Columbus – Bartholomew County Planning Department

Development Standards Variance Application

Planning Department Use Only:

Jurisdiction: ☐ Columbus ☐ Bartholomew County

Zoning: _____
Docket No.: _____

Hearing Procedure: ☐ Board of Zoning Appeals ☐ Hearing Officer

Development Standards Variance Application:

Note: It is recommended that all variance applications are reviewed in a meeting with a Planning Department staff member prior to being filed. Please contact the Planning Department at 812.376.2550 to schedule that review meeting.

Applicant Information (the person or entity that will own and/or execute what is proposed):

Name: _____

Address: _____
(number) (street) (city) (state) (zip)

Phone No.: _____ Fax No.: _____ E-mail Address: _____

Property Owner Information (the "owner" does not include tenants or contract buyers):

Name: _____

Address: _____
(number) (street) (city) (state) (zip)

Phone No.: _____ Fax No.: _____ E-mail Address: _____

Notification Information (list the person to whom all correspondence regarding this application should be directed):

Name: _____

Address: _____
(number) (street) (city) (state) (zip)

Phone No.: _____ Fax No.: _____ E-mail Address: _____

How would you prefer to receive official documentation regarding this request (please check one)? If no or multiple selections are made e-mail will be used. ___ E-mail ___ Fax ___ Mail

Property Information:

Address: _____
(number) (street) (city) (state) (zip)

or General Location (if no address has been assigned provide a street corner, subdivision lot number, or attach a legal description):

_____

Variance Requested:

I am requesting a variance from Section _____ of the Zoning Ordinance to allow the following:

_____

_____

_____

_____

_____

Variance Request Justification:

The Indiana Code and the Columbus & Bartholomew County Zoning Ordinance establish specific criteria that each must be met in order for a development standards variance to be approved. Describe how the variance request meets each of the following criteria.

1. **The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

   _____

   _____

   _____

   _____

   _____

2. **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. **The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed; nor be based on a perceived reduction of, or restriction on, economic gain.**

   _____

   _____

   _____

   _____

   _____

Application Fee Refund Information:

The adopted Planning Department Schedule of Application Fees provides for the refunding of application fees for this request if it is approved by the Board of Zoning Appeals. The refund will be provided by mail in the form of a check. It may take several weeks after the Board of Zoning Appeals approval to process the refund and issue the check. Please indicate to whom the refund should be provided:

Name: _____

Address: _____
(number) (street) (city) (state) (zip)

Applicant's Signature:

The information included in and with this application is completely true and correct to the best of my knowledge and belief.

_____ _____
(Applicant's Signature) (Date)

Property Owner's Signature (the "owner" does not include tenants or contract buyers):

I authorize the filing of this application and will allow the Planning Department staff to enter this property for the purpose of analyzing this request. Further, I will allow a public notice sign to be placed and remain on the property until the processing of the request is complete.

_____ _____
(Owner's Signature) (Date)

_____
(Owner's Printed Name)

_____

If the person signing as the "owner" is not specifically listed as such in the records of Bartholomew County please indicate their relationship to that officially listed person, corporation or other entity.

City of Columbus – Bartholomew County
Planning Department

123 Washington Street
Columbus, Indiana 47201
Phone: (812) 376-2550
Fax: (812) 376-2643

Board of Zoning Appeals Applicant Instructions

(Use Variance, Development Standards Variance & Conditional Use Applications)

The following procedure applies to all applications filed with the Planning Department to be heard by the Board of Zoning Appeals. The applicant is responsible for providing all necessary information and attending all meetings and hearings. Any questions about the filing procedure should be directed to the City of Columbus – Bartholomew County Planning Department at 812.376.2550. After the filing of an application a Planning Department staff person will be assigned to the request. This person will be the primary contact for the applicant.

Step 1: Discuss the Request with the Planning Department Staff:

The applicant should contact the Planning Department to schedule a meeting regarding their application prior to its filing. The applicant should provide complete information so that the staff fully understands the request. The applicant should pay careful attention to the staff instructions and carefully review all forms and other materials so that they understand the process, their options, and what information will be needed. The staff will discuss the terms of the Zoning Ordinance with the applicant, review options and alternatives, and review the application process.

Step 2: File all Required Application Materials and Pay Application Fees:

The applicant is responsible for completing the application form, providing the required application fee, and providing all materials necessary for the staff and the Board of Zoning Appeals members to understand and consider the request. The applicant is fully responsible for proving the need for the approval and addressing all of the applicable decision criteria. The applicant must provide 15 copies of the completed application form and any other materials. The following materials are required:

a. Application form completed in its entirety and signed by the applicant and property owner.

b. Application fee (as specified on the Planning Department Schedule of Application Fees).

c. Other exhibits or materials necessary to demonstrate the conditions on the property, details of the proposed request, or any other aspect of the application. Please note that the staff or Board members may request additional information to aid in the understanding of the property and the proposal.

The application must be filled out completely. No application will be docketed for a hearing until it is complete. Hearing dates are determined based on the date complete application materials are provided to the Planning Department.

Step 3: Respond to Staff Questions:

After the application is filed it will be reviewed by the staff person assigned to the request. That staff person will prepare a list of questions that are intended to assist the staff in understanding the request and the applicant in providing complete, clear information. Upon receipt of the questions, the applicant should contact that staff person for any needed clarification or to provide any needed additional information.

Step 4: Review the Staff Report:

The Planning Department staff member assigned to the request will produce a staff report for use by the Board members in preparation for the hearing. The staff report is typically complete and available by the end of the business day 1 week prior to the hearing. The staff will send a copy of the staff report to the applicant. The staff report will summarize the request, provide relevant information, and provide staff comments as to whether or not the proposal meets the applicable decision criteria.

The staff report will include a preliminary staff recommendation. Please note that the staff's primary role is to help prepare the applicant and any interested neighbors for the meeting. The staff has an equal obligation to both the applicant and those who may be opposed to the request. The preliminary recommendation is the staff's view of whether or not the information provided by the applicant up to that point is adequate to address each of the decision criteria. Both the applicant and any opposed neighbors may use the staff report to identify strengths and weaknesses of the request.

Step 5: Prepare a Presentation:

The applicant will be required to present evidence in support of their request at the scheduled public hearing. The applicant is responsible for addressing each of the criteria that apply to their request. The applicant's presentation **must** be directly related to the criteria contained in the zoning ordinance. Applicants who do not understand the criteria or do not believe they can address them adequately may consider hiring an attorney or design professional (architect, urban planner, land surveyor, etc.) to represent them.

Step 6: Attend the Public Hearing:

At the hearing the staff will provide the Board with a presentation on the facts of the case as they understand them. The staff presentation does not include the preliminary recommendation. The staff will not advocate either for or against the request during the public hearing. The staff may be called upon by Board members at the meeting to answer questions.

The applicant or their representative must be present at the public hearing to present their request and answer any questions.

The Board will vote on the request at the hearing and will make "findings of fact" describing how they believe the request does or does not meet each of the decision criteria. The applicant will receive a letter from the staff after the hearing that indicates the Board's decision. The staff will also make formal written documentation of the Board's findings which will be presented to and officially adopted by the Board at the following month's meeting. The applicant will be mailed a copy of the formal findings document after it has been adopted by the Board.

For some Board of Zoning Appeals applications the Planning Department Schedule of Application Fees provides for the fee to be refunded to the applicant if the request is approved. The refund will be in the form of a check provided by mail to the applicant. It may take several weeks to process and issue the refund check.