

Variance
Application Packet
for Board of Zoning Appeals



Department of
Municipal Development



VARIANCE Board of Zoning Appeals Calendar 2007

Dates: 1st 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 st Wednesday at 4:30pm
December 5, 2006	December 13 – 23, 2006	January 3
January 10	January 17 – 27	February 7
February 7	February 14 – 24	March 7
March 7	March 14 – 24	April 4
April 4	April 11 – 21	May 2
May 9	May 16 – 26	June 6
June 6	June 13 – 23	July 3*
July 3	July 11 – 21	August 1
August 8	August 15 – 25	September 5
September 5	September 12 – 22	October 3
October 10	October 17 – 27	November 7
November 7	November 15 – 25	December 5
December 5	December 12 – 22	January 2, 2008

** Date Changed Due to 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 9th 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 1st 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 ♦ Website: 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: Tim Stires, Assistant Director

Anderson Herald Bulletin Publish Date: _____
Insert Date to be Published

AFFIDAVIT

STATE OF INDIANA)
) SS:
COUNTY OF MADISON)

_____ , being first duly sworn upon
Printed Name of Petitioner

his oath according to law deposes and says:

That after a diligent search of the records of Madison County, Indiana, a list was compiled of the names and addresses of all owners of real estate within 300 ft. perimeter of the land for which a **variance** is sought; that said legal owners of the land are the persons set forth on the computers in the Treasurer's Office of Madison County; that a Notice of Public Hearing was sent to all of said property owners by certified mail, a list of the legal owners' names and addresses and a copy of said Notice of Public Hearing are attached hereto and made a part hereof.

Date this _____ day or _____ , 20 ____ .

Signature of Petitioner

Subscribed and sworn to before me this ____ day of _____ ,
20 ____ .

Signature of Notary Public

Printed Name of Notary Public

My commission expires: _____

A resident in the County of: _____