

Special Exception

Town of Pittsboro, Indiana Board of Zoning Appeals

This application is to be used allowing a designated special exception use (per Appendix A of the Town of Pittsboro Zoning Ordinance).

Attachments Required: A, B, D, E, I

STEP ONE: PRE-APPLICATION

Before filing an application, the applicant must meet with the Town Manager at least one week prior to the anticipated application submission to discuss the proposed request and to become more familiar with the applicable requirements. Call (317) 892 - 3326 to schedule a meeting. Applicants will be responsible for all fees associated with the review of the application by the Town's Consultants.

STEP TWO: APPLICATION

1. A completed Special Exception Application and all required Attachments are to be submitted by the 4:00 pm four (4) weeks before the desired hearing date. Please submit the application, attachments, and associated fees to the Town Plan Commission Office, P.O. Box 185, Pittsboro, Indiana, 46167. The Staff shall determine whether the application is complete. If the application is not complete, the applicant will be notified of the deficiencies. Applications submitted or completed after the posted deadline date will be scheduled for the next available hearing date.
2. The items below are required in order to complete your application and shall be submitted when your application is filed.
 - Application Form**
 - All items must be completed fully and either typewritten or printed in ink.
 - The application must be signed by the applicants and notarized.
 - Application Fee**
 - \$550 (Attachment B)
 - Checks are to be made payable to the Town of Pittsboro and submitted to the Clerk-Treasurer.
 - Site Plan**
 - Ten (10) copies of Site Plan. Drawings must be dimensioned and include property lines, existing facilities, existing structures and proposed improvements to the property.

- Drawings must not exceed 11"x 17" in size.

Aerial Location Map

- Aerial maps can be obtained from the Hendricks County Surveyor's Office, 355 South Washington Street, Danville, Indiana, 46122. (317) 745-9237
- Draw property lines of the site plan on the map.

Attachments

- **Attachment A: Ownership**
- **Attachment B: Application Fees**
- **Attachment D: Newspaper Notice**
- **Attachment E: Neighbor Notice**
- **Attachment I: Special Exception**

STEP THREE: PUBLIC NOTICE PROCEDURES

Newspaper Advertisement

- Found in Attachment D.
- Failure to submit proof of advertisement after the posted deadline will automatically table the application's hearing until the next meeting of the BZA.

Surrounding Property Owner Notification

- Found in Attachment E.
- Failure to submit proof of notice after the posted deadline will automatically table the applicant's hearing until next meeting of the BZA.

STEP FOUR: TECHNICAL REVIEW COMMITTEE

The Technical Review Committee (TRC) has the review authority; if necessary, for the technical aspects of the application submittal. The TRC or plan commission staff will meet to discuss your proposal in the Plan Commission Office. Plan Commission Staff will contact you with an appointment time. The TRC generally includes Plan Commission Staff; Engineer; Public Utility; Town Manager; Street Department, applicable School Superintendent; and applicable Safety Services. You or a designated representative with technical information regarding your submittal should attend. In some instances, additional information may be required by the TRC in order to make a technical review of your application. This information must be submitted at least ten (10) days prior to the issuance of the Staff Report.

STEP FIVE: STAFF REPORT AND AGENDA

If a petitioner does not agree with the use classification depicted by the Town Manager, or if the Town Manager is unsure of which use classification is appropriate, the petitioner or staff may request a Use Variance through the Board of Zoning Appeals. The Staff Report for a Use Variance will list one or more use classifications as per Appendix A of the Pittsboro Zoning Ordinance that best describe the proposed use. Such report shall be released along with the agenda seven (7) days prior to the hearing. All additional documents to be studied and considered by staff for use in the Staff Report should be submitted no less than ten (10) days prior to the hearing. Any interested party may provide support documentation to be delivered to the BZA members along with the Staff Report. To do so, the party must provide ten (10) copies of each document, which should be submitted no less than fifteen (15) days prior to the hearing.

STEP SIX: BOARD OF ZONING APPEALS HEARING

The BZA shall follow their adopted Rules of Procedure for the hearing, a copy of which is available at the Planning Commission Office. Public hearings of the BZA are generally held the first Tuesday of each month at 7:00 p.m. at the Pittsboro Town Hall. Always check with the Town Hall to verify the exact meeting date, place, and time should a conflict occur.

When your request comes up on the agenda, the following procedure is followed:

You are asked to present your request to the Board. You may employ an attorney for this purpose or do it yourself. You may use any maps or graphics that will assist you in the presentation. You are encouraged to address the Standards for Evaluating Use Variances that are listed in your Application in your presentation. If the Board members need additional information, they will ask questions regarding your request.

Per the Pittsboro Zoning Ordinance and Indiana Code 36-7-4-921(a)(5), the BZA may require the owner of the parcel to make written commitments concerning the use or development of that parcel. These commitments must be recorded with the Town of Pittsboro Recorder prior to the issuance of a building permit.

Per Indiana Code 36-7-4-912, the BZA shall make written Findings of Fact, which is the BZA's decision based upon their interpretation of the Conditions for Evaluating Use Variances listed in your Application. Within ten (10) business days of the BZA hearing, Staff will send you a copy of the written Findings of Fact.

Pittsboro Board of Zoning Appeals
SPECIAL EXCEPTION APPLICATION

1. Applicant(s)

Check One: Owner Agent Lessee Contract Purchaser Other _____

Name:

Address:

Phone Number:

Fax Number:

Email Address:

2. Property Owner(s)

If Applicant is not the Owner, attach completed **Attachment A: Affidavit of Ownership**

Name:

Address: (Number and Street)

Address: (City, Zip Code, State)

Phone Number:

Fax Number:

Email Address:

3. Applicant's Contact Person or Attorney and Project Engineer (if any)

Contact Person / Attorney Name:	Project Engineer:
Address: (Number and Street)	Address: (Number and Street)
Address: (City, Zip Code, State)	Address: (City, Zip Code, State)
Phone Number:	Phone Number:
Fax Number:	Fax Number:
Email Address:	Email Address:

4. Site Information

If only part of a parcel is requested for the Zoning Amendment, then write "PART" after the Tax Parcel Identification Number(s).

Tax Parcel Identification Number(s):

Address: (Number and Street)

Address: (City, Zip Code, State)

General street location from the closest street intersection:	
Township:	Section: Twp: Range:
Existing Use of the Property:	Area (acres or square feet)
Current Zoning:	Current Comprehensive Plan Designation:
Is the site located in an Overlay District?	If the site is located in an overlay district, which one?

5. Special Exception Use Request

Special Exception Requested:
Is the special exception requested listed as a special exception in Appendix A of the Ordinance?
Description:

6. Attachments to Include With Application

- Application Fee
- Site Plan
- Proof of Notice
- Attachment A: Ownership
- Attachment B: Application Fees
- Attachment D: Newspaper Notice
- Attachment E: Neighbor Notice
- Attachment I: Special Exception

7. Standards for Evaluating Special Exceptions

Per Indiana Code SS 36-7-4-918.5, the Board may impose reasonable conditions as part of the approval. Per Indiana Code SS 36-7-4-921(a)(5), the Board may require the owner of the parcel to make a written commitment concerning the use or development of that parcel. In accordance with the Town of Pittsboro Zoning Ordinance, all of the following conditions must be met in order to grant a Special Exception: (Please complete on Attachment I)

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 same area because...
3. The Special Exception will not be hazardous or disturbing to existing neighboring uses because...
4. The establishment of the Special Exception will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and 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 because...
5. 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 because...
6. 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 because...
7. 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 because...
8. The Special Exception will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance because...

The undersigned states the above information is true and correct as (s)he is informed and believes.

Signature(s) of Applicant(s):

Date:

Notary Statement

Sworn to and subscribed before me the

_____ day of _____, 20_____

Notary Public in and for the State of Indiana.

Notary Public / Printed
Seal

My Commission expires: _____

For Office Use Only

Date Filed:

Public Notice:

Newspaper Ad:

Date of BZA Hearing:

Decision of BZA

Unfavorable

Favorable

Favorable with Conditions

Conditions: