

The Variance Process

1. Meet with the Plan Commission staff to determine the type of request you will need and the information you must submit with your application.
2. Once you have prepared your request, a complete application and a \$75.00 filing fee must be submitted. Complete applications must be submitted at least three weeks prior to the meeting date that you would like your request to be considered. (The Board of Zoning Appeals typically meets on the fourth Thursday of the month).
3. Once your application has been received your request will be placed on the agenda for the next Board of Zoning Appeals meeting. The applicant or a representative is required to present the request at this meeting.
4. After the application is submitted the Plan Commission staff will obtain the names and addresses of all property owners adjacent to and directly across the street from your property, send a notice of public hearing to each and post the property with a public hearing sign, at least ten days prior to the Board of Zoning Appeals meeting.
5. After the request is presented, the Board will allow anyone for or against the request to present their comments.
6. Once all comments are heard the Board will consider the facts presented and determine if the request should be approved. In order to approve a variance the Board must be convinced that:
 - (1) the approval will not be injurious to the public health, safety, morals, and general welfare of the community;
 - (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; and
 - (3) the strict application of the terms of the zoning ordinance will result in unnecessary hardship.

For the purposes of this section unnecessary hardship is defined as significant economic injury that:

- (A) Arises from the strict application of this ordinance to the conditions of a particular existing parcel of property;
- (B) Effectively deprives the parcel owner of all reasonable economic use of the parcel;
- (C) Is clearly more significant than compliance cost; and
- (D) Arises as a result of factors other than actions voluntarily made by the current or previous owner(s) of the property.

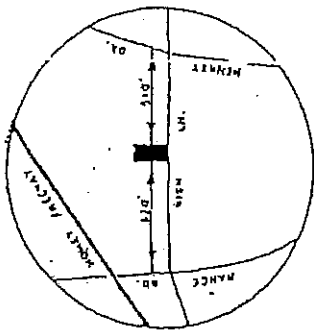
When preparing to submit an application or preparing for presenting your case to the Board of Appeals it is strongly suggested that each of the criteria above be addressed to show that approval is justified. Failure to do so may force the Board to deny the request.

Information required as part of all variance applications

1. Copy of Deed for the property.
2. A location map showing where in the county the property is located and written directions to the site.
3. A detailed drawing of the property (example provided below) which shows:
 - a. Existing buildings, septic lines, fences, and walls, including distances to property lines,
 - b. Proposed buildings, septic lines, fences and walls,
 - c. Parking and driveway including dimensions and pavement type,
 - d. Existing trees and shrubs which are greater than 12 inches in diameter,
 - e. A detailed written description of why the variance is needed.
4. A detailed written description of why the variance is needed.

Additional information that may help support your request

1. Location and types of properties in the area, which have been developed the way in which you would like to develop your property.
2. Evidence that there are no other alternatives.
3. Date in which the property was originally developed or subdivided.



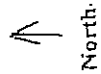
LOCATION MAP
(No Scale)

Directions- from Corydon take Hwy 135 south to Shiloh Road. Turn left and go 1 mile. House is on left side of road

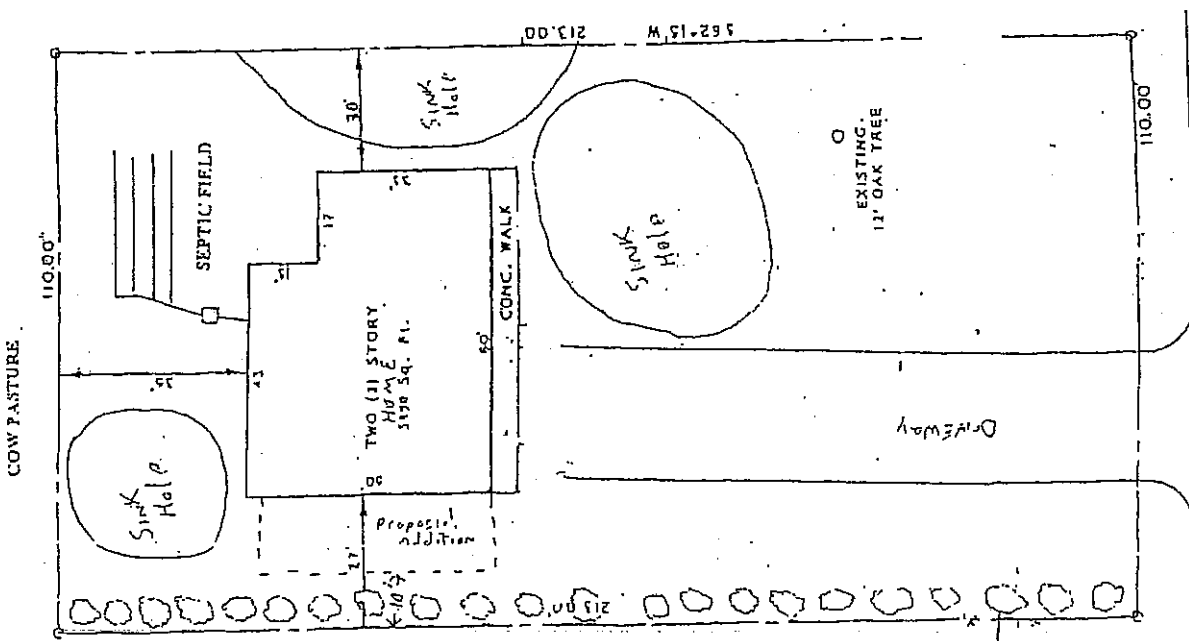
EXISTING USE HOME

REQUESTED VARIANCE - Reduce side yard setback from 25 feet to 10 feet to allow addition of bedroom. Sinkholes on lot prevent adding the room in compliance with the zoning ordinance.

FAIRM FIELDS



SAMPLE SITE PLAN



WISH LANE RIGHT OF WAY 30'
WIDTH OF PAVEMENT OR GRAVEL 18'