



**AREA BOARD OF ZONING APPEALS**

**STANDARDS FOR SPECIAL EXCEPTIONS**

**ALL PAPERWORK IS TO BE FILED BY NOON OF THE FILING DEADLINE**

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

**STANDARDS FOR SPECIAL EXCEPTIONS** I.C. 36-7-4-918.4 as listed below:

- i. The proposed *use* will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare;
- ii. The proposed *use* will not injure or adversely affect the *use* of the adjacent area or property values therein;
- iii. The proposed *use* will be consistent with the character of the *district* in which it is located and the land uses authorized therein; and
- iv. The proposed use is compatible with the recommendations of the City of South Bend *Comprehensive Plan*.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE COMMON COUNCIL OF THE  
CITY OF SOUTH BEND, INDIANA,  
APPROVING A PETITION OF THE AREA  
BOARD OF ZONING APPEALS  
FOR THE PROPERTY LOCATED AT \_\_\_\_\_**

**WHEREAS**, Indiana Code Section 36-7-4-918.6, requires the Common Council to give notice pursuant to Indiana Code Section 5-14-1.5-5, of its intention to consider Petitions from the Board of Zoning Appeals for approval or disapproval; and

**WHEREAS**, the Common Council must take action within sixty (60) days after the Board of Zoning Appeals makes its recommendation to the Council; and

**WHEREAS**, the Common Council is required to make a determination in writing on such requests pursuant to Indiana Code Section 36-7-4-918.4, and

**WHEREAS**, the Area Board of Zoning Appeals has made a recommendation, pursuant to applicable state law.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA** as follows:

**SECTION I.** The Common Council has provided notice of the hearing on the Petition from the Area Board of Zoning Appeals pursuant to Indiana Code Section 5-14-1.5-5, requesting that a Special Exception be granted for the property located at: \_\_\_\_\_

in order to permit \_\_\_\_\_

**SECTION II.** Following a presentation by the Petitioner, and after proper public hearing, the Common Council hereby approves the petition of the Area Board of Zoning Appeals, a copy of which is on file in the Office of the City Clerk.

**SECTION III.** The Common Council of the City of South Bend, Indiana, hereby finds that:

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 it is located and the land uses authorized therein;
4. The proposed use is compatible with the recommendations of the City of South Bend Comprehensive plan;

**SECTION IV.** Approval is subject to the Petitioner complying with the reasonable conditions established by the Area Board of Zoning Appeals which are on file in the office of the City Clerk.

**SECTION V.** The Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

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Member of the Common Council