



APPLICATION FOR A VARIANCE
City of Greenfield
Board of Zoning Appeals

DATE FILED: _____

DOCKET #BZA _____

1. Premises Affected

Address _____

Key Parcel # _____

Attach or enter Legal Description _____

Present Zoning _____ Total Acreage _____

Current Use _____

Use of Adjacent Properties: North: _____ South: _____

East: _____ West: _____

Proposed Use _____

Section of the Ordinance to be modified _____

Is this a Variance of Development Standards _____ or, Variance of Use? _____

2. Applicant Info

Name _____ Telephone _____

Street Address _____

City, State, Zip _____

Primary Contact Person regarding this petition _____

Phone, Fax, E-Mail _____

Signature of Applicant _____

Applicant is (circle one): Sole owner Joint Owner Tenant Agent Other (specify) _____

3. PROPERTY OWNER (if different from Applicant)

Name _____

Street Address _____

City, State, Zip _____

Telephone _____ E-Mail _____

Signature of Owner _____



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Note: This page is to be completed by the applicant only when filing a variance of development standards

**PETITIONER'S PROPOSED FINDINGS OF FACT FOR A
VARIANCE OF DEVELOPMENT STANDARDS**

(1) The approval (will / will not) be injurious to 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 / will not) be affected in a substantially adverse manner:

(3) The strict application of the terms of the Zoning Code (will / will not) result in practical difficulties in the use of the property:

(4) There (are / are not) exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to the other property or class of use in the same vicinity and district:



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Note: This page is to be completed by the applicant only when filing a variance of use.

PETITIONER'S PROPOSED FINDINGS OF FACT FOR A VARIANCE OF USE

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

(2) The use and value of the area adjacent to the property included in the variance (will / will not) be affected in a substantially adverse manner because:

(3) The need for the variance arises from some condition peculiar that (is / is not) to the property involved:

(4) The strict application of the terms of the Zoning Code (will / will not) result in practical difficulties in the use of the property:

(5) The approval (does / does not) not interfere substantially with the Greenfield Comprehensive Plan:



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ADDITIONAL REQUIREMENTS

Variances shall be filed in accordance with the City of Greenfield Zoning Code Chapter 155.093

The following items must be submitted before a petition to the Board of Zoning Appeals can be scheduled for public hearing. Any questions should be directed to the Plan Commission office at 477-4320.

- | | |
|--|--|
| <input type="checkbox"/> Application Form - One completed petition form with original signature. | |
| <input type="checkbox"/> Legal Description. | |
| <input type="checkbox"/> Plot Plan/Sketch. | |
| <input type="checkbox"/> location/key map w/North arrow | <input type="checkbox"/> setbacks |
| <input type="checkbox"/> property dimensions | <input type="checkbox"/> parking areas |
| <input type="checkbox"/> existing buildings | <input type="checkbox"/> proposed changes |
| <input type="checkbox"/> adjacent roads and thoroughfares | <input type="checkbox"/> existing easements |
| <input type="checkbox"/> ingress/egress to the site | <input type="checkbox"/> address of property or location |
| <input type="checkbox"/> copy of the property deed or contract. | |

Note: Any application filed by any person other than the legal owner of the real estate involved shall be accompanied by a duly executed consent of the legal owner using the form provided by the Board of Zoning Appeals consenting to the filing of such application.

If variance petition is granted, an Improvement Location Permit must be commenced within ninety (90) days of the date of issuance of such permit otherwise the same shall lapse and become null and void. All work so authorized will commence within six months and shall be completed within twelve (12) months from the issuance of the permit therefore, and provided that for good cause shown the Zoning Administrator may extend the work completion time.

The rules of the Board require all appeals or applications for variation to be on forms provided by it. Until this application process is completed any other communication will be treated merely as notice of an intention to appeal or make application, and will not be docketed.



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INSTRUCTIONS FOR PUBLIC NOTICE:

For every application that is to be heard by the Board of Zoning Appeals, the petitioner shall assume the expense of notifications and publication of notice as required by the Rules of Procedure of the Board of Zoning Appeals.

a. Public Notice (Newspaper)

Notice shall be given by petitioner in a newspaper of general circulation in Greenfield, Indiana, in the form prescribed by the Board of Zoning Appeals. The applicant shall cause the notice to be published at least fifteen (15) days, but not more than (30) days prior to the date set for the hearing.

b. Personal Notice (U.S. Mail)

The petitioner shall notify all abutting and adjoining legal land owners, within two property depths, or 660 feet of the subject property, whichever is satisfied first by 'certified mail with return receipt' or by 'certificate of mailing' at a least fifteen (15) days before the date of hearing. A copy of the public notice published in the newspaper shall be adequate for use in the personal notice mailed to abutting and adjoining land owners.

c. Proof of Notice

1. Proof of publication of the **Public Notice** must be made by an affidavit of the publisher and attached to a copy of the notice taken from the paper in which it was published and filed with the Board of Zoning Appeals Secretary before the hearing. Such affidavit must specify the City, the date, and the paper in which the notice was published.
2. The certified mail receipts or the certificate of mailing of the **Personal Notice** shall be filed with the Board of Zoning Appeals Secretary before the hearing accompanied by an affidavit signed by the applicant verifying that all persons entitled to receive notice pursuant to these rules and the ordinances of the City of Greenfield, Indiana, have been properly notified.

Certificate of mailing in lieu of certified mail receipts:

In lieu of mailing the Personal Notice by certified mail the City of Greenfield Board of Zoning Appeals allows that a Certificate of Mailing (Postal Service Form 3877) is an acceptable method of mailing notice for a petition to adjoining property owners.

Form 3877 must be filled out with the addresses to which the notices will be mailed. The notice letters must be mailed at a post office and a post office employee must verify that the addresses on the notice letters match those listed on the Form. The post office employee will stamp each Form page with a postmark.

If the petitioner desires proof of delivery in addition to the proof of mailing, certified mail will continue to be accepted as proof of notification.



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NOTICE OF PUBLIC HEARING OF AN APPLICATION FOR A VARIANCE

Notice is hereby given that on the _____ day of _____, 20 ____, at _____ P.M. a public hearing will be held before the Board of Zoning Appeals at City Hall in the City of Greenfield, Council Chambers, 10 S. State St., Indiana, 46140 on the application of (petitioner) _____

Docket # BZA _____ is filed for a Variance as specified in the Zoning Ordinance of Greenfield, Indiana: Ordinance 2003-8, as amended. The Variance proposed is for property located at (insert address and a brief legal description of location) _____

The nature of the proposed Variance is as follows: (briefly describe the improvements and use proposed in the application). _____

The application and all submitted documentation are available for review Monday through Friday 8 a.m. to 4 p.m. in the Planning Department located in City Hall, 10 S. State Street, Greenfield, IN.

The Board of Zoning Appeals has set said hearing at the time and place specified. Written suggestions or objections concerning this application may be filed with the Secretary of the Board, at or before such hearing and will be heard by the Board at the time and place specified. Interested persons desiring to present their views upon the application, either in writing or verbally, will be given the opportunity to be heard at the above mentioned time and place. Said hearing may be continued from time to time as may be necessary.

Dated at Greenfield, Indiana, this _____ day of _____, 20 ____.

Name _____

Secretary

City of Greenfield Board of Zoning Appeals



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AFFIDAVIT:

STATE OF INDIANA)
COUNTY OF HANCOCK)
TO THE GREENFIELD BOARD OF ZONING APPEALS

_____, verifies and states that he/she, at least fifteen (15) days prior to the scheduled hearing, has mailed notice by certified mail/certificate of mailing to all of the adjoining legal landowners within two property depths or 660 feet of the property which is the subject matter of the petition for:

_____ filed by _____ on the _____ day of _____, 20____ at the addresses obtained from the Office of the Auditor of Hancock County, Indiana. Said return receipts are attached hereto.

Signed

Printed name

Further affiant sayeth not.

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

Notary Public

Printed Name

Commission Expires:_____

County of Residence:_____



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CONSENT FORM:

The undersigned, _____, being the owner of the property commonly known as _____ hereby authorizes _____ to file land development petitions or request the applicable permits for the aforementioned address.

This consent shall:

- ☐ Remain in effect until revoked by a written statement filed with the Engineering and Planning Department of the City of Greenfield, or
- ☐
- ☐ Remain in effect until _____

Property Owner

Address

Phone, Email

Date

Property Owner

Address

Phone, Email

Date

STATE OF INDIANA
COUNTY OF HANCOCK, SS:

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

Notary Public

Printed Signature

My Commission Expires:
_____, ____

County of Residence

STATE OF INDIANA
COUNTY OF HANCOCK, SS:

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

Notary Public

Printed Signature

My Commission Expires:
_____, ____

County of Residence