

**Variance**  
**Application Packet**  
***for Board of Zoning Appeals***



**Department of**  
**Municipal Development**



# CALENDAR 2012

## CITY BOARD OF ZONING APPEALS

*Department of Municipal Development*

Dates: 1<sup>st</sup> Wednesday of Month  
 Time: 4:30pm  
 Place: City Council Chambers at 120 East Eighth Street, Anderson, Indiana 46013

FILING DEADLINE Wednesday 12:00pm	LEGAL AD & MAILINGS Ten Day Period	MEETING DATE 1 <sup>st</sup> Wednesday at 4:30pm
December 7	December 15-25	January 4, 2012
January 4	January 12-22	February 1
February 8	February 16-26	March 7
March 7	March 15-25	April 4
April 4	April 12-22	May 2
May 9	May 17-27	June 6
June 6	June 13-23	Tuesday, July 3*
July 3	July 12-22	August 1
August 8	August 15-25	September 5
September 5	September 13-23	October 3
October 10	October 18-28	November 7
November 7	November 15-25	December 5
December 5	December 13-23	January 2, 2013

\* Wednesday, July 4<sup>th</sup> is a holiday





## BOARD OF ZONING APPEALS PROCEDURES

### Department of Municipal Development

**APPLICANTS ARE REQUIRED TO FOLLOW THE PROCEDURES OUTLINED BELOW TO ENSURE THE PROCESSING OF ALL APPLICATIONS.**

**Failure to comply with all requirements, including but not limited to notarized signatures of owners and applicants will result in the petition being RETURNED to the petitioner and WILL NOT be placed on the meeting agenda. In this case, when all completed documentation is in order, the petition can be resubmitted for the NEXT regular meeting date.**

#### **1. CONFER WITH THE ZONING DIVISION STAFF**

It is helpful to discuss the proposed application with staff to ensure that proper procedures are followed.

#### **2. SUBMIT APPLICATION AND FILING FEE**

Follow and return the completed checklist with all information as required.

- a. One (1) completed application with original signatures
- b. One (1) copy of the recorded deed for premises affected
- c. Completed detail drawings to include: *(For all submitted development plans, excluding single-family and two-family dwellings, the Board will require a licensed engineer, architect or surveyor to draw the development plans.)*
  - i. Site Plan
  - ii. Lighting Plan
  - iii. Landscaping Plan
  - iv. Drainage Documents
  - v. Elevations
- d. Filing fee
- e. Completed checklist

#### **3. NOTIFY PROPERTY OWNERS AND SUBMISSION OF LIST OF NOTIFIED OWNERS**

Notification by the petitioner is required to the owners of all parcels of land within 300 ft. perimeter of the premises affected.

- a. Format of letter must be similar to sample enclosed in packet
- b. Notification must be sent certified mail (white receipts only) at least ten (10) days before the meeting, but not more than twenty (20) days. The letters **MUST** be postmarked at the post office.
- c. A list of names of the surrounding property owners can be obtained from the Township Assessor's Office including the key number. Then proceed to the Treasurer's Office, using the computers, enter they key number and obtain the mailing addresses of the property owners. These offices are located in the Madison County Government Center at 16 East 9<sup>th</sup> Street, Anderson, Indiana.

- d. A list of the property owner's names, mailing addresses and key numbers should be submitted to the Department of Municipal Development Staff for review prior to mailing out certified letters by the deadline dates.
- e. A list of the property owners names and address, copy of the notice sent to the property owners, the postmarked certified mail receipts and a signed affidavit must be submitted no later than ten (10) days prior to the meeting date.

**4. PLACE LEGAL NOTIFICATION IN THE ANDERSON HERALD-BULLETIN**

Legal advertisement is required to be submitted to the Anderson Herald-Bulletin for publication

- a. Format of legal advertisement must be similar to sample enclosed in packet.
- b. Legal advertisement must be published at least ten (10) days prior to the meeting date, but not more than twenty (20) days.
- c. Submit proof of publication to the Department of Municipal Development.

**5. APPEAR AT THE PUBLIC HEARING BEFORE THE PLAN BOARD OF ZONING APPEALS**

- a. Regular meeting times are 1<sup>st</sup> Wednesday of month at 4:30pm.
- b. Meeting is held in the City Council Chambers at City Hall located at 120 East Eighth Street, Anderson, Indiana. *Note: The Council Chambers is equipped with an overhead transparency projector.*



**VARIANCE APPLICATION**  
**Department of Municipal Development**  
**Petition # \_\_\_\_\_ Zoning \_\_\_\_\_ ILP # \_\_\_\_\_**

**Applicant Information**

Name(s) \_\_\_\_\_ Phone \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Email Address \_\_\_\_\_

**Owner(s) Information**

Name(s) \_\_\_\_\_ Phone \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Email Address \_\_\_\_\_

**Property Information**

Contact Person \_\_\_\_\_ Phone \_\_\_\_\_  
 Property Address or Range \_\_\_\_\_  
 Variance is for \_\_\_\_\_  
 Reason for Variance \_\_\_\_\_

**ATTACH A COPY OF RECORDED DEED WITH CURRENT AND CORRECT LEGAL DESCRIPTION**

I (We) hereby certify I (We) have the authority to make the above application and that the information to my (our) knowledge and belief is true and correct.

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Signature of Owner*

\_\_\_\_\_  
*Printed Name of Applicant*

\_\_\_\_\_  
*Printed Name of Owner*

State of Indiana, County of Madison, ss:

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ .

\_\_\_\_\_  
*Notary Public Signature*

\_\_\_\_\_  
*Printed Name of Notary Public*

My Commission Expires \_\_\_\_\_

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



# VARIANCE CHECKLIST

## Department of Municipal Development

*The petitioner should place a check mark next to the items being submitted*

**Petitioner      Staff      Required Information and Documents**

### APPLICANT INFORMATION

_____	_____	Applicant Information (name, mailing address, phone number)
_____	_____	Owner Information (name, mailing address, phone number)
_____	_____	Contact Person Information (name and phone number)
_____	_____	Property Address of Address Range
_____	_____	Reason for Petition
_____	_____	Notarized Signature and Printed Name of Owner
_____	_____	Notarized Signature and Printed Name of Applicant

### SITE PLAN INFORMATION

_____	_____	Site Plan
_____	_____	Scale on Site Plan
_____	_____	North Arrow on Site Plan
_____	_____	Lighting Plan (if necessary)
_____	_____	Landscape Plan (if necessary)
_____	_____	Signage (if necessary)
_____	_____	Elevations (if necessary)

### OTHER INFORMATION

_____	_____	Recorded Deed with Current and Correct Legal Description
_____	_____	Engineer's Report (if necessary)
_____	_____	Power of Attorney Document (for all interested parties, if necessary)
_____	_____	Filing Fee

Petition Accepted By: \_\_\_\_\_

*Staff Member Name* *Date Received*

## NOTICE OF PUBLIC HEARING

To Whom It May Concern:

Notice is hereby given that the Board of Zoning Appeals of the City of Anderson, Indiana on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ at 4:30pm (local time) in the City Council Chambers located in City Hall at 120 East Eighth Street, Anderson, Indiana, will hold a public hearing on a proposed **Variance** of Zoning Ordinance #2439 and all amendments thereto of the the City of Anderson, a part of the Comprehensive Plan for the City of Anderson.

The proposed **Variance** is for: \_\_\_\_\_

### Legal Description of Property:

This property is located at \_\_\_\_\_.

*(Property Address)*

Written suggestions or objections to the provisions of said proposed **Variance** may be filed with the Assistant City Development Director at or before such meeting and will be heard by the Board of Zoning Appeals at the time and place specified.

Interested persons desiring to present their views, pro or con, upon the proposed **Special Exception**, either in writing or verbally, will be given the opportunity to be heard at the above mentioned time and place.

This petition may be continued on the Plan Commission agenda from time to time as may be necessary.

### BOARD OF ZONING APPEALS

120 East Eighth Street, Room 112 ♦ Anderson, Indiana 46016

Phone: (765) 648-6168 ♦ Fax: (765) 648-5914

Email: [zoning@cityofanderson.com](mailto:zoning@cityofanderson.com) ♦ Website: [www.cityofanderson.com](http://www.cityofanderson.com)

**LEGAL ADVERTISEMENT  
BOARD OF ZONING APPEALS  
ANDERSON, INDIANA  
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City Board of Zoning Appeals of Anderson, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_ at 4:30pm, local time, in the City Council Chambers located in City Hall at 120 East Eighth Street, Anderson, Indiana, will hold a public hearing on the following proposed **Variance** in accordance with the provisions of Zoning Ordinance #2439 and all amendments thereto of the City of Anderson, Indiana, a part of the Comprehensive Plan for the City of Anderson.

The proposed **Variance** is from \_\_\_\_\_  
\_\_\_\_\_

**Legal Description of Property:**

This property is located at \_\_\_\_\_ .  
*(Property Address)*

Written suggestions or objections to said proposed **Variance** may be filed with the Director of the Anderson City Plan Commission at the time and place specified. Interested persons desiring to present their views upon said proposed **Variance**, either in writing or verbally, will be given the opportunity to be heard at the above mentioned time and place.

ANDERSON CITY BOARD OF ZONING APPEALS  
ANDERSON, INDIANA  
By: Frank Owens, Director

**Anderson Herald Bulletin Publish Date:** \_\_\_\_\_  
*Insert Date to be Published*

