



Case Number:

BZA -- _____

Address:

Date Received:

Date of Hearing:

**City of Richmond
Board of Zoning Appeals
Variance of Use**

Department of Metropolitan Development
50 North 5th Street
Richmond, IN 47374

For questions, contact:

Sarah Mitchell, City Planner
smitchell@richmondindiana.gov
(765) 983-7217

Application Requirements

1. *Pre-Application Meeting*: Prior to submitting an Application for a Variance, the applicant shall meet with the Zoning Administrator to review the zoning classification of the site, ordinance provisions, the application packet, and the procedure involved.
2. A complete application must be filed and fees paid a minimum of 28 days prior to the public meeting at which it is first to be considered by the Board of Zoning Appeals.
3. Submittals require the names and addresses of all known interested parties. Currently interested parties are defined as any adjacent property regardless if a road, river, railroad, or other physical barrier exists. This information may be obtained from the Wayne County Auditor's Office.
4. After the submittal has been deemed complete, the Zoning Administrator shall notify all interested parties of the public hearing by regular US mail a minimum of ten (10) days before the public hearing.
5. The City of Richmond staff shall also place a sign on the subject parcel notifying the public of a scheduled hearing.

Site Plan Requirements

Applicable plans, drawings, and descriptions of the use and proposed site shall accompany the application. The supporting information shall accurately and completely describe the proposed project and the need for the requested variance, including but not limited to:

1. All existing and proposed structure(s)
2. Elevation of proposed construction, indicating the height of all structure(s)
3. Entire lot dimensions
4. Adjacent street(s)
5. Distances from structure(s) to property lines
6. Distance between structure(s)
7. Labelled property lines
8. Labelled recorded easements
9. All existing and proposed landscaped areas

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. It is the responsibility of the applicant to ensure the application is complete at time of submittal. Staff will not be available to provide missing information.

Variance of Use

Property Information

Property Address: _____

Parcel Number: _____

Subdivision Name (*if applicable*): _____

Overlay District (*if applicable*): _____

Zoning: _____ Acreage: _____

Property Owner Information

Name: _____

Address: _____

City: _____ Zip: _____

CONTACT INFORMATION

Home: _____ Work: _____ Mobile: _____

Email: _____

Contractor Information

Name: _____

Address: _____

City: _____ Zip: _____

CONTACT INFORMATION

Home: _____ Work: _____ Mobile: _____

Email: _____

Details of Variance Request

Describe the variance requested (*please list Unified Development Ordinance section number[s]*)

Describe the reasons for this request, including both existing and proposed uses.

The **Board of Zoning Appeals** shall assess this application based upon its adherence to **Findings of Fact** (*per UDO 9.17E*):

- i. The approval of the variance will not be injurious to the public health, safety, morals and general welfare of the community.
- ii. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.
- iii. The need for the variance arises from some condition peculiar to the property involved.
- iv. The strict application of the terms of the ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought.
- v. The approval does not interfere substantially with the *Richmond Comprehensive Plan*.

Before proposing **Findings of Fact** on the following page, consider these questions in relation to the property and variance request.

How will enforcement of the Ordinance unreasonably inhibit the proposed use? Why should the standards in the Ordinance not apply to the property?

What are the unique characteristics of the property with respect to lot size, shape, topography, and other physical limitations that make literal enforcement of the Ordinance impractical? Were any of these limitations created by the current or past property owners?

What other options are available? Why were these options not chosen?

How will approval of this variance protect the public interest? In particular, how it will impact sensitive public resources and/or adjacent properties?

How is granting this variance consistent with the spirit and intent of the Ordinance? In particular, how will it meet the purpose of the zoning district(s) in which the property is located?

Variance of Use

Proposed Findings of Fact

1.) Approval of the variance **WILL** _____ **WILL NOT** _____ be injurious to the public health safety, morals and general welfare of the community because:

2.) The use and value of the area adjacent to the property included in the variance **WILL** _____ **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.) The strict application of the terms of the ordinance **WILL** _____ **WILL NOT** _____ constitute an unnecessary hardship if applied to the property because:

5.) The approval does not interfere substantially with the Richmond Comprehensive Plan because:

Applicant Certification

I hereby certify that the above information and accompanying documents are true and accurate to the best of my knowledge. I understand that any misrepresentation of submitted data may invalidate any approval of this document. I further understand that this completed application must be filed and fees paid at least twenty-eight (28) days prior to the next scheduled Board of Zoning Appeals meeting.

APPLICANT SIGNATURE: _____ **DATE:** _____

Variance of Use

Owner Certification

This is to certify that the undersigned is/are the owner(s) of the real estate described in said application, and hereby acknowledge(s) and agree(s) _____ is duly authorized to present said application before the City of Richmond, IN Board of Zoning Appeals

I swear or affirm under penalties for perjury that the above representations are true and correct.

Signature

Printed Name

Signature

Printed Name

STATE OF INDIANA, COUNTY OF _____.

Before me the undersigned, a Notary Public in and for _____ County, in the State of Indiana, personally appeared _____ and acknowledged the execution of the foregoing instrument this _____ day of _____, 20_____

Notary Public

My commission expires _____



Date Received:

Case Number:

Date of Hearing:

Time of Hearing:

7:00pm

Location of Hearing:

City of Richmond
Council Chambers

3rd Floor, Municipal Building
50 North 5th Street
Richmond, IN 47374

For questions, contact:

Sarah Mitchell, City Planner
smitchell@richmondindiana.gov
(765) 983-7217

MEETING REMINDER

The applicant or certified agent must be present at the Board of Zoning Appeals hearing to explain the proposed rezoning and address and discuss comments and concerns posed by the Board of Zoning Appeals.

Failure to appear may result in the dismissal of the Application for a Variance.

The Board of Zoning Appeals shall assess this application based upon its adherence to the following Findings of Fact:

- i. The approval of the variance will not be injurious to the public health, safety, morals and general welfare of the community.
- ii. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.
- iii. The need for the variance arises from some condition peculiar to the property involved.
- iv. The strict application of the terms of the ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought.
- v. The approval does not interfere substantially with the *Richmond Comprehensive Plan*.

You may also consider the following questions in relation to the property and variance request.

How will enforcement of the Ordinance unreasonably inhibit the proposed use? Why should the standards in the Ordinance not apply to the property?

What are the unique characteristics of the property with respect to lot size, shape, topography, and other physical limitations that make literal enforcement of the Ordinance impractical? Were any of these limitations created by the current or past property owners?

What other options are available? Why were these not chosen?

How will approval of this variance protect the public interest? In particular, how it will impact sensitive public resources and/or adjacent properties?

How is granting this variance consistent with the spirit and intent of the Ordinance? In particular, how will it meet the purpose of the involved zoning district(s)?