

CITY OF LEBANON
APPLICATION FOR VARIANCE
STATEMENT OF INTENT

FILE

JAN 11 2022

CITY OF LEBANON
Planning & Zoning Department

Docket # 22-4

This application and all accompanying information must be completed and filed in the City of Lebanon Planning & Zoning Office not less than 15 days prior to the regular meeting of the City Board of Zoning Appeals.

1. **Applicant:** Name SHAMBAUGH & SON, LP Phone # 317-223-9823

Address 5610 W. 82 ND ST. INDIANAPOLIS, IN 46278

E-Mail Address: MYOUNG @ SHAMBAUGH.COM

2. **Property Owner:** Name WHITE CASTLE SYSTEMS Phone # 765-482-2241

Address 1506 W. MAIN STREET LEBANON, IN 46052

E-Mail Address: MACRIEB @ WHITECASTLE.COM

3. **Applicants agent, attorney or other contact (if any):** N/A

Name _____ Phone # _____

Address _____

E-Mail Address: _____

4. **Subject Property:**

Street or road #/ address of subject property: 1506 W. MAIN ST. LEBANON, IN 46052

Zoning Classification of Property: INDUSTRIAL

Legal Description of property (attach sheet) SEE ATTACHED DRAWING

Size of property (dimensions and /or acreage): 4.9 ACRES

Current use of property: FOOD PROCESSING / INDUSTRIAL

Comprehensive Plan Designation: INDUSTRIAL

5. **Requested Variance** (provide a detailed description of variances requested): _____

SEE ATTACHED LETTER

6. **Site Survey:** Attach a survey of the property drawn to scale showing the dimensions of the property, all required setbacks, and the size and location of all existing and proposed buildings and other improvements, including but not limited to those involving the requested variances...

I affirm that the information contained in the application and its supplements is true and correct.

Date 01/11/2022 Signature Michael Young

VARIANCE FROM DEVELOPMENT STANDARDS

PROPOSED FINDINGS OF FACT

Pursuant to state statute and the Lebanon Unified Development Ordinance, the Board of Zoning Appeals must find that each of the following conditions is satisfied in order to grant a variance from the development standards in the Ordinance. It is your burden to demonstrate that each of these factors is satisfied. In the space provided, please indicate how you believe the facts or circumstances in your case satisfy each factor.

Attach additional sheets if needed.

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

REFER TO THE ATTACHED LETTER.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

REFER TO THE ATTACHED LETTER.

3. The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property.

REFER TO THE ATTACHED LETTER.

AFFIDAVIT AND CONSENT OF PROPERTY OWNER

If the owner(s) of the subject is/are giving authorization for someone else to apply for the variance, this Affidavit must be completed and signed by the owner(s), and submitted with the Application.

I (we) David E. Rife, being duly sworn, state as follows:

(owner of subject property)

1. I am a competent adult, over 21 years of age, and have personal knowledge of the matters stated in this affidavit.
2. White Castle System, Inc. is the owner(s) of the property commonly known or legally described as

1502 W. Main Street, Lebanon, Indiana 46052

(property address or legal description)

3. I (we) are aware of the variance requested by Shambaugh & Sons, L.P., on behalf of White Castle System, Inc.
(applicant's name)

relating to the property, and I (we) authorize the applicant to seek this variance.

I affirm under the penalties of perjury that the foregoing statements are true and correct.

David E. Rife
Signature David E. Rife
Chief Manufacturing Officer

12/20/2021
Date

Signature

Date



Mechanical
Food Process
Refrigeration
Electrical
Fire Protection
Process and Refrigeration Controls

5610 W. 82nd Street
Indianapolis, IN 46278
317-872-7377
317-471-1015 (FAX)



January 11, 2022

Mr. Matt Reynolds
Assistant City Planner & Code Enforcement
City of Lebanon Planning and Zoning Office
401 S. Meridian Street
Lebanon, IN 46052

Re: Application for Variance Statement of Intent Item #5
White Castle Systems, 1506 W Main St., Lebanon, IN 46052

Matt,

Requested Variance

We are requesting a variance to construct a structure to house refrigeration equipment next to the clients existing facility that would exceed the 18-foot height restriction in the UDO section 7.70.A.4.c. We are requesting to erect a structure that is between 20 and 21 feet.

The reason the additional height is required is for the connection of the refrigeration system piping between the new structure and the existing adjacent machine room. The elevation of the connecting lines is determined by elevations of the piping in the existing machine room, the required pitch and connection of the lines and the needed space in the new structure to have space for the refrigeration piping, fire sprinklers and lighting. We have kept the needed additional height to a bare minimum to make the utilities work.

There will be two exhaust fans on the top of the structure that are approximately 5 feet in height. They will be screened per UDO section 7.18.c.9.a.

We appreciate your consideration of the request for variance by White Castle Systems and Shambaugh and Son, LP.

Please let us know if there is any additional information required.

Regards,

Michael Young
Refrigeration Sales Engineer • Indianapolis Refrigeration Group
Shambaugh & Son, LP an EMCOR Company
5610 W. 82nd Street • Indianapolis, IN • 46278
direct 317.822.7872 | cell 317.223.9823
email myoung@shambaugh.com



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January 11, 2022

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Assistant City Planner & Code Enforcement
City of Lebanon Planning and Zoning Office
401 S. Meridian Street
Lebanon, IN 46052

Re: Proposed Findings of Fact
White Castle Systems, 1506 W Main St., Lebanon, IN 46052

Matt,
Please find our responses to the three factors required in the Proposed Findings of Fact.

1. The approved will not be injurious to the public health, safety, morals, and general welfare of the community.

The additional height of the building will not be noticeable to the public compared to the adjacent building which is approximately 26 feet from floor to the eve. The new building will also be painted to match the existing which will make it blend into the adjacent structure.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

White Castle Systems is not changing the use of the property which is classified as Industrial. The new building is being erected to house new refrigeration equipment that is replacing existing within the facility.

3. The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property.

Having to adhere to the 18-foot maximum height as set out in UDO section 7.10.A.4.c will not allow for the required height to correctly install the refrigeration piping between the two buildings. The height of those lines is determined the elevations of the piping in the existing machine room and the correct way to connect those to the equipment in the new structure. We also require the additional height for the sprinkler system and lighting above and around the refrigeration piping.

We appreciate your consideration of the request for variance by White Castle Systems and Shambaugh and Son, LP.

Regards,

Michael Young
Refrigeration Sales Engineer • Indianapolis Refrigeration Group
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