiana would be just and equitable both to the City and it's property owners and inhabitants and to the annexed territory and its property owner.

WHEREFORE, your petitioners request a special ordinance be submitted to the Common Council of the City of Lebanon, Indiana, for the purpose of annexing into