

## Agenda Item #3

<b>Case Number</b>	BZNA-0087-2019 / BZNA-0088-2019 / BZNA-0089-2019	<b>Property Size</b>	0.5 AC (N,NNN SF)
<b>Address</b>	422 Thurston Drive	<b>Zoning</b>	R1 (Low Density Single Family Residential)
<b>Owner</b>	Timothy P II & Hannah R Thoman	<b>Reviewer</b>	Rina Neeley
<b>Applicant</b>	Timothy P II & Hannah R Thoman	<b>BZA Meeting</b>	September 9, 2019

**Requested Action:**

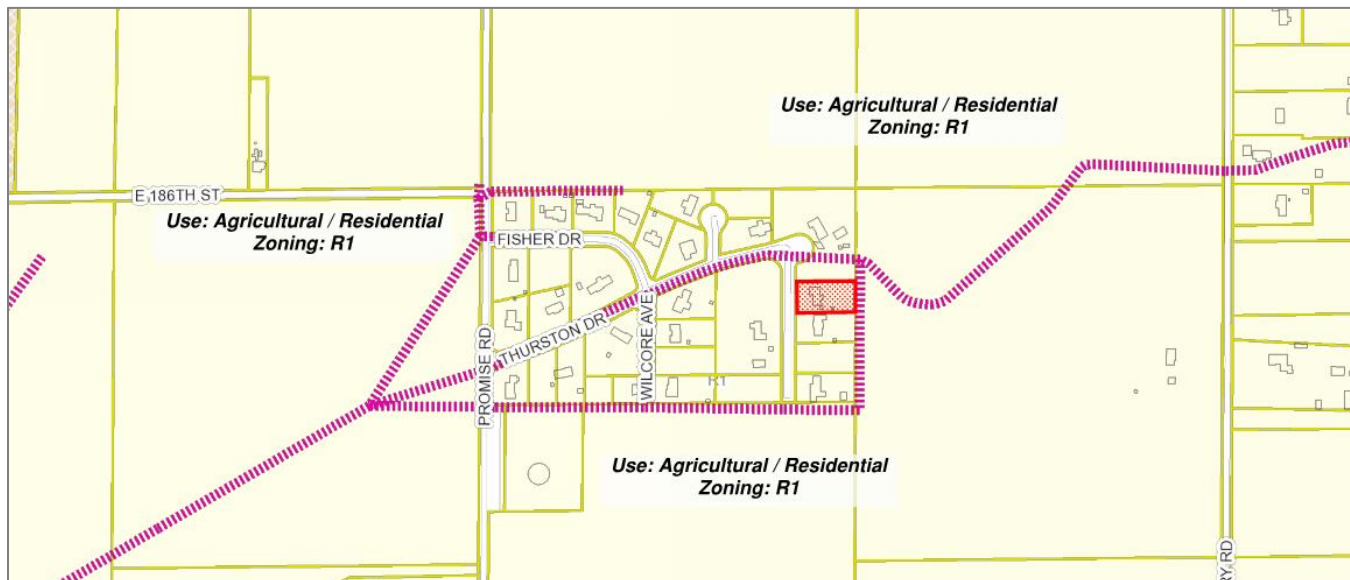
- a) UDO §Table 8.B and UDO § 9.B.2.C.1.c – Variance of Development Standards to permit the reduction of the side yard setback for an existing detached accessory structure in the R1 zone.
- b) UDO §9.B.2.C.1.a – Variance of Development Standards to permit an existing accessory structure to exceed the combined square footage of accessory structures allowed for a property less than 1 acre.
- c) UDO §9.B.2.C.1.b – Variance of Development Standards to permit an existing accessory structure to exceed the maximum height of 14 feet and the height of the principle building.

**Recommendation:**

Approve. See Findings of Facts for Approval on page 3 and Conditions of Approval on page 5.

**Table of Contents:**

- 1. Staff Report
- 2. Parcel Map
- 3. Aerial Photo
- 4. Standard Property Record Card
- 5. Application
- 6. Site Plan and Building Plan
- 7. Site and Neighborhood Photos
- 8. Neighborhood Accessory Structures Exhibit



## **ANALYSIS**

The subject property is located on the east side of Thurston Drive about 175 feet east of Promise Road. The petitioner's property is located at the back of a 28 lot wooded neighborhood known as the Fishers Oakwood Addition. This neighborhood is surrounded by larger parcels of land for residential and agricultural uses (see Exhibits 2 and 3). The subject property contains a single family residence and a pole barn.

The property was developed with a one-story single family residence with attached garage in 1968. According to the Standard Property Record Card prepared by Hamilton County (Exhibit 4), a 120 square foot utility shed was installed in 2000. The project narrative included in the application (Exhibit 5), states that the previous property owner purchased and assembled the pole barn from a kit from Menards. The 960 square foot barn was installed without a building permit. A permit is required for accessory structures greater than 200 square feet. According to aerial photos, typically flown in March or April, the pole barn and southern driveway was installed between 2016 and 2017 and the utility shed was removed in 2018. According to the application (Exhibit 5), the petitioners purchased the property in December 2017 and discovered that the existing pole barn was constructed without obtaining a building permit just prior to closing. They have agreed to remove the existing driveway to south instead of requesting another variance for the second driveway. The petitioner would like to add electrical service to the existing accessory structure, but cannot proceed without obtaining a building permit for the existing pole barn.

### ***Side Yard Setback***

The petitioner has requested to reduce the minimum side yard setback to allow the existing pole barn. The side yard setback in the R1 (Low Density Single Family Residential) zone is 10 feet. The existing accessory building was constructed approximately 2 feet from the side property line to the south per the Site Plan prepared SEA Group Land Surveyors (Exhibit 6). The existing setback is shown in photos 3 through 5 of the site photos (Exhibit 7). If the previous owner had gone through the building permit process, the accessory structure would not have been approved unless it met the minimum 10 foot side yard setback. All but one developed lot in the Fishers Oakwood Addition has at least one detached accessory structure. Ten lots, or a third of the neighborhood, may have accessory structures that do not meet the minimum 10 foot side yard setback (see Exhibit 8). Most of the accessory structures in question are about 5 feet from the side property line and did not require a building permit since they are under 200 square feet. If this variance of development standards request is approved, it would allow the existing pole barn to remain in the current location with an approximate 2 foot setback.

### ***Accessory Structure Size***

The property owner has requested to exceed the maximum combined square footage of detached accessory structures per UDO §9.B.2.C.1.a, which states that the maximum combined area of accessory structures shall be limited to 50% of the principal building (residence) or 1,000 square feet, whichever is less. The existing residence is 1,704 square feet. Therefore the maximum area of accessory structures allowed on the property is 852 square feet. The existing pole barn is 960 square feet or 108 square feet greater than the maximum allowed area. The sum of accessory structure area for lots in the neighborhood range from 64 feet to 1,356 square feet. The lots greater than one acre tend to have larger or more accessory structures and are allowed to have accessory structures up to the size of the existing residence or 2,000 square feet, whichever is less.

While the size of the existing pole barn on the subject property exceeds 50% of the primary residence, it is still less than maximum 1,000 square feet allowed for properties under one acre that have larger homes. The existing pole barn appears to be a 2-car detached garage from the road. The length of the pole barn is only visible to the neighboring properties on either side as well as the agricultural land behind the subject property. The existing trees along the north property line partially obstructs the view of the existing pole barn from neighboring property (to the north). If this variance of development standards request is approved, it would allow the existing structure to remain on the property at the current size. A condition of approval has been added that no additions to the pole barn and no construction or installation of additional accessory structures would be allowed without an additional variance application and public hearing.

### ***Accessory Structure Height***

The applicant has requested to exceed the maximum height of detached accessory structures per UDO §9.B.2.C.1.b. According to the UDO, the height of an accessory structure shall be limited to 14 feet, but no such structure shall be taller than the principal building. Per the building plans provided, the existing pole barn is about 15 feet. The accessory structure is also taller than the primary single family residence as shown by the site photos (refer to photos 1, 3, 6 and 7 in Exhibit 7). The height of the existing pole barn exceeds the maximum height and the height of the existing house to accommodate a taller garage door. The larger garage door may accommodate a taller vehicle, such as an RV. If this variance of development standards request is approved, it would allow the existing structure to remain at the current height.

Although the existing pole barn does not meet the minimum side yard setback, maximum accessory structure size or accessory structure height, it was constructed under previous property ownership without building permits. The petitioner has requested the aforementioned variances so that they can obtain building permits for the existing structure. Removing, relocating or altering the existing structure would have financial consequences for the petitioner for an issue created by the previous property owner. Since the subject property is near the end of the road in a wooded rural neighborhood the existing pole barn is consistent with the character of the area.

## **VARIANCE OF DEVELOPMENT STANDARDS FINDINGS**

### **AGENDA ITEM #3:**

If the Board should decide to APPROVE the requested variance, please use the following findings of fact:

The Noblesville Board of Zoning Appeals is authorized to approve or deny variances of use from the terms of the zoning ordinance. **The BZA may impose reasonable conditions as part of its approval. A Variance of Development Standards may be approved only upon a determination in writing that the following three (3) conditions are met (see Indiana Code § 36-7-4-918.5):**

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

**It is likely that this variance will NOT be injurious to the public health, safety, morals, and general welfare of the community. The existing pole barn is meant for accessory uses to the existing single family residence. This includes the storage of personal items, such as RVs, boats,**

lawn maintenance equipment, etc. The use of the pole barn to store large items will decrease the likelihood of these items to be stored outside in the yard and driveway. It is not anticipated that storage of personal items would affect the public health, safety, morals and general welfare of the community.

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:

It is likely that the use and value of real estate adjacent to the subject site will NOT be affected in a substantially adverse manner by allowing the requested variance. Nearby property owners may remonstrate against this petition if they believe this request will have significant adverse effects on adjacent properties. Should nothing contrary be brought to light by adjacent owners at the public hearing, it is presumed that the approval of this variance request will not have a substantially adverse effect on the use and value of adjacent properties.

3. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought:

The strict application of the terms of the zoning ordinance WILL result in practical difficulties in the use of the property because the property owner would need to remove or alter and relocate the existing pole barn. The removal or alteration and relocation of the existing pole barn would create a financial hardship for the petitioner who purchased the property with an existing outbuilding and it may affect the structural integrity of the pole barn. The relocation of the pole barn to meet setback standards may affect access to the pole barn as well as existing utilities on the property. Relocating the pole barn may require the relocation or addition of a driveway to make the pole barn accessible to vehicles. It may also require the relocation of utilities such as gas or septic systems. The reduction of the structure size may affect the utilization of the structure if it is used for the storage of larger vehicles such as RVs or boats. The reduction of the pole barn to meet the height regulations may affect the roof pitch of the structure if the taller garage door is a feature that the petitioner needs for the building. The taller garage door on the pole barn is meant to accommodate larger vehicles, such as RVs. If the taller door is required and remains, it would affect the pitch of the roof and possibly require new engineered trusses for the revised roof pitch.

## RECOMMENDATIONS

### AGENDA ITEM #3:

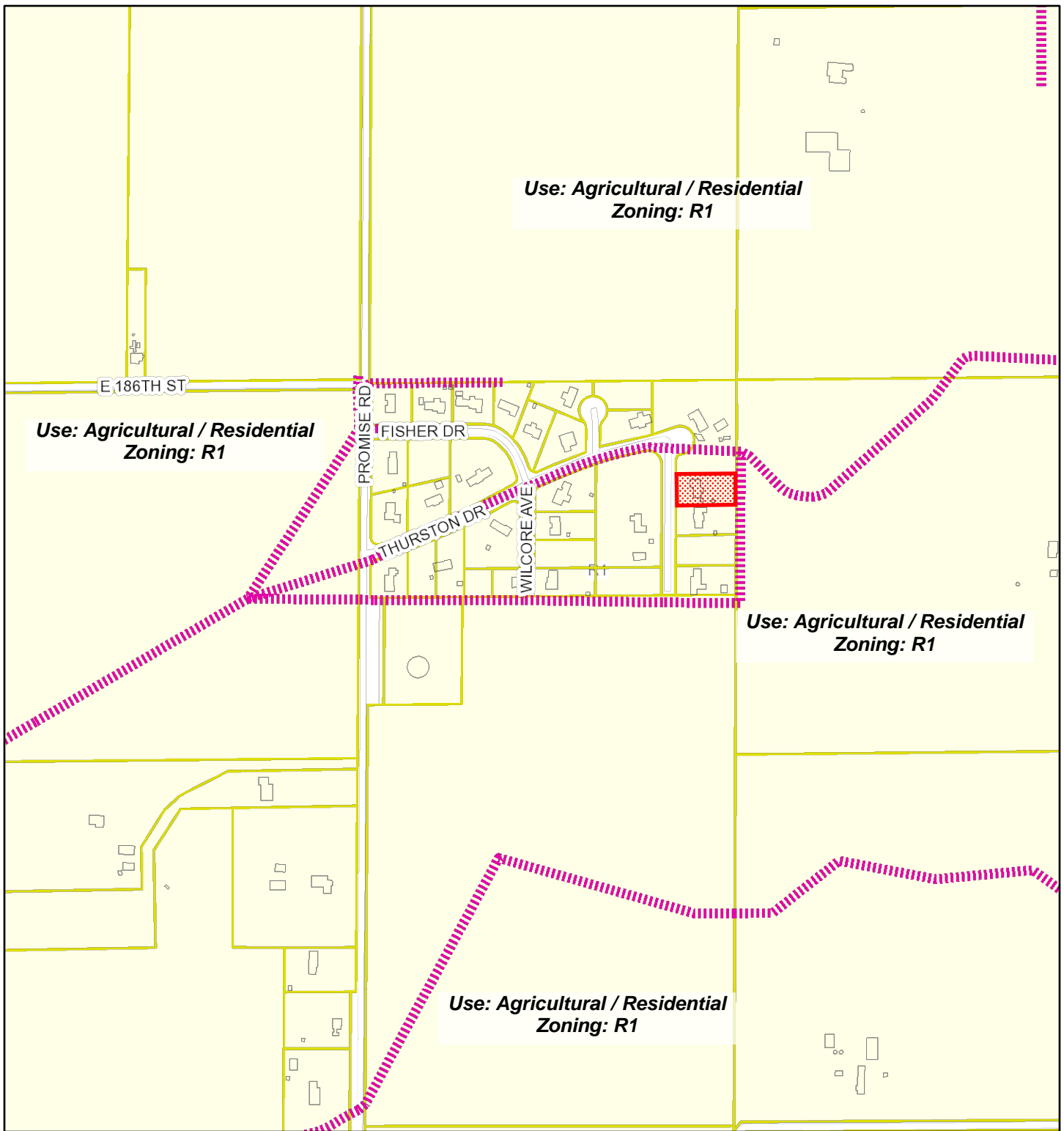
**APPROVE** the requested Variance of Development Standards based upon the following findings of fact:

- The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
- The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and
- The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought.

**With the following specific conditions:**

1. The proposed accessory structure shall be used for personal use and/or storage of personal materials only. The structures will not be used for any business, commercial, or industrial uses or separate residential purposes.
2. All utilities within the accessory structure shall be connected to the primary residential structure (principal building). Separate metering and addressing is prohibited.
3. The driveway at the south side of the property shall be removed and landscaped.
4. The Applicant shall sign the Acknowledgement of Variance document prepared by the Planning and Development Department Staff within 60 days of this approval. Staff will then record this document against the property and a file stamped copy of such recorded document shall be available in the Department of Planning and Development.
5. Any alterations to the approved building plan or site plan, other than those required by the Board of Zoning Appeals (BZA), shall be submitted to the Planning and Development Department prior to the alterations being made, and if necessary, a BZA hearing shall be held to review such changes.

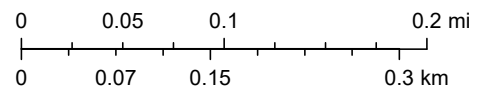
# Exhibit 2 - Parcel Map



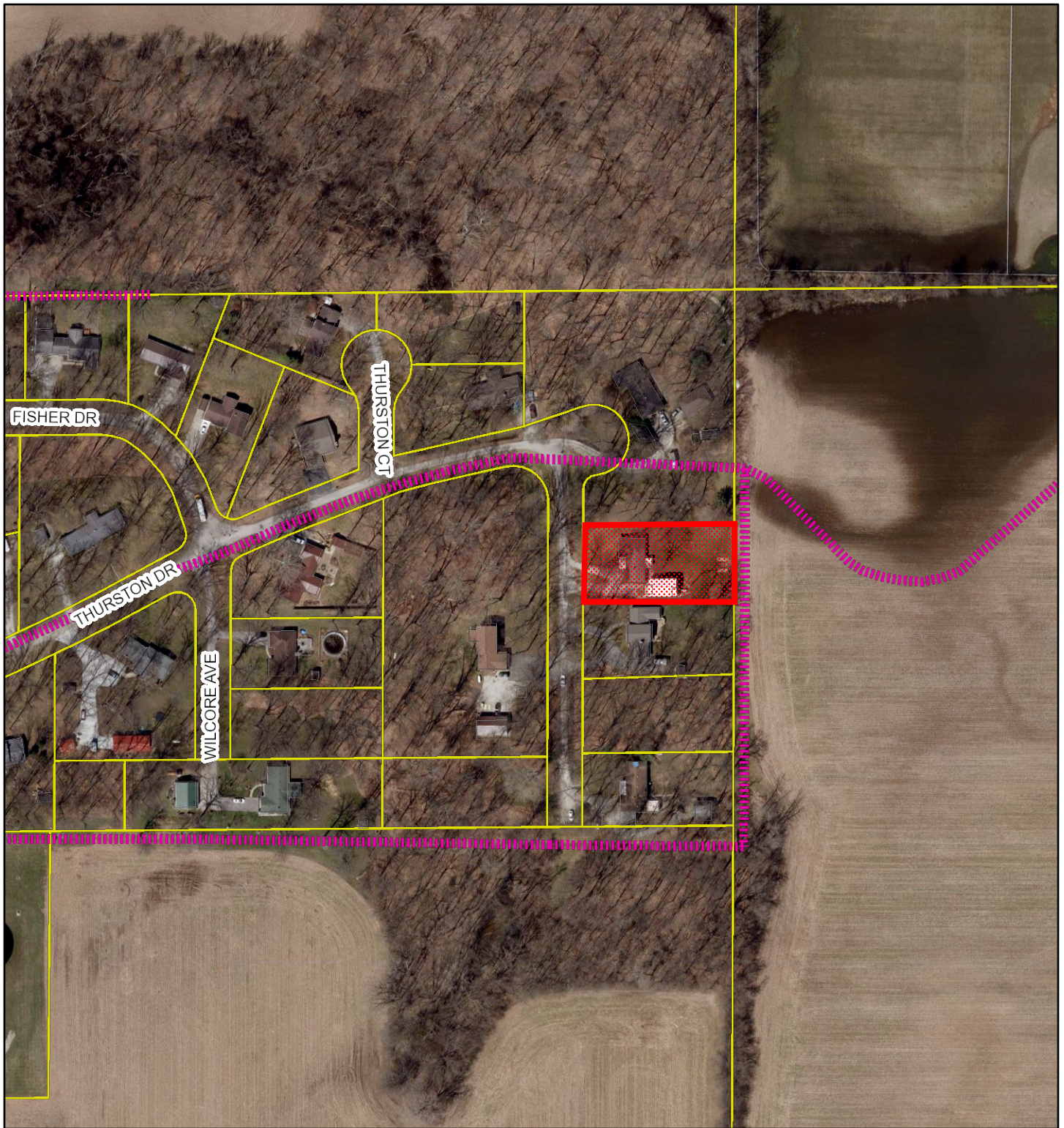
August 15, 2019

1:6,000

- centerlines
- Drains Under Construction
- Regulated Drains
  - CLOSED DRAIN
  - MUNICIPAL DRAIN
  - OPEN DRAIN
- SSD
- Regulated Drains Waterways
- Regulated Drains Drainage Pool
- Subdivision Regulated Drains
  - CLOSED DRAIN
  - MUNICIPAL DRAIN



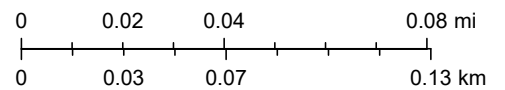
# Exhibit 3 - Aerial Photo



August 15, 2019

1:2,400

- |                           |                                |
|---------------------------|--------------------------------|
| centerlines               | SSD                            |
| Drains Under Construction | Regulated Drains Waterways     |
| Regulated Drains          | Regulated Drains Drainage Pool |
| CLOSED DRAIN              | Subdivision Regulated Drains   |
| MUNICIPAL DRAIN           | CLOSED DRAIN                   |
| OPEN DRAIN                | MUNICIPAL DRAIN                |



ADMINISTRATIVE INFORMATION

OWNERSHIP

Tax ID 1007330101013000

Printed 05/24/2019 Card No. 1 of 1

PARCEL NUMBER 29-07-33-101-013.000-012
Parent Parcel Number
Property Address 422 Thurston Dr
Neighborhood 607100 GREEN VALLEY ESTATES/COMB NBHD
Property Class 511 Res 1 fam unplatted 0-9.99 ac

Thoman, Timothy P II & Hannah R h&w
422 Thurston Dr
Noblesville, IN 46060
Acreage .63, Section 33, Township 19, Range 5

TRANSFER OF OWNERSHIP

Table with columns: Date, Name, Value. Rows include Ligler, Scott A (\$178000), Tye, Timothy Nick (\$132000), Wanous, Brian J (\$122500).

RESIDENTIAL

TAXING DISTRICT INFORMATION

Jurisdiction 29
Area 010 Noblesville
Corporation N
District 012 Noblesville Township

VALUATION RECORD

Table with columns: Assessment Year, Reason for Change, Trend, VALUATION, Appraised Value, True Tax Value. Rows for years 2013-2019.

Site Description

Topography: Level
Public Utilities: Electric
Street or Road: Paved
Neighborhood: Static
Zoning: 1 HOMESITE
Legal Acres: 0.5400
Admin Legal: 0.6300

LAND DATA AND CALCULATIONS

Table with columns: Rating, Measured Acreage, Table, Prod. Factor, Base Rate, Adjusted Rate, Extended Value, Influence Factor, Value. Includes rows for Soil ID, Depth Factor, and Zoning.

Exhibit 4 - Standard Property Record Card

LO16: CHANGED LAND FROM FF TO ACREAGE 1-1-16 TBS
NR18: ADDED POLE BARN PER SALES INFO 01-01-18 RW
RV17: 01/01/2017 RW
RVAL: 2012 ADDED UTL SHED ADG

Supplemental Cards

TRUE TAX VALUE 32890

FARMLAND COMPUTATIONS

Parcel Acreage 0.5400
81 Legal Drain NV [-]
82 Public Roads NV [-]
83 UT Towers NV [-]
9 Homesite(s) [-]
91/92 Excess Acreage[-]
TOTAL ACRES FARMLAND
TRUE TAX VALUE

Measured Acreage
Average True Tax Value/Acre
TRUE TAX VALUE FARMLAND
Classified Land Total
Homesite(s) Value (+)
Excess Acreage Value (+)

Supplemental Cards
TOTAL LAND VALUE

32900



**IMPROVEMENT DATA**

**PHYSICAL CHARACTERISTICS**

Style: 41 Newer conventional 1 story  
Occupancy: Single family  
Story Height: 1.0  
Finished Area: 1224  
Attic: None  
Basement: None

**ROOFING**  
Material: Asphalt shingles

**FLOORING**  
Slab 1.0  
Vinyl tile 1.0  
Carpet 1.0

**EXTERIOR COVER**  
Brick 1.0

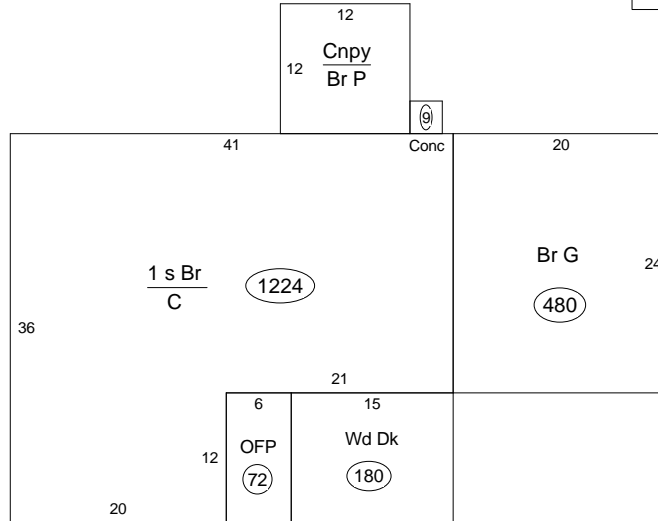
**INTERIOR FINISH**  
Drywall 1.0

**ACCOMMODATIONS**  
Finished Rooms 8  
Bedrooms 3  
Formal Dining Rooms 1

**HEATING AND AIR CONDITIONING**  
Primary Heat: Central Warm Air  
Lower Full Part  
/Bsmt 1 Upper Upper  
Air Cond 0 1224 0 0

**PLUMBING**  
#  
3 Fixt. Baths 1 3  
2 Fixt. Baths 1 2  
Kit Sink 1 1  
Water Heat 1 1  
TOTAL 7

**REMODELING AND MODERNIZATION**  
Amount Date



04 05

Construction	Base Area	Floor Area	Finished Area	Sq Ft	Value
1 WOOD FRAME	1224	1.0	1224		83150

1224 Crawl ---- 5980

TOTAL BASE 89130

Row Type Adjustment 1.00%  
SUB-TOTAL 89130

0 Interior Finish 0  
0 Ext Lvg Units 0  
0 Basement Finish 0  
Fireplace(s) 0  
Heating 0  
Air Condition 3030  
Frame/Siding/Roof 8990  
Plumbing Fixt: 7 1600

Exterior Features Description	Value	SUB-TOTAL ONE UNIT	102750
Garages		SUB-TOTAL 0 UNITS	102750
BRP	1930	0 Integral	0
CNPY/	780	480 Att Garage	13660
CONCP	70	0 Att Carports	0
OFF	3560	0 Bsmt Garage	0
WDDK	3180	Ext Features	9520

SUB-TOTAL 125930  
Quality Class/Grade C

GRADE ADJUSTED VALUE 125930

(LCM: 100.00)

**SPECIAL FEATURES**

**SUMMARY OF IMPROVEMENTS**

Description	Value	ID	Use	Stry Hgt	Const Type	Grade	Year Const	Eff Year	Cond	Base Rate	Feat-ures	Adj Rate	Size or Area	Computed Value	Phys Depr	Obsol Depr	Market Adj	% Comp	Value
D DWELL	1.00				C		1968	1968	A	0.00	N	0.00	1224	125930	40	0	128	100	96700
G01 ATTGAR	0.00			7						28.45	N	28.45	480	13660	0	0	0	0	0
04 UTLSHED	0.00			1	C		2000	2000	A	19.36	N	19.36	10x 12	2320	50	0	100	100	1200
05 T3AWI	10.00				C		2016	2016	A	20.85	N	18.87	24x 40	18120	10	0	100	100	16300

Data Collector/Date

Appraiser/Date

Neighborhood

Supplemental Cards

JP 07/12/2016

01/01/1900

Neigh 607100 AV

TOTAL IMPROVEMENT VALUE

114200

# Exhibit 5 - Application



## CITY OF NOBLESVILLE BOARD OF ZONING APPEALS

### VARIANCE OF DEVELOPMENT STANDARD APPLICATION

Application Number BZNA-0087-2019 BZNA-0088-2019 BZNA-0089-2019

The undersigned requests a Variance of Development Standards as specified below. Should this variance request be approved, such approval shall only authorize the particular use described in this application and as further limited by reasonable conditions imposed upon such approval by the Board of Zoning Appeals.

Project Name or Occupant Name: THORMAN ACCESSORY BUILDING

Common Address 422 THURSTON DRIVE; NOBLESVILLE, IN 46060

**Applicant Name:** TIMOTHY P. THORMAN, II AND HANNAH R. THORMAN, by counsel

Applicant Address: 4630 Lisborn Drive

Applicant City/State/Zip: Carmel, IN 46033 E-mail: paul@ananiablack.com

Applicant Phone #1: (317)815-4451 Phone #2: \_\_\_\_\_ Fax: (317)805-7360

**Owner Name:** TIMOTHY P. THORMAN, II AND HANNAH R. THORMAN

Owner Address: 422 THURSTON DRIVE

Owner City/State/Zip: NOBLESVILLE, IN 46060 E-mail: paul@ananiablack.com

Owner Phone #1: (317)815-4451 Phone #2: \_\_\_\_\_ Fax: (317)805-7360

Property Location:  Not located in a recorded subdivision, see legal description attached.

Subdivision Name: \_\_\_\_\_

Subdivision Section: \_\_\_\_\_ Lot Number: \_\_\_\_\_ Last Deed of Record Number \_\_\_\_\_

Existing Land Use: R1

Common Description of Request: REQUEST FOR VARIANCE FROM SIDE SETBACK, SIZE OF ACCESSORY BUILDING, AND HEIGHT OF ACCESSORY STRUCTURE

Zoning District of Property: R1 Code Section(s) Appealed: UDO § ARTICLE 8, PART B, SECTION 2 BULK STANDARDS IN TABLE 8.B

Date: July 1, 2019 Applicant's Signature:

The Noblesville Board of Zoning Appeals (BZA) is authorized to approve or deny Variances of Development Standard from the terms of the Unified Development Ordinance. The BZA may impose reasonable conditions as part of its approval. A Variance of Development Standard may be approved only upon a determination in writing that the following three (3) statements are true (see Indiana Code § 36-7-4-918.5):

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community. Explain why this statement is true in this case:

The variances sought are de minimis. The aggregate setback will be more than 15 feet between the accessory outbuilding and the nearest structure, the square footage permitted by a proposed variance is of the highest character for an accessory outbuilding and is newly constructed, and the request to permit an accessory structure with a height exceeding the permitted height for accessory building does not affect the use, enjoyment or safety of neighboring properties.

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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 by the approval of this variance request. Explain why this statement is true in this case:

Properties close in proximity to the subject property contain similar accessory buildings. The accessory outbuilding for which the variances (side setback, height and size) are sought is newly constructed with metal exterior over wood framing with a concrete slab. Granting the variance allows the petitioner to obtain a building permit that enables electricity to be professionally run to the accessory outbuilding and connected professionally. Granting the variance enhances the value of the subject property and by natural comparison the value of the properties surrounding the subject property.

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3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property. Explain why this statement is true in this case:

Strict application of the terms of the zoning ordinance encourages economic waste. The structure will not provide the increased value to the property and the surrounding properties by comparison. Strict application of the terms of the zoning ordinance without seeking the variance exposes the applicant to the risk, expense and vexation of forced removal of the accessory outbuilding, precludes the professional installation of electrical service, and eliminates the beneficial use of a modem, professionally constructed accessory outbuilding in a residential setting.

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DULY ENTERED FOR TAXATION  
Subject to final acceptance of transfer  
13th day of December 2017 - JKT  
*Robin M. Miles* Auditor of Hamilton County  
Parcel # 10-07-33-01-01-013.000

bpg

2017061089 WD \$25.00  
12/13/2017 12:07:16PM 3 PGS  
Jennifer Hayden  
Hamilton County Recorder IN  
Recorded as Presented



## WARRANTY DEED

File No.: CTIN1703800  
CT Masters

**THIS INDENTURE WITNESSETH**, that Scott A. Ligler, an adult (Grantor) CONVEY(S) AND WARRANT(S) to:

Timothy P. Thoman, II and Hannah R. Thoman, husband and wife (Grantee) for the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following described real estate in Hamilton County in the State of Indiana, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

**Property:** 422 Thurston Dr, Noblesville, IN 46060

**Subject to** all current real estate taxes and assessments and all subsequent taxes and assessments.

**Subject to** all easements, covenants, conditions, and restrictions of record.

IN WITNESS WHEREOF, Grantor has executed this deed this 8 day of December, 2017.

  
\_\_\_\_\_  
Scott A. Ligler

State of Indiana  
County of Hamilton

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Scott A. Ligler, an adult, who acknowledged the execution of the foregoing instrument, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 8 day of December, 2017

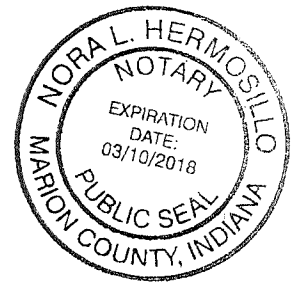
Signature [Handwritten Signature]

Printed: \_\_\_\_\_

Resident of: \_\_\_\_\_ County

State of: \_\_\_\_\_

My Commission expires: \_\_\_\_\_



**Prepared By:** J. David Clossin, for the benefit of Chicago Title Company, LLC  
**Grantee's Address and Tax Billing Address:** 422 Thurston Dr  
Noblesville, IN 46060

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law: J. David Clossin.

**EXHIBIT "A"**  
Legal Description

**For APN/Parcel ID(s): 29-07-33-101-013.000-012**

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A PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 19 NORTH, RANGE 5 EAST, IN HAMILTON COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF SAID HALF QUARTER SECTION RUN EAST (ASSUMED BEARING), 1320 FEET; THENCE SOUTH 0 DEGREES 39 MINUTES WEST 329.95 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 0 DEGREES 39 MINUTES WEST, 110 FEET; THENCE WEST AND PARALLEL TO THE NORTH LINE OF SAID HALF QUARTER SECTION 248.11 FEET; THENCE NORTH 0 DEGREES 56 MINUTES, 110 FEET; THENCE EAST AND PARALLEL TO THE NORTH LINE AFORESAID, 247.64 FEET TO THE PLACE OF BEGINNING.

## **Project Narrative**

The accessory outbuilding was built by the Thoman's predecessor in title shown on the last deed shortly before selling to the applicant. The predecessor in title purchased a kit from Menards and paid a contractor to assemble and neither the predecessor nor contractor obtained a building permit. The lack of building permit was not discovered until right before the closing at which the applicant purchased the home with the accessory building. The variance is sought to enable the Thoman's to obtain a permit that would enable the accessory outbuilding to be connected to electric service.. The accessory outbuilding for which the variance is sought will be used for household/residential storage and related uses.

# Exhibit 6 - Site and Building Plans


  
**SEAGroup**  
**Land Surveyors**  
 494 Gradle Drive Phone: 317.844.3333  
 Carmel, IN 46032 Fax: 317.844.3383  
 www.SEAGroupLLC.com

## SURVEYOR LOCATION REPORT

PAGE 1 OF 1

DRAWING PREPARED BY: BS

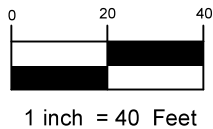
DRAWING SCALE: 1" = 40'

DRAWING DATE: 7/8/2019

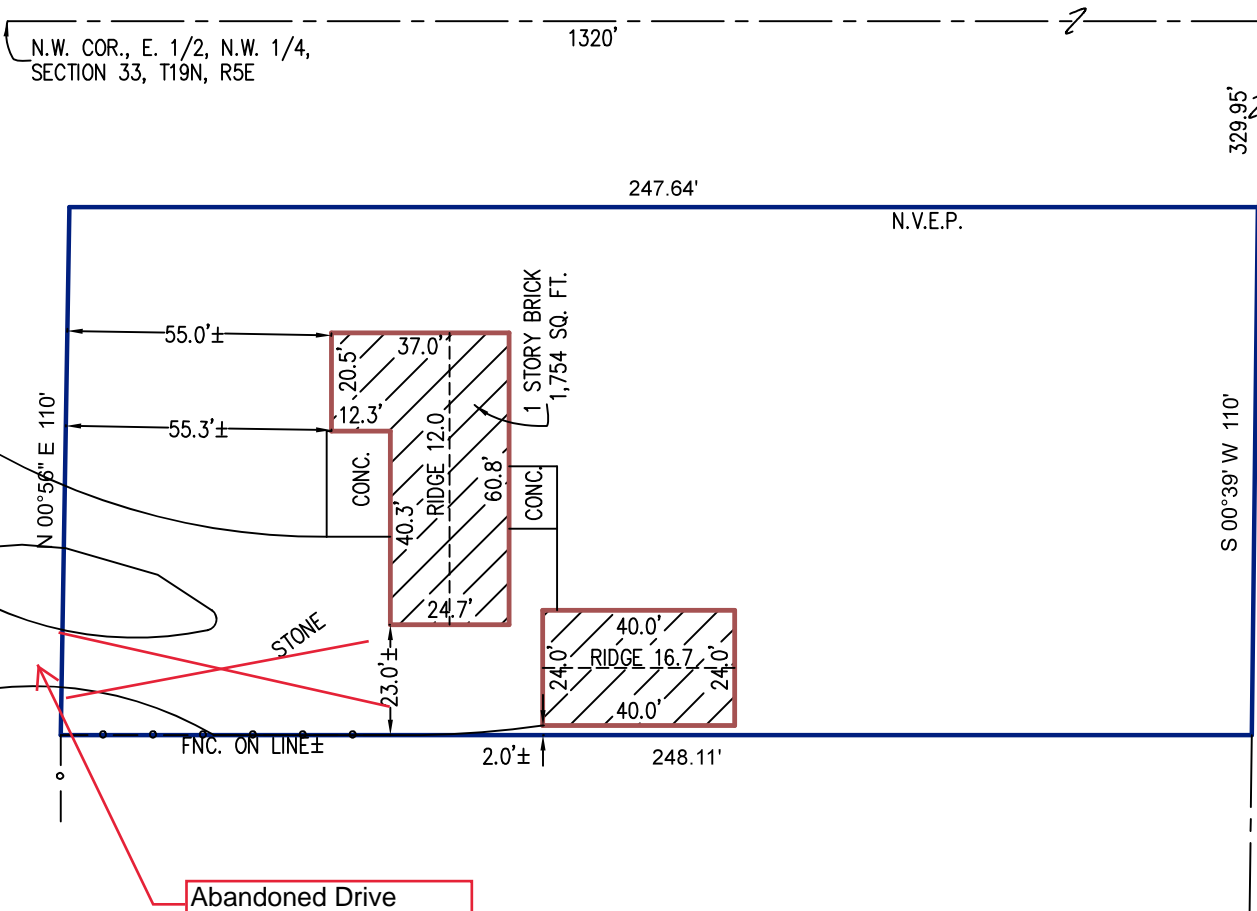
FIELD WORK DATE: 7/1/2019

DRAWING PREPARED FOR:

Title Links LLC



THIS REPORT IS DESIGNED FOR USE BY A TITLE INSURANCE COMPANY WITH RESIDENTIAL LOAN POLICIES. NO CORNER MARKERS WERE SET AND THE LOCATION DATA HEREIN IS BASED ON LIMITED ACCURACY MEASUREMENTS. NO LIABILITY WILL BE ASSUMED FOR ANY USE OF THE DATA FOR CONSTRUCTION OF NEW IMPROVEMENTS OR FENCES.



**PROPERTY DESCRIPTION:**

A part of the East Half of the Northwest Quarter of Section 33, Township 19 North, Range 5 East, in Hamilton County, Indiana, being more particularly described as follows:

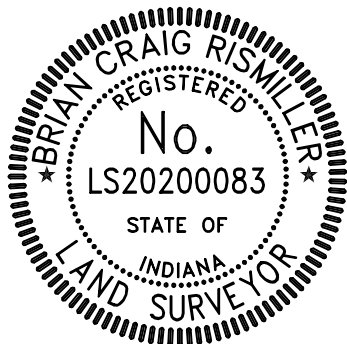
From the Northwest corner of said Half Quarter Section run east (assumed bearing), 1320 feet; thence South 0 degrees 39 minutes West 329.95 feet to the Place of Beginning of this description; thence continuing South 0 degrees 39 minutes West, 110 feet; thence West and parallel to the north line of said Half Quarter Section 248.11 feet; thence North 0 degrees 56 minutes, 110 feet; thence East and parallel to the North line aforesaid, 247.64 to the place of beginning.

PROPERTY ADDRESS: 422 Thurston Dr., Noblesville, IN  
 OWNER:  
 BUYER:  
 TITLE COMPANY:

I HEREBY CERTIFY TO THE PARTIES NAMED ABOVE THAT THE REAL ESTATE DESCRIBED HEREIN WAS INSPECTED UNDER MY SUPERVISION ON THE DATE INDICATED AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS REPORT CONFORMS WITH THE REQUIREMENTS CONTAINED IN SECTIONS 27 THRU 29 OF TITLE 865 I.A.C., ARTICLE 1, RULE 12, FOR A SURVEYOR LOCATION REPORT. THE ACCURACY OF ANY FLOOD HAZARD STATEMENT SHOWN ON THIS REPORT IS SUBJECT TO MAP SCALE UNCERTAINTY AND TO ANY OTHER UNCERTAINTY IN LOCATION OR ELEVATION OF THE REFERENCED FLOOD INSURANCE RATE MAP.

*Brian Rismiller*

CERTIFIED: JULY 8, 2019  
 BRIAN C. RISMILLER  
 LS 20200083



**DRAWING LEGEND**

- R/W = RIGHT OF WAY (AS NOTED)
  - CENTERLINE AS NOTED
  - BUILDING SETBACK LINE (B.S.L.)
  - EASEMENT (AS NOTED)
  - REAL ESTATE LINES (AS NOTED)
  - SUBJECT REAL ESTATE SURVEY LINE
  - x-x-x-x-x-x-x-x-x-x- CHAIN LINK TYPE FENCE
  - o-o-o-o-o-o-o-o-o-o- WOOD TYPE FENCE
- B.S.L. = Building Setback Line    D. = Drainage  
 U. = Utility    E. = Easement  
 S. = Sanitary    L. = Landscape

PROJECT #: S20194998





# General Area

## 422 Thurston; Noblesville, IN

Printed: May 30, 2018



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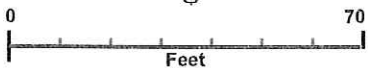




# Subject Property with Setback

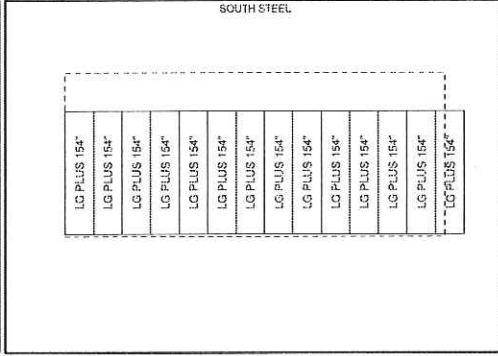
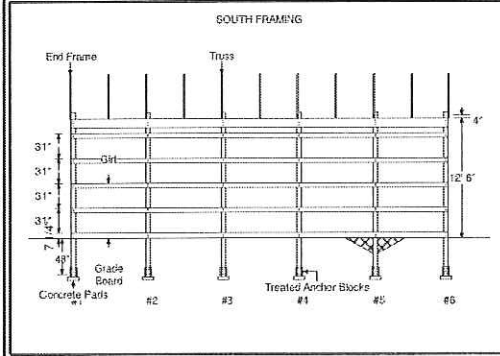
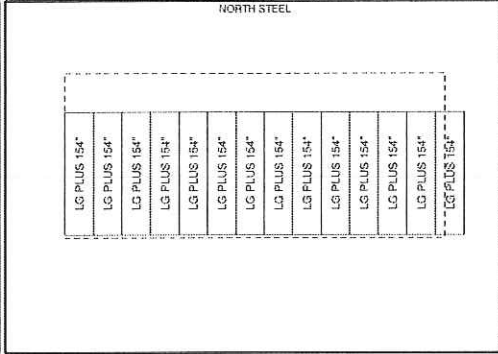
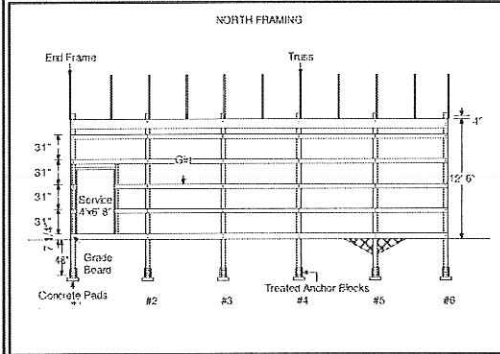
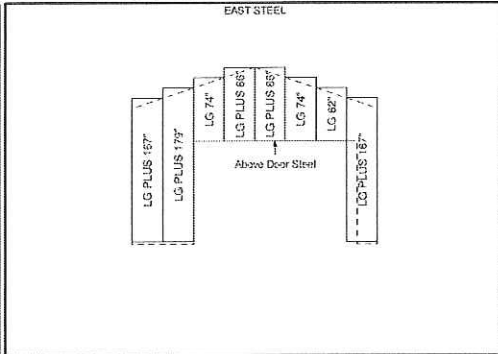
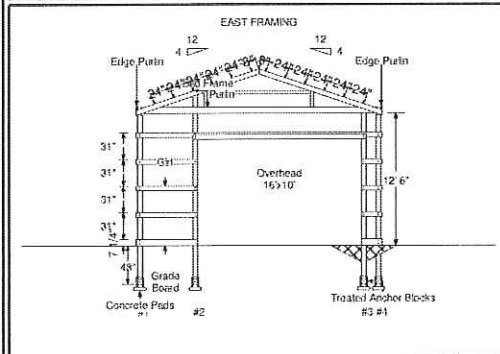
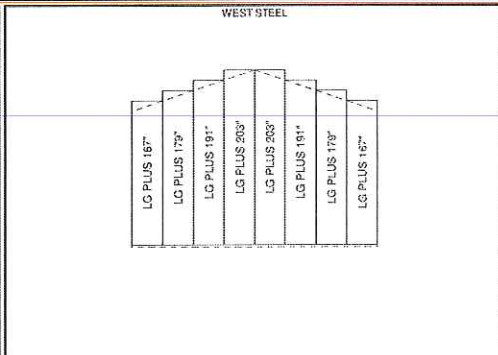
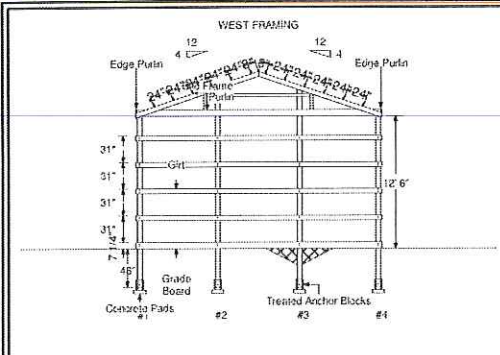
## 422 Thurston; Noblesville, IN

Printed: May 30, 2018

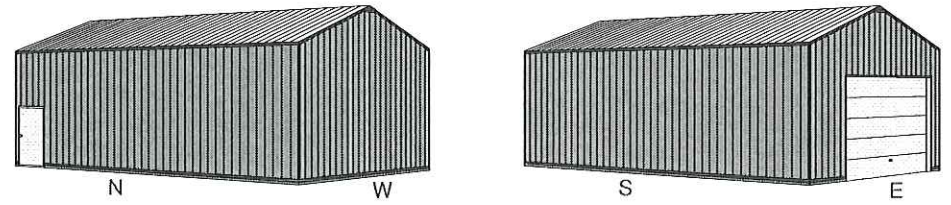


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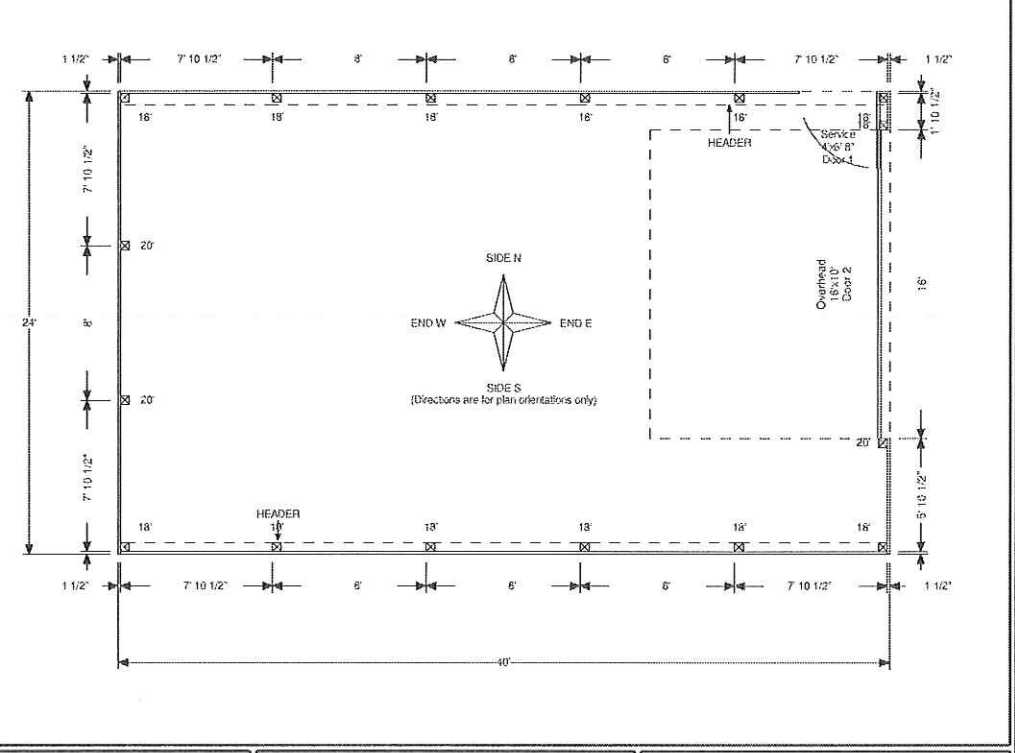


**SCOTT LIGLER  
NOBLESVILLE, IN**



Service Doors and Windows Shown for Representation Only. Please Confirm Exact Location at Time of Construction

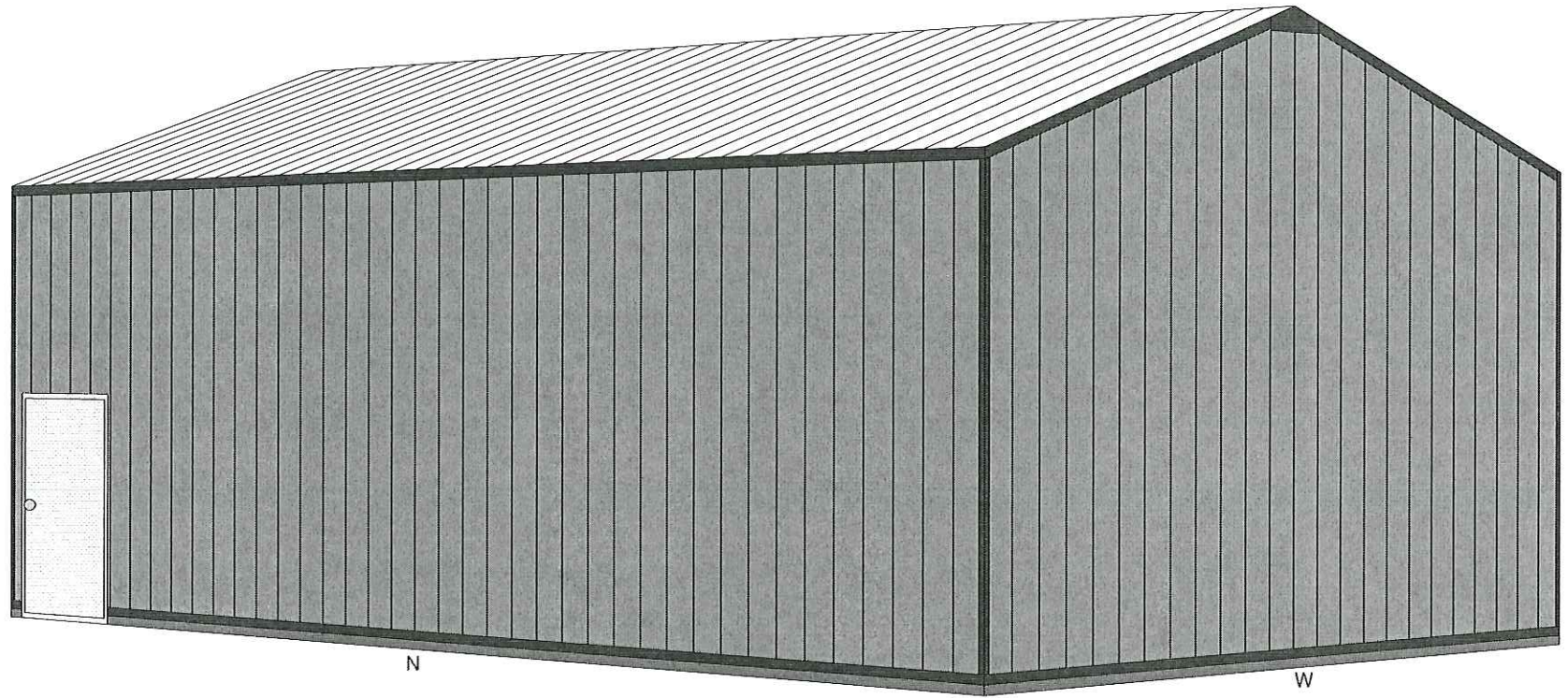
**FLOOR PLAN**



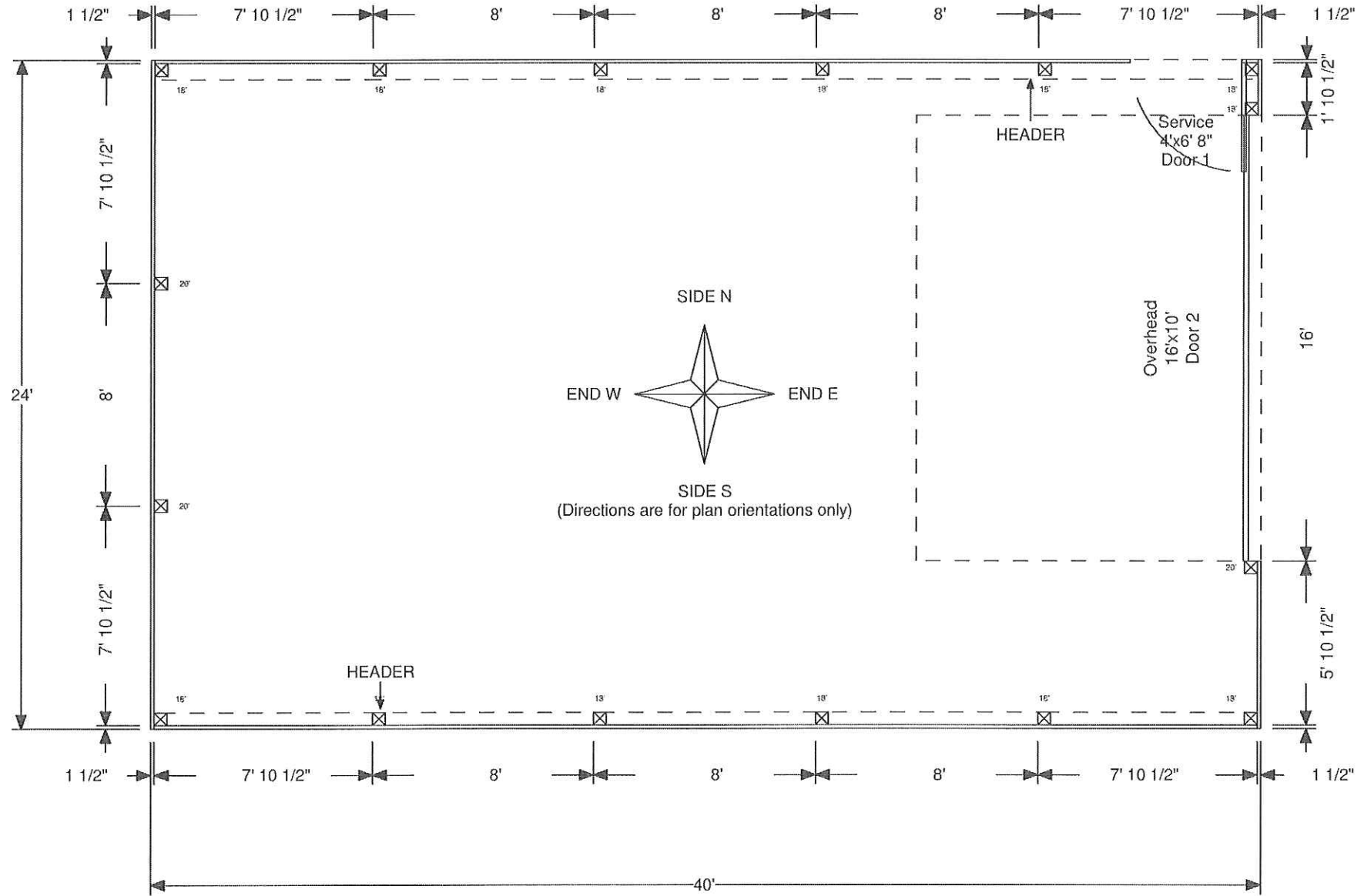
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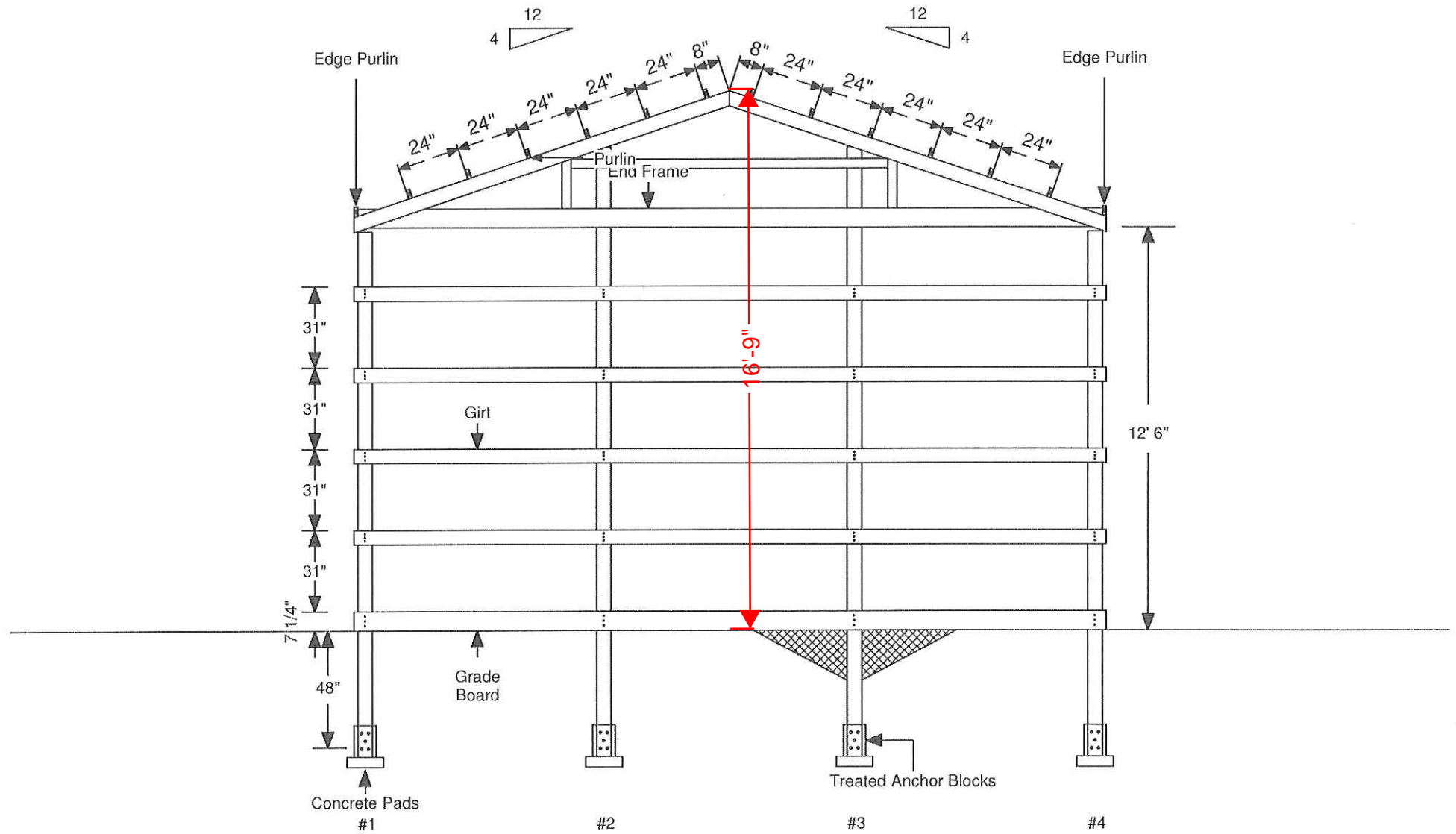
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FLOOR PLAN



WEST FRAMING



## Exhibit 7 - Site Photos



- 1) Looking up both driveways to the house and the pole barn that is taller than the existing house. The southern driveway (on the right) will be removed.



2) Looking northeast from the southern driveway.



3) View of the existing house and pole barn from the fence along the southern property line.





4) Looking at the pole barn from the southern driveway.



5) Looking at the pole barn from the existing fence along the southern property line.



6) Looking west to the house and pole barn from the southeast corner of the property.



7) Looking southwest to the house and pole barn from the northeast corner of the property.



8) Looking south to the house, pole barn and rear yard from the middle of the north property line.



9) Looking southeast to the house and front yard from the northwest corner of the property.



10) Looking at both driveways from the neighboring property to the south. The southern driveway will be removed.

# Exhibit 8 - Neighborhood Accessory Structures



August 15, 2019

Properties that have accessory structures that may not meet 10 ft side yard setback

**SF** Total area of accessory structures on the property

