

TOWN OF BAINBRIDGE

DEVELOPMENT STANDARDS VARIANCE PROCEDURAL GUIDELINE

DEFINITION: A variance to deviate from the development standards (such as height, bulk, area, road frontage, etc.) that the Zoning Ordinance prescribes for a particular zoning district.

This document will answer most questions from the BZA application process. For any additional questions please contact the Putnam County Planning and Building by phone at (765) 301-9108.

All required forms must be typed and completed (all forms are provided in the Plan Commission Office).

Every petition must comply with all deadlines. The petitioner and/or agent needs to attend the scheduled meeting date.

A public hearing will be held at the Town of Bainbridge, 201 N Grant Street Bainbridge, Indiana on **(DATE OF MEETING)** at **(TIME OF MEETING)** p.m.

APPLICATION UNIFORMITY STANDARDS

For the ease of processing applications, we request the following guidelines are followed as closely as it reasonably possible:

- All documents are submitted on standard 8 ½” by 11” paper
- All notarized documents must have their original submitted. A scanned copy will suffice until the original can be mailed or otherwise delivered.
- **All due dates are final deadlines**, failure to comply may result in an incomplete application and a continuance to the following meeting

APPLICATION:

1. Notarized application **must** be filed at least **thirty (30) days** before Board of Zoning Appeals meeting
2. Other Forms:
 - a. Separate written legal description
 - b. List of adjoining property owners within two hundred (200) feet but no more than two (2) property ownerships in depth, whichever is greater
 - c. Sample letter to property owners
 - d. Notice of public hearing
 - e. Copy of deed
 - f. All applications **must** be reviewed by the Planning Department staff for completeness and accuracy prior to acceptance

FEE

\$150 must be paid when application is submitted

DRAW CONCEPT OR SITE PLAN

A site plan clearly lays out the relevant detail of the subject property. The site plan must include the following to the best of your ability:

- North Arrow
- Boundary lines of property
- Existing streets or other public ways

- Buildings, parking and loading area
- Open spaces, landscaping
- Other relevant details as specified by Staff

WRITE LETTER OF INTENT

The letter of intent is the applicant's letter to the BZA stating why approval of the petition is necessary. The letter of intent should address the following:

- Applicant seeking the development standards variance
- The nature of the variance
- Why the variance is needed
- General Welfare – the approval will not be injurious to the public health, safety, morals, and general welfare of the community
- Adjacent Property – the use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner
- Practical Difficulty – the strict application of the terms of the Zoning Ordinance will result in a practical difficulty in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain

MAIL NOTIFICATION LETTERS

- Notification letters must be mailed to certain property owners in the vicinity of the subject property. The applicant is responsible for obtaining the mailing addresses of the legal property owners. List of adjoining property owners can be obtained through the Putnam County GIS website (<https://putnamin.wthgis.com>)
- Note that if the subject property is within 200 feet of a state or federal highway, the Indiana Department of Transportation must get a notice. INDOT's mailing address will be provided by staff.

LEGAL NOTICE

Legal notice must be placed in the Banner Graphic at least ten (10) days prior to the public meeting.

Application No. _____
Fee: _____
Receipt # _____

Decision of BZA: Approval Denial
Conditions: Yes No

Town of Bainbridge Board of Zoning Appeals

Use Variance Development Standards Variance Special Exception

Name of Applicant _____ Phone No. _____
Address of applicant _____
City, State Zip _____ Email _____

Owner(s) _____ Phone No. _____
Address of Owner _____
City, State Zip _____ Email _____

Agent: _____ Phone No. _____
Address of Agent _____
City, State Zip _____ Email _____

REAL ESTATE EFFECTED: Section _____ Township _____ Range _____
Township _____ Parcel No. _____

Location of subject property to nearest county road intersection: _____

Address of Subject Property _____
Town of _____ Lot _____ Block _____ Addition _____
Subdivision _____ Lot _____ Section _____
Lot Size _____ Current Zoning District _____ Sewer _____
Water _____

Applicable Ordinance Section Number(s) _____

Requested Action from the Board of Zoning Appeals:

PROPERTY INSPECTION RELEASE FORM

I/We hereby authorize and grant to the employees of the Putnam County Planning and Building Department, other Putnam County Officials, members of the Board of Zoning Appeals, and members of the Plan Commission the right to come onto the above-described property for the purpose of inspection and evaluating the premises regarding this application. I/We further release said Board members, Commission members, and County employees and officials from all liability during said inspection and related matters.

The undersigned, sworn upon his oath, says that the above information and attached exhibits, to my knowledge, are true and correct:

Signature of applicant

Date

State of Indiana)
) SS:
Putnam County)

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

Notary Public

My Commission Expires: _____ County of Residence: _____

AFFIDAVIT AND CONSENT OF PROPERTY OWNER(S), IF DIFFERENT THAN THE APPLICANT

I/We _____ after being first duly sworn, deposed and say:

1. That I/We are the owner(s) of the above-described real estate
2. That I/We have read and examined the Application for Special Exception or Variance of the Putnam County Zoning Ordinance, and are familiar with its contents
3. That I/We have no objections to, and consent to such request as set forth in the application

Signature of Property Owner

Signature of Property Owner

State of Indiana)
) SS:
Putnam County)

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

Notary Public

My Commission Expires: _____ County of Residence: _____

Applicant's Name: _____

Applicant's Home Address: _____

LETTER OF INTENT

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.*

3. *The strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought.*

NOTIFICATION LETTER

DATE

Dear:

please be advised that the undersigned property owner or agent has petitioned the Town of Bainbridge Board of Zoning Appeals for a _____, in _____ Township, Section _____, Township _____, Range _____, Putnam County, Indiana on the property known as _____

A copy of this application, legal description and all development plans pertaining thereto are on file and available for examination, prior to the hearing, in the office of the Putnam County Planning and Building Department at the Putnam County Courthouse, 1 West Washington Street, 4th Floor Room 46, Greencastle, Indiana between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday. Written comments to a proposal may be filed with the Secretary of the Board of Zoning Appeals (Planning and Building Department) prior to the date set for hearing and such comments will be considered.

A public hearing will be held at the Town of Bainbridge, 201 N Grant Street Bainbridge, Indiana on _____ at _____ p.m.

Yours Truly,

Name of Applicant

**AFFIDAVIT OF NOTICE OF PUBLIC HEARING
BOARD OF ZONING APPEALS
FOR VARIANCE/SPECIAL EXCEPTION**

STATE OF INDIANA)

) SS:

COUNTY OF PUTNAM)

I/We _____ do hereby certify that notice of public hearing by the Board of Zoning Appeals of the Town of Bainbridge to consider Case No. _____ being the application of _____ was registered and mailed to the last known address of the following persons:

ATTACH A LIST OF THE SURROUNDING PROPERTY OWNERS NOTIFIED BY NAME AND ADDRESS

And that said notices were served by certified mail (with return receipts) or registered or first-class mail (with a USPS certificate of mailing for each letter) on or before the _____ day of _____ 20____, being at least ten (10) days prior to _____, the date of the public hearing in the Town of Bainbridge, 201 N Grant Street Bainbridge, Indiana, at _____ p.m.

Signature of Applicant

STATE OF INDIANA)

) SS:

COUNTY OF _____)

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

My Commission Expires: _____

Notary Public

NOTICE OF PULBIC HEARING

TO BE PUBLISHED IN THE NEWSPAPER

Notice is hereby given that the Town of Bainbridge Board of Zoning Appeals on the _____ day of _____, 20____, at _____ p.m. in the Town of Bainbridge, 201 N Grant Street Bainbridge, Indiana, will hold a public hearing on a request by _____ for consideration of _____ on premises located at: _____

Property Owner: _____

Petitioner: _____

Written suggestions or objections to provisions of the said request may be filed with the Putnam County Planning Department, at or before such meeting and will be heard by the Board at the time and place specified.

Interested persons desiring to present their views upon the said request. Either in writing or verbally, will be given the opportunity to be heard at the above-mentioned time and place. Copies of the petition may be examined at the Putnam County Planning Department 1 W Washington St, 4th Floor Room 46, Greencastle, IN 46135.

Interested persons may call the Bainbridge Town Offices at (765) 522-6238 on the day of the meeting before 3:30 p.m. to inquire if the meeting has not been cancelled or rescheduled.

Petitioner

Case Number: _____

SAMPLE ILLUSTRATION OF WRITTEN NOTIFICATION

The sample illustration of written notification on the following page is designed to help the applicant notify the adjacent property owners of a public hearing as required by Indiana Code 36-7-4-706 and the Putnam County Advisory Plan Commission Rules of Procedure.

The applicant must follow steps 1-3 in order to ensure that the proper written notification is given to the adjacent property owners.

STEPS:

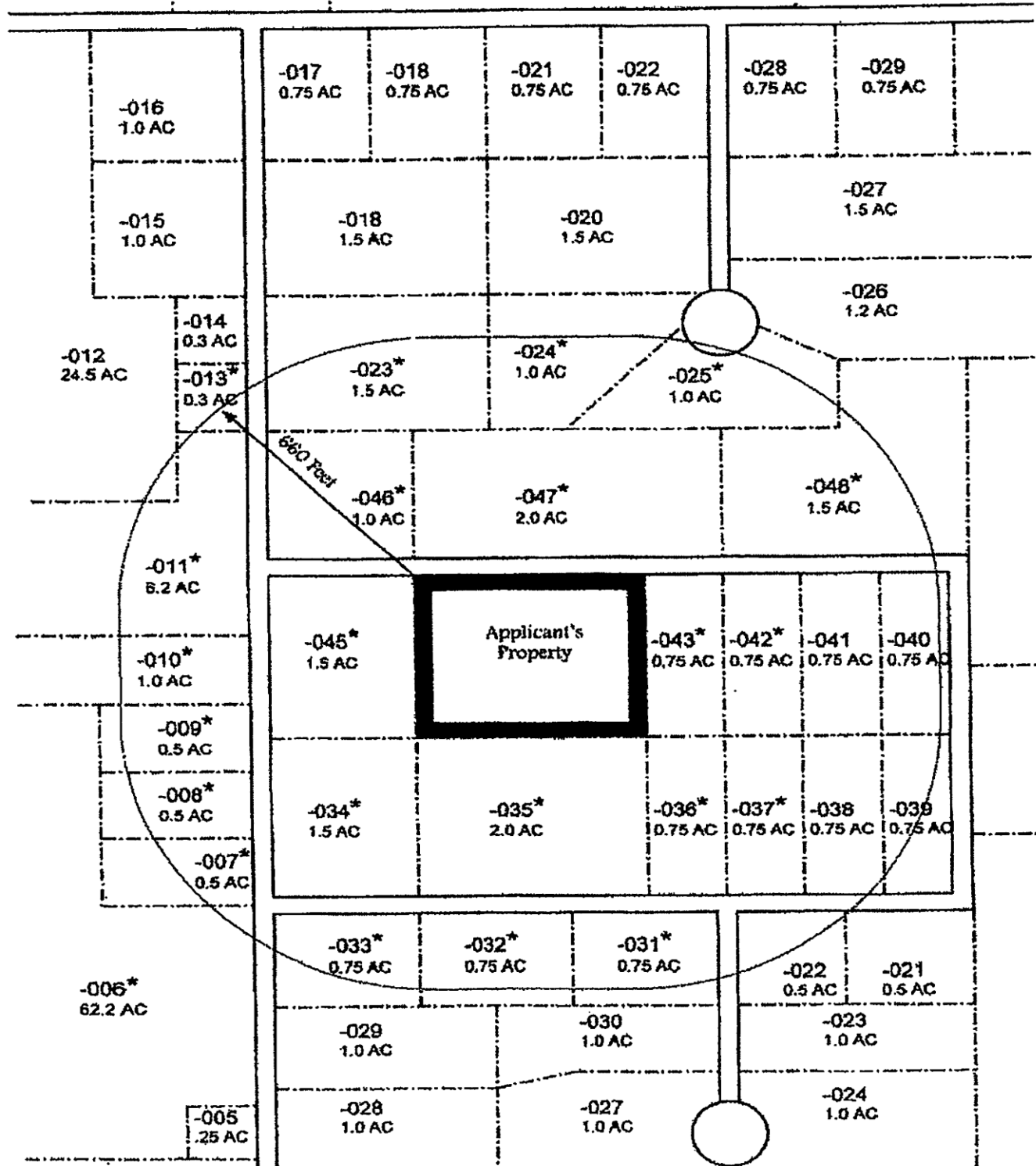
1. Notify all adjacent property owners within two (2) ownerships or two hundred (200) feet of the applicant's property lines, whichever is greater. The applicant's property shall include all contiguous parcels that he or she owns. If the applicant's property abuts or includes a county line, the applicant shall follow the above rule of notification into that county.
2. Letters of written notification shall be sent by certified, registered, or first-class mail to the legal property owner. If first-class mail is used, a USPS Certificate of Mailing must be submitted for each letter. The mailing address of legal property owners shall be obtained from the Putnam County Plat Office. For notification into an adjacent county, the applicant shall contact the appropriate county office to secure names and addresses of property owners.
3. The applicant shall submit an Affidavit of Written Notification on the forms available at the Planning & Building Department by the appropriate deadline. Proof of mailing shall be submitted to the Planning & Building Department staff prior to the public meeting.
4. **STATE OR FEDERAL HIGHWAY NOTIFICATION:**
All applications requiring a public hearing by the Advisory Plan Commission or Board of Zoning Appeals must notify the Indiana Department of Transportation as part of the written notification requirements if a state or federal highway is located within two hundred (200) feet.

All applicants should contact INDOT as follows:

ATTENTION: PERMIT DEPARTMENT
Regulatory Department
Indiana Department of Transportation
41 W CR 300 N
Crawfordsville, IN 47933

SAMPLE ILLUSTRATION

* DENOTES ADJACENT PROPERTY OWNERS THAT MUST BE MAILED WRITTEN NOTIFICATION*



(This illustration is not drawn to scale)