

Findings of Fact and Ruling

PETITION FOR SPECIAL EXCEPTION APPROVAL: **A09-04-01 (THIS # COMES FROM APC OFFICE)**

OWNER OF REAL ESTATE: **John H. Doe**

LOCATED AT: **125 W File St**

DESCRIPTION: **Lot 51 of the John H. Doe Subdivision**

CURRENT ZONING CLASSIFICATION: **B-2**

PROPOSED SPECIAL EXCEPTION: **Residence to be placed within an approved business for the owner**

PRINT DATE: **April 24, 2009**

Comes now the Wells County Board of Zoning Appeals and in support of granting John H. Doe’s Petition for a Special Exception makes the following Findings of Fact, to wit:

John H. Doe filed a Petition for a Special Exception as to the following described real estate located in Lancaster Township, Wells County, Indiana; more particularly described on Exhibit A attached hereto.

Notice of the scheduled May 26, 2009 public hearing on the Petition was duly published in accordance with I.C. 5-3-1 more than ten (10) days prior to the public hearing.

On May 26, 2009, the Wells County Board of Zoning Appeals conducted a public hearing on the Petition in accordance with the Rules of Procedure of the Wells County Board of Zoning Appeals and the following evidence was heard.

8-08 (3) (A) The petitioner is petitioning the Board of Zoning Appeals to allow a residence in an approved business for the owner of the business.

8-08 (3) (B) (a) This petition is specifically listed in the Well County Zoning and Floodplain Management Ordinance section 8-08 (1).

8-08 (3) (B) (b) This petition shall not adversely affect the neighboring properties use or value due to the fact that the neighboring properties have an existing mixed use between business and residential uses.

8-08 (3) (B) (c) This petition shall preserve the spirit of the Wells County Zoning and Floodplain Management Ordinance due to the fact that it will provide a greater level of safety and upkeep to the location of this proposed project.

Any conditions or commitments: _____

Wherefore, based upon the above findings of fact and upon the Motion of _____, duly seconded by _____, the Petition for a Special Exception by John H. Doe is hereby granted by a vote of _____ in favor and _____ opposed.

Granted this 26th day of May, 2009.

Wells County Board of Zoning Appeals – President

Wells County Board of Zoning Appeals – Secretary