

APPLICATION FOR SPECIAL EXCEPTION

Date _____
Docket # _____
Township _____
Parcel # _____

PETITIONER: _____ PHONE: _____
ADDRESS: _____

OWNER _____ PHONE: _____
ADDRESS: _____
EMAIL: _____

PROPERTY LOCATION (address) _____
Lot No. _____ Subdivision _____
Located in the _____ 1/4 Section _____ Township _____ Range _____

Zoning _____ Ordinance Section _____ Newspaper Chronicle-Tribune

Other description when necessary _____

Request _____

Reason _____

Note: This application shall be accompanied by a plat of the premises drawn to scale, showing the location of all proposed and existing structures, shall be complete with dimensions of premises and structures where applicable.

"I hereby certify that to the best of my knowledge and belief, the statements contained herein are true and correct. I understand that if I knowingly make any false statement herein, I am subject to such penalties as may be prescribed by law or ordinance. I certify that the property owner has authorized me to apply for this variance and that I will inform the owner of the variance conditions and requirements."

Signature _____ Date _____
(Petitioner)

Signature _____ * Date _____
(Property Owner)

Filing Fee \$100.00 Receipt # _____ Staff _____

Recommendation Request from Jurisdiction
(Circle One)

Favorable Recommendation Unfavorable Recommendation No Recommendation

Comment/Conditions: _____

President Signature/Date _____

Section §153.099 (F). Before any final BZA decision, all petitioners must request the participating community place their petition on the next available regular meeting agenda to be heard, and provide the BZA with the recommendation signed by the executive. This is a recommendation only, the Board of Zoning Appeals will be the entity to approve or deny the petition.

To be completed by office

Date of Public Hearing _____ Action Taken Granted/Denied/Held In Abeyance

If Granted, subject to the following provisions: _____

Section 153.101- Special Exceptions because of their special impact or unique characteristics **can** have a substantial adverse impact upon or be incompatible with other uses of land. This impact often cannot be determined in advance of the use being proposed for a particular location. Such uses may be allowed to locate within given districts only through the review process of the special exception permit and under the controls, limitations, and regulations of such permits.

Applicants must complete the following items and establish at the public hearing that each of the following is true in order to obtain a favorable determination from the BZA.

The BZA shall approve or deny a special exception (I.C. 36-7-4-918.2) from the terms of the zoning ordinance, only after a public hearing if it finds that:

- 1) The proposed special exception (**IS OR IS NOT**) located in the district wherein such use is permitted by exception as depicted on Table 20 Authorized Uses;
- 2) The definition set forth in the zone district for the proposed special exception (**HAS BEEN OR HAS NOT BEEN**) met.
- 3) The special exception (**IS OR IS NOT**) consistent with the spirit, purpose, and intent of these regulations (**WILL OR WILL NOT**) substantially and permanently injure the appropriate use of neighboring property and (**WILL OR WILL NOT**) serve the public convenience and welfare, as certified by the Area Plan Department
 - a. The establishment, maintenance, or operation of the special exception will not be detrimental to or endanger the public health, safety, morals, or general welfare of the community.

 - b. The special exception will not be injurious to the use and enjoyment of other property in the immediate vicinity from the purposes already permitted.

 - c. The establishment of the special exception will not impede or substantially alter the normal and orderly development and improvements of surrounding property uses permitted in the district.

 - d. Adequate utilities, access road, drainage, and other necessary facilities have been or are being provided.

 - e. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion on the public roadways.

*For special exception petitions regarding multiple properties, the address of each affected property should be listed along with the owners' signature (see attached sheet, copies of which can be made and attached as necessary). A plot plan/map showing the affected properties and their disposition relative to the project should also be attached.