

PROVISIONS FOR FILING A VARIANCE/CONDITIONAL USE OR AN APPEAL

I. Thirty (30) days prior to the meeting date of the **Board of Zoning Appeals**, the petitioner must submit the following to the Planning Department:

- a. One (1) copy of the application
- b. Site Plan, detailed drawings, narrative, etc.
- c. Engineers report when necessary
- d. A check/cash for \$200 (includes newspaper ad)

2. The rules of the Board of Zoning Appeals requires that certified mail notices be sent to the affected surrounding property owners when a variance/appeal is requested. **All property owners within one hundred fifty (150) feet must be notified as follows:**

a. Obtain a list of all property owners that are within the prescribed area from the County Auditor's Office and their mailing addresses from the transfer department of the Auditor's Office.

b. At least ten (10) days prior to the meeting date but not more than thirty (30) days send each of the above noted property owners, by certified mail, **the Notice of Public Hearing** supplied by the Planning Department. The white receipts, a list of property owners, and the **signed affidavit** must be returned to the Planning Department five (5) days prior to the meeting.

c. Applicants seeking a side yard or rear yard variance need only to notify the adjacent property owners by certified mail. Applicants seeking a variance from the floodway fringe requirements are not required to send a **Notice of Public Hearing** by certified mail.

3. Remain in communication with the Planning Department so that a meeting may be arranged in the event that there are any foreseeable problems which may occur in your request.

4. You must appear personally or through an attorney before the Board of Zoning Appeals to present your case.

5. After the Board of Zoning Appeals meeting, if your request is approved, a proper permit must be obtained from the Planning Department.

6. In order for your request to be heard at the next meeting, the petition, site plan, detailed drawings, engineer's report, etc., certified mail receipts, affidavit and a list of property owners must be filed by the required deadline. **Failure to comply with the thirty (30) day deadline and the five (5) day deadline will result in a continuation of your petition until the next meeting.**

7. If the petitioner has a vested interest such as a lessee, a contract purchaser, etc. **a copy of the actual written agreement must be submitted with the application.**