

**AREA BOARD OF ZONING APPEALS**

125 S. Lafayette Blvd.  
Suite 100  
South Bend, Indiana 46601  
(574) 235-9554  
FAX: (574) 235-5541

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**2015 FILING SCHEDULE**

**AREA BOARD OF ZONING APPEALS**

**FILING DATE – BEFORE NOON**

**MEETING DATES – 1:30 p. m.**

DECEMBER 16, 2014	-----	JANUARY 7, 2015
JANUARY 13, 2015	-----	FEBRUARY 4, 2015
FEBRUARY 10, 2015	-----	MARCH 4, 2015
MARCH 10, 2015	-----	APRIL 1, 2015
APRIL 14, 2015	-----	MAY 6, 2015
MAY 12, 2015	-----	JUNE 3, 2015
JUNE 9, 2015	-----	JULY 1, 2015
JULY 14, 2015	-----	AUGUST 5, 2015
AUGUST 11, 2015	-----	SEPTEMBER 2, 2015
SEPTEMBER 15, 2015	-----	OCTOBER 7, 2015
OCTOBER 13, 2015	-----	NOVEMBER 4, 2015
NOVEMBER 10, 2015	-----	DECEMBER 2, 2015
DECEMBER 15, 2015	-----	JANUARY 6, 2016

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**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 (2<sup>ND</sup> FL. AUDITOR'S OFFICE.)**
  
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.**

**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

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125 S. Lafayette Blvd.  
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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 4<sup>th</sup> 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  
Executive 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: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

THIS REAL ESTATE IS COMMONLY DESCRIBED AS: \_\_\_\_\_

AND IS LEGALLY DESCRIBED AS FOLLOWS: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Area Board of Zoning Appeals

\_\_\_\_\_  
Carolyn A. Henry, Executive 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 Secretary on or before the time of the public hearing.