
2016 FILING SCHEDULE
AREA BOARD OF ZONING APPEALS

FILING DATE – BEFORE NOON

MEETING DATES – 1:30 p. m.

DECEMBER 15, 2015	-----	JANUARY 6, 2016
JANUARY 12, 2016	-----	FEBRUARY 3, 2016
FEBRUARY 9, 2016	-----	MARCH 2, 2016
MARCH 15, 2016	-----	APRIL 6, 2016
APRIL 12, 2016	-----	MAY 4, 2016
MAY 10, 2016	-----	JUNE 1, 2016
JUNE 14, 2016	-----	JULY 6, 2016
JULY 12, 2016	-----	AUGUST 3, 2016
AUGUST 16, 2016	-----	SEPTEMBER 7, 2016
SEPTEMBER 13, 2016	-----	OCTOBER 5, 2016
OCTOBER 11, 2016	-----	NOVEMBER 2, 2016
NOVEMBER 15, 2016	-----	DECEMBER 7, 2016
DECEMBER 13, 2016	-----	JANUARY 4, 2017

INSTRUCTIONS FOR FILING PETITIONS

The **FOLLOWING ITEMS** are needed to **FILE A PETITION** before the **AREA BOARD OF ZONING APPEALS**.

ALL PAPERWORK IS TO BE FILED BY NOON ON THE FILING DEADLINE

1. **10 copies of a computer generated petition, in the form of a letter or statement and is to include the following information:**
 - a. **NAME, ADDRESS, PHONE NUMBERS & E-MAIL ADDRESSES OF THE PETITIONER AND/OR PROPERTY OWNERS.**
 - b. **LOCATION OF PROPERTY IN PETITION (ADDRESS).**
 - c. **STATEMENT OF VARIANCE REQUESTED AND REASON FOR REQUEST.**
 - d. **YOU MUST ADDRESS INDIVIDUALLY IN A LETTER TO THE BOARD EACH OF THE FOLLOWING STANDARD FOR VARIANCE I.C. 36-7-4-918.5:**
 1. **WHY the approval will not be injurious to the public health, safety, morals and general welfare of the community.**
 2. **WHY the use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner**
 3. **WHY the strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.**
 - e. **NAME, ADDRESS AND PHONE NUMBER OF PERSON PRESENTING PETITION, IF OTHER THAN OWNER.**
 - f. **ZONING CLASSIFICATION of property and TOWNSHIP it lies in.**
 - g. **SIGN the petition.**

2. (A) **10 copies of a site plan of the property in petition, SHOWING PROPERTY SIZE, ALL EXISTING AND PROPOSED BUILDINGS, & SEPTIC LOCATION, THEIR DIMENSIONS AND DISTANCES from all PROPERTY LINES. If the property is UNDER 3 ACRES, THIS MUST BE DRAWN TO SCALE.**

(B) **10 copies of an AERIAL VIEW ALL PROPERTIES WITHIN 300 FEET OF PROPERTY IN PETITION, SHOWING PROPERTY SIZE, BUILDINGS, AND THEIR DISTANCES FROM ALL PROPERTY LINES (2ND FL. AUDITOR'S OFFICE. TALK TO VICKIE OR MARK IN THE PLAT ROOM. THEIR NUMBER IS 574235-9463)**

3. **10 copies of the LIST OF NAMES AND ADDRESSES OF PROPERTY OWNERS WITHIN 300 FEET OF PROPERTY IN PETITION. IDENTIFY PROPERTY OWNERS TO THEIR PROPERTY ON THE AERIAL VIEW.**

4. **A COPY of the NOTICE TO ADJACENT PROPERTY OWNERS and A STAMPED ADDRESSED ENVELOPE FOR EACH PROPERTY OWNER WITHIN 300 feet, PLUS ONE EXTRA COPY FOR OUR FILES. Stuff the envelopes but do not seal. If using your own envelopes, OUR RETURN ADDRESS MUST BE ON THE OUTSIDE OF THE ENVELOPES BECAUSE IF RETURNED THEY MUST COME TO THIS OFFICE**

5. **2 COPIES of the NOTICE OF PUBLIC HEARING form. The NOTICE OF PUBLIC HEARING MUST BE PUBLISHED AT LEAST 10 DAYS PRIOR TO THE MEETING DATE.**

6. **A \$85.00 FILING FEE for a VARIANCE or a \$300.00 DOLLAR FILING FEE for a SPECIAL EXCEPTION/USE or CONDITIONAL USE and \$45.00 for each variance filed simultaneously with another variance or Special Use/Exception or Conditional Use, in cash, check, or money order made payable to "St. Joseph County/City of South Bend".**

7. **The PETITIONER, HIS/HER ATTORNEY, OR REPRESENTATIVE MUST BE PRESENT AT THE HEARING. If the REPRESENTATIVE IS NOT AN ATTORNEY AND THE TITLEHOLDER IS NOT PRESENT, IT IS NECESSARY TO HAVE A STATEMENT FROM THE TITLE HOLDER GIVING PERMISSION TO PRESENT THE PETITION. IF THE PETITION IS GRANTED YOU WILL NOT BE ABLE TO OBTAIN YOUR BUILDING PERMIT UNTIL THE DAY FOLLOWING THE HEARING.**

SEE ADDITIONAL PAGE FOR MORE INSTRUCTIONS

INSTRUCTIONS FOR FILING PETITIONS.

Page Two

ADDITIONAL INFORMATION IS REQUIRED FOR THE FOLLOWING:

MOBILE HOME PETITIONS

1. **10** copies of the **MOBILE HOME PETITION**. A time period must be indicated as the Board will not grant an open-ended time period for a mobile home.
2. On a **MOBILE HOME PETITION** for **A MEDICAL HARDSHIP**, a letter is required from the attending physician(s) explaining the condition of occupant of mobile home.
3. **SHOW** proposed location of mobile home on the site plan and also where the septic system and well will be located.

COMMERCIAL PROJECT - SITE PLAN REQUIREMENTS

1. **HEIGHT** of **BUILDINGS**.
2. **SURFACE WATER DRAINAGE PLANS. ALSO SITE PLAN INDICATING FINISHED ELEVATIONS.**
3. **OPEN SPACES** (shown by either label or figures).
4. **ON-SITE PARKING PROVISIONS** - where and how many.
5. **ALL TABULATED DATEA** must be present on site plan.
6. **ANY BUFFER STRIPS AND/OR SCREENING** if required.

SPECIAL USE/EXCEPTIONS PETITION:

1. **11** copies of everything stated on the instructions.
2. A prepared ordinance for Special Use/Exception must be filed in the County Council/City Clerks office prior to filing your petition.

ALL PAPERWORK IS TO BE FILED BY NOON ON THE FILING DATE DEADLINE.

NOTE: REGARDING THE NOTICE OF PUBLIC HEARING FORM:

It is the **responsibility of the petitioner, or representative** to make arrangements for publication of the **NOTICE OF PUBLIC HEARING FORM**. This notice **MUST** be **PUBLISHED ONE (1) BEING AT LEAST 10 DAYS PRIOR TO THE DATE ON WHICH THE PUBLIC HEARING IS TO BE HELD**. It is the **PETITIONER'S RESPONSIBILITY** to provide proof of publication on the meeting date.

The following papers are allowed for publication:

South Bend Tribune
Mishawaka Enterprise
Tri-County News

AREA BOARD OF ZONING APPEALS

125 S. Lafayette Blvd.
Suite 100
South Bend, Indiana 46601
574/235-9554
574/235-5541-Fax

NOTICE TO ADJACENT PROPERTY OWNERS:

You are hereby notified that a public hearing will be held by the Area Board of Zoning Appeals on Wednesday, the _____ day of _____, _____, at 1:30 p.m. in the Council Chambers on the 4th Floor of the County-City Building, 227 W. Jefferson Blvd., South Bend, Indiana.

A petition is on file by _____

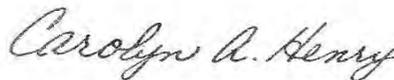
Seeking:

On property commonly described as:

Said public hearing will be held as authorized by the applicable Zoning Ordinance and Chapter 138, Acts of 1957 of the General Assembly of the State of Indiana.

As a property owner within the immediate appeal area, this notice is sent to you as a courtesy. Sometimes, for reasons beyond our control, property owners within the immediate area of the subject property will not receive a copy of this notice. If you know of someone who should have received notice but didn't, please inform them of this hearing. Any persons desiring to oppose or support this petition will be heard at the time of the hearing.

AREA BOARD OF ZONING APPEALS



Carolyn A. Henry
Secretary to the Board

NOTICE OF PUBLIC HEARING

Notice is hereby given to all interested persons that the Area Board of Zoning Appeals will hold a public hearing in the Council Chambers on the 4th Floor of the County-City Building, 227 W. Jefferson Blvd., South Bend, Indiana on the _____ day of _____, _____, at 1:30 p.m. or as soon thereafter as the matter can be heard. This hearing is for the purpose of considering a petition that was

Filed by: _____

Seeking:

On real estate commonly described as:

and is legally described as follows:

Dated this _____ day of _____, _____.

Area Board of Zoning Appeals

Carolyn A. Henry
Secretary to the Board

TO THE PETITIONER: It is your responsibility to complete this form correctly and deliver it to the Secretary of the Board of Zoning Appeals with the other papers at the time of original filing. Once it is signed by the Secretary, then it is your responsibility to make arrangements to have publication of notice made in a local newspaper having general circulation in St. Joseph County. Such notice must be published one (1) time, being at least ten (10) days prior to the date on which the public hearing is to be held. Proof of publication must be presented to the Board at the time of public hearing.

**SPECIAL USE PROCEDURES
FOR
ST. JOSEPH COUNTY, INDIANA**

1. An ordinance must be filed with the St. Joseph County Council Office prior to the filing of paper work with the secretary to the Area Board of Zoning Appeals.
2. Proper paper work for a Special Use filed with the secretary to the Area Board of Zoning Appeals.
3. Public Hearing for special Use before the Area Board of Zoning Appeals.
4. County Council committee meeting.
5. County Council Public Hearing.

CONTACT PERSONS:

AREA BOARD OF ZONING APPEALS:

Carolyn A. Henry
125 S. Lafayette Blvd., Suite 100
South Bend, IN 46601
574/235-9554
574/235-5541-Fax

COUNTY COUNCIL:

Jennifer Prawat
4th Floor, County-City Building
227 W. Jefferson Blvd.
South Bend, IN 46601
574/235-9658

AREA BOARD OF ZONING APPEALS
OF
ST. JOSEPH COUNTY, INDIANA

STANDARDS FOR SPECIAL USES

ALL PAPERWORK IS TO BE FILED BY NOON ON THE FILING DEADLINE

When applying for a Special Use, the Standards below **must be addressed and incorporated** in the written statement or petition.

STANDARDS FOR SPECIAL USES Title XV, Chapter 154.563 (C) (3d) as listed below:

- (1) The proposed use will not be injurious to the public health, safety, comfort, Community moral standards, convenience or general welfare:
- (2) The proposed use will not injure or adversely affect the use of the adjacent area or property values therein;
- (3) The proposed use will be consistent with the character of the district in which is located and the land uses authorized therein; and,
- (4) The proposed use is compatible with the recommendations of the St. Joseph County Comprehensive Plan.

Bill No. _____

AMENDMENT NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE PETITION FOR SPECIAL USE FILED BY

FOR THE PROPERTY LOCATED AT

THE SAME BEING PETITION NO. _____

FILED WITH THE AREA BOARD OF ZONING APPEALS

WHEREAS,

Petitioner has/have heretofore filed a petition seeking Special Use to

WHEREAS, the Area Board of Zoning Appeals has acted upon said petition and forwarded the same to the St. Joseph County Council with a _____ recommendation;

WHEREAS, the St. Joseph County Council, pursuant to I.C. 36-7-4-918.6 is vested with the authority to approve or disapprove said petition; and

WHEREAS, due notice and public hearing has been given to this petition, and the St. Joseph County Council deems it appropriate to _____ said petition.

IT IS HEREBY ORDAINED BY THE COUNTY COUNCIL OF ST. JOSEPH COUNTY, INDIANA THAT:

Section 1.

has/have heretofore filed a petition seeking a Special Use permit; is hereby _____. The Findings of Fact attached are hereby approved, adopted and incorporated into this ordinance by reference.

Section 2. This ordinance shall be in full force and effect from and after its passage by the County Council, approval, and publication as required by law.

Member, St. Joseph County Council