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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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 10, 2016
MAY 10, 2016	----------	JUNE 3, 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

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EFFECTIVE: MARCH 1, 2012 AREA BOARD OF ZONING APPEALS

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

_____
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.