



SUBDIVISION CODE VARIANCE APPLICATION

Filed:

Variance Request Statement/Description:

[illegible]

5. FINDINGS OF FACT

In order for this request to be approved, it must satisfy all applicable statutory/code criteria. It is the responsibility of the applicant to provide the necessary information and answers in support of this request. As the applicant, I submit the following evidence to the Board of Zoning Appeals in support of this request (attach additional pages if necessary):

#1. The variance WILL NOT be injurious to the public health, safety, and general welfare because:

#2. The use and value of the area adjacent to the property to be subdivided WILL NOT be affected in a substantially adverse manner because:

#3. The need for the variance ARISES from some condition peculiar to the property involved because:

#4. Because of the particular physical surroundings, shape, or topographical conditions of the subject property involved, an undue hardship to the owner would result, as distinguished from a mere inconvenience, if the strict application of these regulations are enforced because:

I understand that this request can only be granted upon the Commission determining that all applicable criteria has been satisfied. I understand that it is my responsibility to provide the information and evidence necessary in support of this request. I have read and understand all application, submission, code and statutory information and requirements. The above information and any submitted evidence, to my knowledge, are true and accurate.

<div></div> <div>Applicant Signature</div>	<div></div> <div>Printed Name</div>	<div></div> <div>Date</div>
<div></div> <div>Owner Signature</div>	<div></div> <div>Printed Name</div>	<div></div> <div>Date</div>

FINAL DECISION

Date: _____ ☐ Approved ☐ Approved with Conditions ☐ Denied

DEVELOPMENT STANDARDS VARIANCE INFORMATION

What is a Variance?

Modification of the strict terms of the relevant regulations of the code where such modification will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of this ordinance would result in practical difficulties.

Application Requirements

1. Application must contain the signature of all individuals listed on the deed for the property, including any contract buyer, if applicable.
2. A copy of the deed, available in the County Recorder's Office, must be submitted with the application.
3. A site plan of the property showing the location of all existing and proposed buildings, parking and open space, landscaping, refuse and service areas, utilities, signs, and such other necessary information must be submitted.

General Information

The applicant is encouraged to review IC 36-7-4; the Subdivision Code, the Rules of Procedure adopted by the Plan Commission and the following:

1. The Plan Commission shall approve or deny Variances from the Subdivision Code.
2. All actions of the Plan Commission are governed by IC 36-7-4-700 and the Subdivision Code.
3. The Rules of Procedure of the Plan Commission govern the actions of the Commission, including how notice is provided to interested parties, how any public hearing is conducted and when commitments are permitted.
4. The Plan Commission shall review the variance request to determine that all required findings of fact have been satisfied.
5. The Plan Commission may impose reasonable conditions as a part of any approval.
6. The Plan Commission may permit or require the owner of a parcel of property to make a written commitment concerning the use or development of that parcel. (See: IC 36-7-4-1015 and the Rules of Procedure concerning commitments.)
7. In the presentation of a case, the burden shall be upon the petitioner to supply all information, including site plans, documentation, evidence and other exhibits necessary for a clear understanding of the petition. The Plan Commission may continue the hearing or deny the petition when, in its judgment, the petitioner has not provided sufficient information or evidence to make a determination.
8. If the petitioner or the authorized agent for the petitioner fails to appear at the hearing to present and represent the application, the Plan Commission may continue or withdraw the application.
9. In accordance with IC-36-7-4-1016, a final decision of the Plan Commission is subject to judicial review if filed within thirty (30) days of the Board of Zoning Appeals decision.