

# Attachment I: Special Exception

Town of Pittsboro, Indiana

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*This attachment is to be used by an applicant to apply for approval of a special exception use on their property. Special exception uses are defined in the zoning ordinance but must be approved by the Board of Zoning Appeals on a case by case basis.*

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Existing Zoning: \_\_\_\_\_

Ordinance Location: \_\_\_\_\_

Special Exception Requested:

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Reason for Special Exemption:

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Please respond to the following statements and describe how this application will respond to each criterion:

1. The Special Exception will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the surrounding area.

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2. The Special Exception will not be hazardous or disturbing to existing neighboring uses.

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3. The establishment of the Special Exception will be served adequately by essential public facilities and services such as roads, police, fire protection, drainage structures, refuse disposal, water, sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

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4. The Special Exception will not create excessive additional requirements at public expense for public facilities and services and will not be detrimental to the economic welfare of the community.
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5. The Special Exception will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
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6. The Special Exception will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
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7. The Special Exception will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
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Under IC 36-7-4-918.4, the following criteria will be used to evaluate an application for a use variance:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
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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;
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3. The need for the variance arises from some condition peculiar to the property involved;

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4. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought; and

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5. The approval does not interfere substantially with the comprehensive plan.

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