



Special Exception

2015 Bargersville Board of Zoning Appeals Application Kit

Step 1: Application

In order to file the application, the applicant must make an appointment with the Administrator call (317) 422-3104 or email planning@townofbargersville.org. A complete application and all required attachments are to be submitted by the date shown on the Application Schedule (see page 2). At this time, the Administrator will assign a file number and review the application to determine whether the application is complete. If the application is not complete, it will be returned to the applicant with the deficiencies identified. Applications submitted or completed after the posted submittal deadline will be placed on the application cycle for the next regular meeting.

Submittal Requirements. (One 8 ½" x 11" original of each is required unless otherwise specified)

- Application Fee - \$200. Make checks payable to "Town of Bargersville".
- Application Form. All items must be fully completed and either typewritten or printed in ink.
- A Narrative describing the nature of the proposed development including hours of operation, anticipated traffic generation, and the dates and details of previous construction/permits if applicable. Also a specific description of the special exception requested.
- Vicinity Map. 8 ½"x11" in size showing where the property is located in Bargersville, making sure major streets are labeled. Scale should be approximately 1:1,000.
- Aerial Map. Submit an aerial map of the subject parcel, 8 ½" x 11" in size, showing all properties within 600 feet of subject parcel. The map can be obtained from Google Earth or other similar aerial mapping programs.
- Site Plat. A basic site plan that is 11" x 17" or smaller in size showing the site including locations of buildings, easements, property lines, etc., for the proposed development.
- Attachment B: Notice for Newspaper
- Attachment C: Notice for Property Owners
- Attachment D: Affidavit and Consent of Property Owner. Submit only if the owner is different from the applicant.

Step 2: Notifying the Public

State Law and the Rules of Procedure for Bargersville's BZA require you to notify the public of the hearing in two different ways: by newspaper and by notifying property owners that surround the subject property. Signing and submitting an *Affidavit of Notification* verifies this notification.

Notification by Newspaper

1. Complete *Attachment B: Notice of Public Hearing for Newspapers*. At the application meeting, the Town Planner will review and approve the completed attachment.
2. Publish the approved attachment one time in the newspaper listed below at least 10 days prior to the Hearing (see Application Schedule on page 3). Failure to meet the publishing deadlines will result in delay in hearing your petition and may cause you to re-advertise. Be certain to obtain a "Proof-of-Publication" affidavit from the newspaper for your advertisement. These affidavits must be filed with your application in the Town Planner at least three days prior to the hearing (see Application Schedule on page 3).

The Daily Journal. Published daily. Information must be submitted by 10:00am at least two days prior to the date you want your ad to be published. They are located at 2575 S Morton Street, PO Box 699, Franklin, IN 46131. Phone (317) 736-7101.

Surrounding Property Owner Notification

1. Complete *Attachment C: Notice of Public Hearing for Surrounding Property Owners*. At the application meeting, the Town Planner will review and approve the completed attachment.
2. **The Petitioner must notify all interested parties as required by the Board of Zoning Appeals Rules of Procedure in accordance with IC 36-7-4. Interested parties are defined as:**
 - a. any person with a legal interest in property subject to a petition before the Board and;
 - b. all property owners within 600 feet or two property owners (whichever is greater) of the affected property.

By Mail. Notification by first class U.S. Mail should be done by either Certificate of Mailing or Certified Mail.

- i. Certificate of Mailing provides evidence that mail has been presented to the post office for mailing. Use Form 2 for listing those notified (copy enclosed). Proof of Mailing will be Form 2 that has been stamped by the Post Office. or
- ii. Certified Mail or "green cards" provides the sender with a mailing receipt and proof of delivery. Visit the Post Office for special cards and stickers for addressing letters sent by Certified Mail. Proof of Mailing is a combination of the "green cards" that have been sent back to you and your Certified Mail Receipt for letters that were not claimed.

All letters must be postmarked at least 10 days prior to the hearing (see Application Schedule on page 3). Proof of mailing must be submitted to the Town Planner at least three days prior to the hearing (see Application Schedule on page 3). Mail the following information to each person notified by mail:

- A copy of the approved Attachment C
- Attachment A (if part of this kit)
- A copy of the Site Plan/Concept Plan that is 8 ½"x11" to 11"x17" in size

Step 3: Application Schedule

The following table depicts the deadlines for petitions before the Bargersville Board of Zoning Appeals. Deviations from this schedule are not permitted without approval from the Commission.

2015 Application and Meeting Dates

Application Submittal	**Publish Public Notice	Agenda and Staff Report Published	Submit Public Notice	BZA Hearing Date (7:00 pm 4th Monday)
27-Dec	16-Jan	23-Jan	23-Jan	Monday, January 26, 2015
24-Jan	13-Feb	20-Feb	20-Feb	Monday, February 23, 2015
21-Feb	13-Mar	20-Mar	20-Mar	Monday, March 23, 2015
28-Mar	17-Apr	24-Apr	24-Apr	Monday, April 27, 2015
26-Apr	16-May	23-May	23-May	Tuesday, May 26, 2015
23-May	12-Jun	19-Jun	19-Jun	Monday, June 22, 2015
27-Jun	17-Jul	24-Jul	24-Jul	Monday, July 27, 2015
25-Jul	14-Aug	21-Aug	21-Aug	Monday, August 24, 2015
29-Aug	18-Sep	25-Sep	25-Sep	Monday, September 28, 2015
26-Sep	16-Oct	23-Oct	23-Oct	Monday, October 26, 2015
24-Oct	13-Nov	20-Nov	20-Nov	Monday, November 23, 2015
28-Nov	18-Dec	23-Dec	23-Dec	Monday, December 28, 2015

Sketch Plan and Application Submittal: The filing deadline is 2:00pm on the date indicated. Call (317) 422-3104 or email planning@townofbargersville.org to make an appointment to file your application. Application meetings are at the Bargersville Town Hall, 24 N Main St, Bargersville, IN 46106.

Technical Advisory Committee (TAC) Meeting: TAC Meetings are held at 2:00pm at the Bargersville Town Hall, 24 N Main St, Bargersville, IN 46106.

TAC Report: The TAC Report will contain a master list of plan comments. These comments must be addressed and confirmed by the respective TAC Member before plans are considered "FINAL".

Board of Zoning Appeals Meeting: BZA Meetings are held at 7:00pm at the Bargersville Town Hall, 24 N Main St, Bargersville, IN 46106.

Special Exception Application

For Office Use Only	
File # _____	
Filing Date: _____	Fee _____
Previous Case: _____	BZA Date: _____

Applicant Name

Street Address

City, State, Zip

Phone

E-Mail

Person/Firm preparing plans

Phone

E-Mail

Detailed Statement for Variance Request:

Property Owner

Name

Street Address

City, State, Zip

Phone

E-Mail

Applicant is (circle one): Sole owner Joint Owner Tenant Agent Other (specify): _____

Premises Affected

Tax Parcel Identification Number

Address, Subdivision & Lot Number, or location from major streets

Total Acreage

Flood Zone on Site?

Name of Proposed Subdivision

Number of Lots:

Zoning of Subject Property

Use of Subject Property

Zoning of Adjacent Properties

North:

South:

East:

West:

Use of Adjacent Properties

North:

South:

East:

West:

Notarization

The above information and attached exhibits, to my knowledge and belief, are true and correct. I hereby certify that the application is correct and that ANY construction, reconstruction, enlargement, relocation, or alterations of structures, or any land changes requested by this application will comply and conform to all applicable laws of the State of Indiana and Town of Bargersville Ordinances. I further certify that construction of any kind will not be used or occupied until proper certificates of occupancies or completion are issued by the Department of Development, Bargersville, Indiana.

Signature of Applicant

Notary Public's Name (printed) Signature of Notary

My Commission Expires State County

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

Attachment B: Notice for Newspapers

Project _____ Docket _____

Attach: 1) Legal Description

Notice is hereby given that I have, as the owner (or with the owner's consent) of the property commonly described as the address of _____, and legally described by the attached legal description, have filed a petition before the *(check the applicable body)*

- Bargersville Plan Commission Bargersville Board of Zoning Appeals

which petition requests: *(check the applicable request and provide necessary information)*

- Annexation and Zone Map Change** of the said property from the current zoning district of _____ to the proposed district of _____ for the purpose of _____.
- Zone Map Change** of the said property from the current zoning district of _____ to the proposed district of _____ for the purpose of _____.
- Site Development Plan** for a Mobile Home Park.
- Primary Plat** of the said property for a development with _____ lots, to be known as _____.
- Use Variance** for the said property in order to allow a _____ use, which is generally not permitted in the _____ zoning district.
- Dimensional Variance** for the said property in order to _____.
- Special Exception** for the said property to allow property that is zoned _____ to be used for _____.

This petition, Docket # _____, will come for hearing at 7:00pm in the Bargersville Town Hall, 24 N Main St, Bargersville, IN, on _____.

In accordance with the Americans With Disabilities Act, if anyone wishes to attend the public hearing on the above referenced matter and is in need of reasonable accommodation in order to hear, present evidence, or participate in the proceedings at the public hearing on this matter, please contact the Town Planner so accommodation can be made. The petition and file on this matter is available for examination by contacting the Town Planner at (317) 422-3104 or email at planning@townofbargersville.org

Attachment C: Notice for Surrounding Property Owners

Project _____ Docket _____

Attach: 1) Legal Description, 2) Aerial Map, 3) Site/Concept Plan, 4) Narrative

Notice is hereby given that I have, as the owner (or with the owner's consent) of the property commonly described as the address of _____, and legally described by the attached legal description, have filed a petition before the (*check the applicable body*)

- Bargersville Plan Commission Bargersville Board of Zoning Appeals

which petition requests: (*check the applicable request and provide necessary information*)

- Annexation and Zone Map Change** of the said property from the current zoning district of _____ to the proposed district of _____ for the purpose of _____.
- Zone Map Change** of the said property from the current zoning district of _____ to the proposed district of _____ for the purpose of _____.
- Site Development Plan** for a Mobile Home Park.
- Primary Plat** of the said property for a development with _____ lots, to be known as _____.
- Use Variance** for the said property in order to allow a _____ use, which is generally not permitted in the _____ zoning district.
- Dimensional Variance** for the said property in order to _____.
- Special Exception** for the said property to allow property that is zoned _____ to be used for _____.

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Attachment D: Affidavit & Consent of Owner

Project _____ File # _____

Complete and submit if applicant is different from property owner.

I (we) _____
NAME(S)

After being first duly sworn, depose and say:

1. That I/we are the owner(s) of the real estate located at _____
(ADDRESS)
2. That I/we have read and examined the Application, and are familiar with its contents.
3. That I/we have no objection to, and consent to such request as set forth in the application.
4. That such request being made by the applicant (____ is) (____ is not) a condition to the sale or lease of the above referenced property.

(AFFIANT)

STATE OF INDIANA)
) SS:
COUNTY OF _____)

Subscribed and sworn to before me this _____ day of _____, _____.

), Notary Public

My Commission expires: _____ County of Residence: _____

Form 2: Adjacent Property Owners Notified by Mail

Project _____ Docket _____

If property owners are to be notified by mail, either complete this form or provide a list with the same information. Make additional copies if necessary.

Name and Address of Sender _____

Type of Mail:

- Certified Mail
- Certificate of Mailing ONLY

Line	Name & Address	Postage	Fee	Remarks
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

Total number of pieces listed by sender:	Total number of pieces received at Post Office:	POSTMASTER, per <i>(name of receiving employee)</i>
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Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

Form 3: Affidavit of Notification

Project _____ Docket _____

Submit this Form three days prior to the hearing along with proof of publication and proof of mailing.

I (we) _____

After being first duly sworn, depose and say:

1. That I have notified by Certified Mail or by Certificate of Mailing all interested parties as defined by the Board of Zoning Appeals Rules of Procedure in accordance with IC 36-7-4;
2. That the said property owners were informed by me of the filing of the petition and of the nature of said application, as directed in the application packet "Notice Requirements";
3. That the said property owners were notified that the Board of Zoning Appeals will hold a public hearing regarding this application on the date of _____, at 7:00pm;
4. That the names and addresses of said property owners so notified are listed on a separate paper which is a part of this Affidavit.

And further the Affiant sayeth not.

(AFFIANT)

STATE OF INDIANA)
) SS:
COUNTY OF _____)

Subscribed and sworn to before me this _____ day of _____, _____.

_____, Notary Public

_____, Notary Public

(Printed Signature)

My Commission expires: _____

County of Residence: _____