

VARIANCE AND SPECIAL EXCEPTION FILING PROCEDURE

READ CAREFULLY

APPLICATION:

1. Application must be completed in ink or typed.
2. The application must be completed in its entirety.
3. The application must be notarized.
4. The application must be filed with the Board of Zoning and Appeals on or before the appropriate filing deadline.
5. A non-refundable filing fee of \$200.00 is required upon submitting an application.
6. A notarized letter of consent is required for any petition, which the applicant **does not** own the property involved.

AFFIDAVIT OF NOTICE:

1. Notice form must be completed in ink or typed.
2. This form is necessary for any notice sent certified mail return receipt.
3. The names and addresses of those sent notice need to be listed on the form.
4. The form must be notarized.
5. The form must be filed with the Department of Planning and Zoning on or before the Friday preceding the Board of Zoning and Appeals meeting (hearing date).
6. If the affidavit of notice, green cards, white receipts and newspaper notice are not filed with the Department of Planning and Zoning before the Friday preceding the BZA meeting, the petition will automatically be continued to the next monthly meeting.
7. Notice to adjoining property owners located within *600 feet* of the property must occur *at least ten (10) days prior* to the scheduled public hearing.
8. The letter or notice sent to the adjoining property owners must contain the place, date, time and reason for the petition. The letters must be sent by certified mail, return receipt (green cards) must be requested. A copy of the letter of notice must be filed along with the Affidavit of Notice Form along with white receipts and green cards from the letters of consent.
9. Failure to secure the proper names and addresses of the adjoining property owners will result in the petition being continued until proper notice has occurred. Highways, county roads, streets, alleys, creeks, rivers, ponds or other natural elements are not a boundary for notification.

SITE PLAN REQUIREMENTS:

1. A detailed site plan is required at the time of filing with each petition.
2. The site plan must show the entire layout of the property with all buildings, structures, drives, parking areas, and uses related to or proposed with the petition clearly delineated on the plan.
3. Minimums of seven (7) copies of the site plan are necessary to be filed with the Department of Planning and Zoning.
4. The site plan must indicate the adjacent property(s) within 600 feet as well as any special uses of that property. A copy of the aerial photo from the Auditors office/Mapping Dept. of Johnson County may be used for this purpose.
5. Additional information may be requested by the BZA at their discretion.

NEWSPAPER NOTICE:

1. A legal notice must appear in the Johnson County Daily Journal Newspaper.
2. The Daily Journal does require advance notice on items to be placed in the public notice section.
3. The notice must appear in the newspaper at least ten (10) days prior to the scheduled public hearing.
4. The notice must include the time, date, place and reason for the petition along with the address and legal description of the property
5. A copy of the legal advertisement must be submitted to the Department of Planning and Zoning office on or before the Friday preceding the Board of Zoning and Appeals meeting.

DEADLINE OF FILING DATES:

1. Be sure to check the appropriate deadline for filing applications.
2. No application will be accepted after the deadline.
3. Notice to adjacent property owners and newspaper must occur at least 10 days prior to the scheduled public hearing.

**BARGERSVILLE DEPARTMENT OF PLANNING AND ZONING
BARGERSVILLE BOARD OF ZONING AND APPEALS
APPLICATION FOR VARIANCE/SPECIAL EXCEPTION**

Filing date received by the Board of Zoning and Appeals Office: _____

Scheduled date of public hearing: _____

APPLICANT'S NAME:
ADDRESS OF THE APPLICANT:
PHONE NUMBER OF APPLICANT:

Land owner(s) name and address (if other than APPLICANT):

Premises affected (recorded legal description and address): _____

TOWNSHIP: _____ ZONING CLASSIFICATION: _____

Detailed statement of VARIANCE request: _____

THE ABOVE INFORMATION AND ATTACHED EXHIBITS TO THE BEST OF MY KNOWLEDGE AND BELIEF, ARE CORRECT:

Signature of Applicant

STATE OF INDIANA)
)
COUNTY OF JOHNSON) SS:

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

Notary Public, _____
(Name Printed)

Resident of _____ County, IN

My Commission expires: _____



AFFIDAVIT AND CONSENT OF PROPERTY OWNERS

I/We _____, after being duly sworn, depose and say:

That I/we are the owners of the real estate located at:

1. That we have read and examined the Variance/Special Exception, and are familiar with its contents.
2. That we have no objections, to, and consent to such request as set forth in the Application.
3. That such request being made by the Applicant is not a condition to the sale or lease of the above referenced property.

Owner (s):

STATE OF INDIANA)
)
 COUNTY OF JOHNSON)

SS:

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

 Notary Public, _____
(Name Printed)

Resident of _____ County, IN

My Commission expires: _____



NOTICE TO ADJACENT PROPERTY OWNERS AFFIDAVIT

I, _____ having first been duly sworn depose and say:

1. That I have notified in person or by CERTIFIED RETURN RECEIPT U.S. MAIL, all owners of property which is located within a six hundred (600) foot radius of the property located _____, Bargersville, Indiana (or hand delivered notices)
2. That the said property owners were informed by me of the filing of the application for Variance/Special Exception and/or the nature of said application as provided in the Rules of Procedure of the Board of Zoning and Appeals.
3. That the property owners were also notified that the Board of Zoning and Appeals will hold a public hearing regarding this application on _____, 20____ at 7:00 pm at the Bargersville Town Hall located at 24 N Main, Bargersville, IN.46106.
4. That the names and addresses of said property owners so notified are listed on a separate sheet of paper, which is a part of this Affidavit.

AND FURTHER AFFIANT SAYETH NOT.

Affiant

STATE OF INDIANA)
)
COUNTY OF JOHNSON)

SS:

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

Notary Public, _____
(Name Printed)

Resident of _____ County, IN

My Commission expires: _____

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Department of Planning and Zoning on the _____ day of _____
_____ 20____, at _____ p.m. at the Bargersville Town Hall located at 24 N Main Street in Bargersville,
IN, will hold a public hearing on request by _____ for consideration of a
Variance/Special Exception for the property located at _____ to allow:

On the premise located (Legal description attached):

Written suggestions or objections to provisions of the said request may be filed with the Secretary of the Board of Zoning and Appeals at or before such meeting and will be heard by the Commission at the time and place specified.

Interested persons desiring to present their views upon the said request, either in writing or verbally, will be given the opportunity to be heard at the above mentioned time and place. Copies of the petition may be examined at the Bargersville Department of Planning and Zoning, 24 N Main Street, Bargersville, IN 46106.

APPLICANT