

BOARD OF ZONING APPEALS PROCEDURES

APPLICANTS ARE REQUIRED TO FOLLOW THE PROCEDURES OUTLINED BELOW TO ENSURE THE PROCESSING OF ALL APPLICATIONS

Failure to comply with all requirements, including but not limited to, complete submission of site plan(s), signed power of attorney documents, notarized signatures of owner(s) and applicant(s) and engineer's report will result in the petition being RETURNED to the petitioner and WILL NOT be placed on the meeting agenda. When all completed documentation is in order, the petition can be resubmitted for the NEXT regular meeting date. Development rights are not vested until a complete application is submitted.

CONFER WITH THE ZONING DIVISION STAFF

1. Discuss the proposed application with staff to ensure that proper procedures are followed.

SUBMIT APPLICATION AND FILING FEE

1. Follow and return the completed checklist with all information required
 - a. Completed application with original signatures
 - b. Current Legal Description of Property
 - c. Copy of recorded deed for the property affected
 - d. Complete detailed drawings
 - i. Site Plan
 - ii. Lighting Plan
 - iii. Landscaping Plan
 - iv. Drainage Plan
 - v. Signage
 - vi. Elevations
 - vii. Filing Fee
 - viii. Completed Checklist

NOTIFY PROPERTY OWNERS AND LIST OF NOTIFIED OWNERS

1. The Building Department is responsible for notifying the surrounding property owners within a 300 ft radius from the applicant's property.
2. The Building Department is responsible for advertising the newspaper legal notice.

The applicant will be charged accordingly for each of the duties fulfilled by the Building Department. These fees, along with the filing fee, are due to be paid in full prior to the scheduled meeting.

APPEAR AT THE PUBLIC HEARING BEFORE THE BOARD OF ZONING APPEALS

1. The applicant and/or designated representative must be present at the hearing and asked to present their petition to the Board. The hearing will take place at City Hall Council Chambers at 6:30 PM CST.

VARIANCE CRITERIA

This is a Variance of:

- ☐ Developmental Standards
- ☐ Use
- ☐ Flood Overlay District Provisions

THE FOLLOWING QUESTIONS MUST BE ANSWERED AT THE TIME OF APPLICATION SUBMITTAL

Respond to the appropriate set of questions on a separate sheet of paper.

For a Variance of Developmental Standards, please explain why/how:

1. The proposal will not be injurious to the public health, safety, morals, and general welfare of the community;
2. The proposal will not have a substantially adverse effect on the use and value of the area adjacent to the subject parcel;
3. The strict application of the terms of the zoning ordinance would result in practical difficulty in the use of the property;
4. There exceptional or extraordinary circumstances or conditions applicable to the property that do not apply generally to other properties in the same vicinity or district;
5. The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in same vicinity and district, but which is denied to the property in question; and
6. The granting of the variance alters the land use characteristics of the vicinity and district or increases congestion in the streets.

For Variance of Use, please explain why/how:

1. The proposal will not be injurious to the public health, safety, morals, and general welfare of the community;
2. The proposal will not have substantially adverse effect on the use and value of the area adjacent to the subject parcel;
3. The need for the variance arises from some condition peculiar to the subject property;
4. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship of the applied to the subject property; and
5. The approval of the variance would not substantially interfere with the comprehensive plan.

For a Variance in the Flood Overlay District:

1. There exists a good and sufficient cause for the variance;
2. The strict application of the terms of the zoning ordinance would constitute an exceptional hardship; and
3. The granting of the variance would not increase flood heights, create additional threats to public safety, cause additional public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing laws or ordinances.

CHECK LIST

Please place a check next to each item being submitted.

PETITIONER INFORMATION

- ☐ Applicant Information (name, mailing address, phone number)
- ☐ Owner Information (name, mailing address, phone number)
- ☐ Contact Person
- ☐ Property Address or Address Range
- ☐ Notarized Signature and Printed Name of Applicant
- ☐ Notarized Signature and Printed Name of Owner
- ☐ Petition is For: _____

SITE PLAN INFORMATION

- ☐ Site Plan
- ☐ Scale on Site Plan
- ☐ Drainage Documents
- ☐ Lighting Plan - if applicable
- ☐ Landscape Plan - if applicable
- ☐ Signage Plan - if applicable
- ☐ Elevations - if applicable

ADDITIONAL INFORMATION

- ☐ Recorded Deed with current Legal Description of Property
- ☐ Engineer's Report - if applicable
- ☐ Power of Attorney documents - if applicable
- ☐ Filing Fee

VARIANCE APPLICATION

Name of Applicant(s): _____

Address of Applicant(s): _____

City: _____ State: _____ Zip.: _____

Name of Owner(s): _____

Address of Owner(s): _____

City: _____ State: _____ Zip.: _____

Contact Person: _____ Phone: _____

Property Address or Range: _____

Reason for Variance: _____

Zoning District: _____

ATTACH A COPY OF RECORDED DEED WITH CURRENT AND CORRECT LEGAL DESCRIPTION

I (we) hereby certify that I (we) have the authority to complete the above application and that the information enclosed is true and correct.

I hereby grant permission for the members of the Rensselaer Board of Zoning Appeals and Staff to enter the property described in this application for the purpose of gathering information related to this petition.

Signature of Applicant

Signature of Owner

Printed Name of Applicant

Printed Name of Owner

State of Indiana, County of Jasper:

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

Notary Public Signature

Printed Name of Notary Public

Expiration of Commission: _____

Resident of _____ County.

LETTER
NOTICE OF PUBLIC HEARING

To Whom It May Concern,

Notice is hereby given that the Rensselaer Board of Zoning Appeals of Rensselaer, Indiana, Jasper County, on the _____ day of _____, 20_____

At 6:30 PM CST (Following the Rensselaer Advisory Planning Commission Meeting) in Council Chambers, located in City Hall at 124 S Van Rensselaer St., Rensselaer, Indiana, will hold a public hearing on a proposed Variance in accordance with the provisions of Zoning Ordinance 15-2008, and all amendments thereto, of the City of Rensselaer, Indiana.

Property is located at: _____

Proposed Variance: _____

Legal Description:

Written suggestions or objections to the provisions of the proposed Variance may be filed with the City of Rensselaer Building Commissioner at or before the meeting and will be heard by the Rensselaer Board of Zoning Appeals at the time and place specified. This petition may be continued on the Rensselaer Board of Zoning Appeals agenda from time to time, as may be necessary, without further notice.

LEGAL ADVERTISEMENT
RENSSELAER BOARD OF ZONING APPEALS
RENSSELAER, INDIANA
NOTICE OF PUBLIC HEARING

Notice is hereby given that the Rensselaer Board of Zoning Appeals of Rensselaer, Indiana, Jasper County, on the _____ day of _____, 20_____

At 6:30 PM CST (Following the Rensselaer Advisory Planning Commission Meeting) in Council Chambers, located in City Hall at 124 S Van Rensselaer St., Rensselaer, Indiana, will hold a public hearing on a proposed Variance in accordance with the provisions of Zoning Ordinance 15-2008, and all amendments thereto, of the City of Rensselaer, Indiana.

Property is located at: _____

Proposed Conditional Use: _____

Legal Description:

Written suggestions or objections to the provisions of the proposed Variance may be filed with the City of Rensselaer Building Commissioner at or before the meeting and will be heard by the Rensselaer Board of Zoning Appeals at the time and place specified. This petition may be continued on the Rensselaer Board of Zoning Appeals agenda from time to time, as may be necessary, without further notice.

Rensselaer Board of Zoning Appeals
Rensselaer, Indiana

RENSSELAER REPUBLICAN-KV POST PUBLISH DATE: _____