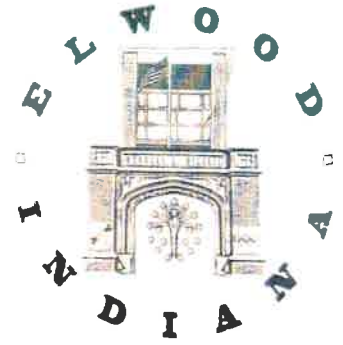


City of

Elwood

Building - Planning



1505 South "B" Street, Elwood, Indiana 46036-2020
Phone: 765-552-3007 Fax: 765-552-8372

Variance or Special Exception Filing Information

The following is intended as a helpful aid for persons filing an appeal for a variance or special exception. This is merely a guideline and is not intended to replace competent legal advice.

The city zoning ordinances are available for inspection in the Office of the Planning Director and Building Commissioner.

NOTICE OF PUBLIC HEARING:

This form must be filled out in its entirety and published as a legal notice in the local newspaper for one day, not less than 10 days prior to the hearing date. Unless otherwise noted, the Zoning Board of Appeals meets the third Monday of the month at 5:30p.m. in the Municipal Complex Court Room, 1505 South "B" Street, Elwood, Indiana.

This notice must contain (1) The time and place of the hearing; (2) Whether the hearing is for a variance, special exception, or relief from the decision of the Planning Director or Building Commissioner; (3) The name of the applicant; (4) The relief requested; (5) Street address of the property affected; and (6) The legal description of the same.

The petitioner must assume the cost of this publication.

THE APPEAL:

You must state exactly what you want to do with the property, including any construction. If any building is involved you must submit a drawing to scale of all existing building and the new building or buildings you propose. This shall include the setback distances from the property line. The filing fee is \$100.00. The filing fee and the petition for variance, special exception, or relief from the decision of the Planning Director or Building Commissioner must be submitted to the Building and Planning Office fifteen (15) days prior to the meeting date.

NOTICE OF AREA OWNERS:

All persons within **300** feet of the property on which you are basing your appeal must be notified by you in person, or by certified return receipt mail. You are to compile a list of these property owners and their addresses on the sheet provided. Persons notified personally have

them sign and date the notice. Persons you are unable to notify in person you must notify by certified return receipt mail, with the receipt turned in to this office with the appeal papers.

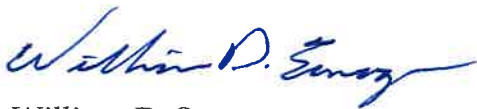
You must obtain the lists of names of persons owning property within **300** feet for your variance or special exception. You can obtain this information from the **Madison County Auditor's Office in Anderson, 765-641-9424**. This office will provide a circle map outlining the area.

After notifying the surrounding owners in sheets 6 & 7, you must sign this sworn statement before a Notary Public of the State of Indiana, swearing that you did in fact notify them as required by law.

Sheets 3, 4, 5 & 8 must be filed in the Planning Director's Office no later than 10 days before the next meeting of the board before 12:00 (Noon). The filing fee and the cost of publication are your responsibility.

Please call Amy Noone-Smith, Office Manager in our office if you need further assistance at 765-552-3007.

Sincerely,



William D. Savage
Planning Director/Special Projects Advisor



Lisa A. Hobbs
Building Commissioner

**ELWOOD BOARD OF ZONING APPEALS
APPEALS FOR VARIANCE**

Name:	Date:
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Address:	Phone:
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Address of property affected:	No.:
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Present Zoning Status:	Hearing Date:
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The undersigned hereby represents that above person(s) is the legal owner of the property affected and hereby appeals to the Elwood Board of Zoning Appeals for a _____ VARIANCE concerning the following described real estate located in the County of Madison, State of Indiana, to-wit;

Legal description, e.g. lot number and addition:

Petitioner intends to use the affected property in the following manner:

The undersigned petitioner will present evidence at the hearing as indicated below
(Additional evidence may be required according to the individual case):

1. The requested relief will not interfere substantially with the comprehensive master plan because:

2. The requested relief will not affect the use or value of adjacent property in a substantially adverse manner because:

3. The requested relief arises from some unique conditions of subject property (not due to general conditions) because:

--

4. A strict application of Zoning Ordinance would cause an unnecessary hardship for the property because:

5. Additional relevant information is:

Signature of Petitioner

A DIAGRAM DRAWN TO SCALE SHOWING ALL THE BOUDNARIES, DIMENSIONS, EXISTING STRUCTURES, PROPOSED STRUCTURES AND THEIR DISTANCE FROM BOUNDARIES MUST BE ATTACHED HERETO.

**BOARD OF ZONING APPEALS
ELWOOD, INDIANA
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Board of Zoning Appeals of Elwood, Indiana, on the _____ day of _____, 20____ at _____ p.m. at the Municipal Complex Court Room, 1505 South B Street, Elwood, Indiana will hold a public hearing on an appeal for:

_____ in accordance with provisions of the City of Elwood Ordinance of Zoning.

The appeal is brought by _____ who requests that:

The property affected is located at:

--

in Elwood, Indiana and which is described as being located in the County of Madison, State of Indiana, to-wit:

Written suggestions or objections to said appeal may be filed with the City Plan Director before such hearing and will be heard by the Board at the time and place above specified. Interested persons desiring to present their views upon the appeal, either in writing or verbally, will be given the opportunity to be heard at the time and place above specified.

**BOARD OF ZONING AAPPEALS
Elwood, Indiana**

Note: This form is to be used for publication of formal legal notice.

AFFIDAVIT

STATE OF INDIANA)

) SS:

COUNTY OF MADISON)

_____ being first duly sworn upon his or her oath according to law, deposes and says:

That after a diligent search of the records of Madison County, Indiana, a list was compiled of the names and addresses of all owners of the real estate within a distance of 300 feet perimeter of the land for which a Variance or a Special Exception is sought. That notice of said action was given personally to each said owner who has acknowledged notice by his signature, and by certified mail, are annexed hereto and made a part hereof; further, a list of said legal owners taken from the transfer records in the Auditor's office in annexed hereto and made a part hereof.

Dated this _____ day of _____, 20_____.

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public, residing in Madison County

My commission expires _____, 20_____.