

# Variance Request

Town of Pittsboro, Indiana Board of Zoning Appeals

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*This application is to be used when appealing to the Board of Zoning Appeals to be exempt from specific requirements of the Zoning Ordinance or for a Variance of Use.*

*Attachments Required: A, B, C, D, E, G, H (Note: Not all forms may be applicable to each application)*

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## **STEP ONE: PRE-APPLICATION**

Before filing an petition, the petitioner must meet with the Town Manager at least one week prior to the anticipated 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 petition by the Town's Consultants.

## **STEP TWO: APPLICATION**

1. A completed Variance Petition and all required Attachments are to be submitted by the 4:00 pm 30 days before the desired hearing date. Please submit the petition, attachments, and associated fees to the Town of Pittsboro Board of Zoning Appeals, P.O. Box 185, Pittsboro, Indiana, 46167. The Staff shall determine whether the petition is complete. If incomplete, the applicant will be notified of the deficiencies. Staff will notify an applicant when the petition is considered complete and accepted. Petitions submitted or completed after the posted deadline date will be placed on the next month's application cycle.
2. The items below are required in order to complete your petition and shall be submitted at the time the petition 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**
    - Application fees can be found in Attachment B. A fee is processed for each petition.
    - Checks are to be made payable to the Town of Pittsboro and submitted to the Clerk-Treasurer.

**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 on the internet through internet sites, such as Google, Bing, Yahoo, or Mapquest.
- Aerial maps can also be obtained from the Hendricks County Surveyor's Office, 355 South Washington Street, Danville, Indiana, 46122. (317) 745-9237
- Property lines of the site must be drawn on the map.

**Attachments**

- **Attachment A: Affidavit of Ownership** (*submitted only if the applicant is not the property owner*)
- **Attachment B: Application Fees**
- **Attachment C: Review Fees**
- **Attachment D: Newspaper Notice**
- **Attachment E: Neighbor Notice**
- **Attachment G: Use Variance**
- **Attachment H: Development Standards Variance**

**STEP THREE: PUBLIC NOTICE PROCEDURES:**

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**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**

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The Technical Review Committee (TRC) has the review authority; if necessary, for the technical aspects of the petition. The TRC or staff will meet to discuss your proposal in the Pittsboro Town Hall. Staff will contact you with an appointment time. The TRC generally includes BZA 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 petition. This information must be submitted at least ten (10) days prior to the issuance of the Staff Report.

#### **STEP FIVE: STAFF REPORT AND AGENDA**

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If a petitioner believes the strict application of the Zoning Ordinance creates practical difficulties, they may petition the Board of Zoning Appeals for a Variance. The staff report for the variance will outline the issue at hand and address State Code as it relates to the variance. The 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**

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The BZA shall follow their adopted Rules of Procedure for the hearing. Public hearings of the BZA are generally held the first Tuesday of each month at 7:30 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  
DEVELOPMENT STANDARDS  
VARIANCE APPLICATION**

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**1. Applicant(s)**

Check One:       Owner       Agent       Lessee       Contract Purchaser       Other \_\_\_\_\_

Name:

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Address:

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Phone Number:

Fax Number:

Email Address:

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**2. Property Owner(s)**

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

Name:

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Address: (Number and Street)

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Address: (City, Zip Code, State)

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Phone Number:

Fax Number:

Email Address:

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**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):

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Address: (Number and Street)

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Address: (City, Zip Code, State)

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General street location from the closest street intersection:

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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. Development Standards Variance Use Request**

Development Standards Variance Requested:

Description:

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**6. Attachments to Include With Application**

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| <input type="checkbox"/> Application Fee: Attachment B (To be determined by the Town for mineral extraction, sanitary landfill, waste transfer station, hotel, shopping center, mobile home park, or junkyard.) | <input type="checkbox"/> Attachment A: Affidavit of Ownership (if applicable) |
|   | <input type="checkbox"/> Attachment C: Use Variance Request (if applicable)   |
|   | <input type="checkbox"/> Site Plan (include a copy 11" x 17" or smaller)      |
|   | <input type="checkbox"/> Aerial Location Map with property lines drawn        |

**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.

My Commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public / Printed Seal

For Office Use Only		
Date Filed:	Public Notice:	Newspaper Ad:
Date of BZA Hearing:		
Decision of BZA Conditions:	<input type="checkbox"/> Unfavorable	<input type="checkbox"/> Favorable <input type="checkbox"/> Favorable with Conditions