



Town of Sheridan Application Form
Variance Application

March, 2024

Office Use Only

Docket #: _____ Filing Date: _____ Filing Fee \$ _____

Applicant Contact Information

Applicant's Name: _____ Telephone: _____

Address: _____ Email: _____

Property Owner's Name: _____

Address: _____ Telephone: _____

Property Owner's Email: _____

Other Name: _____ Telephone: _____

Address: _____ Email: _____

Primary Point of Contact: Applicant Property Owner Other

Pre-filing Conference Date: _____

Related Docket Numbers:

Change in Zoning: _____ Amendments: _____

Development Plan: _____ Primary Plat: _____

Secondary Plat: _____ Variances: _____

Property and Project Information

Address or general property location: _____

County Parcel ID #(s): _____

Existing Zoning District: _____ Existing Land Use: _____

Special Exception Request:

Code Citation(s): _____

Findings of Fact: (please see page 4 in this application)

Statement of Intent (explanation of request, attach a separate sheet if necessary):

Applicant Affidavit

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath says that above information is true and correct as informed and believes, and that Applicant owns or controls the property involved in this application.

Applicant Signature

Applicant Printed

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the Applicant, who having been duly sworn and acknowledged the execution of the foregoing Application.

Witness my hand and Notarial Seal this _____ day of _____, 20____.

State of _____, County of _____, SS:

Notary Public Signature

Notary Public Printed

Property Owner Affidavit

IN WITNESS WHEREOF, the undersigned, having duly sworn upon oath says that they are the owners of the property involved in this application and that they hereby acknowledge and consent to the foregoing application.

Property Owner Signature

Property Owner Printed

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the Applicant, who having been duly sworn and acknowledged the execution of the foregoing Application.

Witness my hand and Notarial Seal this _____ day of _____, 20____.

State of _____, County of _____, SS:

Notary Public Signature

Notary Public Printed

A signature from each party having an interest in the property involved in this application is required. If the Property Owner's signature cannot be obtained on the application, then a notarized statement from each Property Owner acknowledging and consenting to the filing of this application is required with the application.

Special Exception Findings of Fact

Applicant: _____ Docket #: _____

In taking action on a special exception, the Board of Zoning Appeals (the 'Board') uses the following decision criteria to approve or deny a special exception, as established by Indiana Code, and the Board may impose reasonable conditions as part of its approval. The applicant must address the criteria below. A special exception may be approved by the Board of Zoning Appeal only upon the determination that the Board finds all of the following to be true (please add a separate sheet paper if there is not sufficient space below):

A. The establishment, maintenance, or operation, of the special exception will not be detrimental to or endanger the public health, safety, morals, and general welfare because:

B. The special exception will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish, and impair property value within the neighborhood because:

C. The establishment of the special exception will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district because:

D. Adequate utilities, streets drainage and other necessary facilities have been or are being improved:

E. Adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion:

F. The special exception will be located in a district where such use is permitted and that all other requirements set forth applicable to such special exception, will be met:

General Instructions

- A. **Pre-filing Conference:** A Pre-filing conference is required for all petitions. An appointment must be made with the Sheridan Planning and Zoning Department (the 'Department') to discuss a petition a minimum of one week prior to filing. An application will not be considered filed until a pre-filing conference has occurred. Applicants are encouraged to incorporate comments from the Department into the application materials prior to filing.
- B. **Petition Filing:** A petition shall be filed with the Department by the filing deadline in accordance with the Schedule of Meeting and Filing Dates. In order to be deemed complete, a petition shall include the following:
- Completed Application
 - Draft Public Notice
 - Property Owner Consent
 - Site Plan (to scale)
 - Statement of Intent
 - Copy of Property Deed
 - Elevations, photographs or other supporting information necessary to explain the nature of the requested variances.
 - Legal Description
 - List of Adjoining Property Owners (as provided by County)
 - TAC Delivery Affidavit (if determined to be necessary)
 - Vicinity Map (including property within 500 FT)
 - Covenants and commitments (if any)
- C. **Filing Fee Check:** After the filing of an application the Department will advise the applicant of the applicable filing fee amount which is due within two (2) weeks of filing. Checks should be made out to the Town of Sheridan. Credit cards are accepted with a 3% fee.
- D. **Technical Advisory Committee (TAC):** The applicant is responsible for submitting a copy of the application and related information to the Technical Advisory Committee members prior to filing, if determined by the Department to be necessary. An affidavit confirming delivery of information is required to be completed and signed by the applicant and submitted with the petition. TAC meetings are held at the Sheridan Community Center located at 300 E 6th Street, Sheridan, IN 46069 in accordance with the Schedule of Meeting and Filing Dates. A representative must be present at this meeting, or the petition will be delayed for review until the next scheduled TAC meeting.
- E. **Public Hearing and Notice:** All special exception petitions require a public hearing by the Board of Zoning Appeals. The public hearing is held at the Sheridan Community Center located at 300 E 6th Street, Sheridan, IN 46069, in accordance with the Schedule of Meetings and Filing Dates. Notice of the hearing is required in accordance with the Board's Rules of Procedure:
- a. **Newspaper Publication:** Notice of the hearing will be published in the Hamilton County Reporter and The Times. The applicant is required to submit this to the paper and provide proof of publishing to the Department.
 - b. **Mailed Public Notice:** The applicant is responsible for sending public notice by first class mail with proof of mailing to all interested parties, postmarked at least ten (10) days prior to the public hearing. A list of adjacent property owners may be obtained by the Hamilton County Auditor, Office of Transfers and Mapping (33 N 9th Street, Noblesville, IN 46060, (317) 776-9624, and shall include all owners of

property to a depth of two (2) ownership of no direct or indirect financial or pother public interest to the applicant or property owner or one eighth (1/8) of a mile, whichever is less.

- c. Public Notice Sign: The applicant is responsible for posting a public notice sign(s) on the property at least ten (10) days prior to the public hearing. The Department will determine sign location and will make signs available for the applicant to obtain in the office of the Department.
- d. Affidavit of Notice of Public Hearing: The applicant shall deliver a copy of the mailed notice and signed affidavit verifying that the notices were mailed, and the public notice signs were posted on the subject property to the Department at least four (4) calendar days prior to the public hearing.

- F. **Ex-parte Communication: In no event shall applicant or other interested parties contact or attempt to communicate with members of the Board in regard to a filed variance petition prior to the public hearing.**
- G. Revised Materials: If the applicant wishes to submit additional or revised information that what is filed, then the applicant shall submit those to the Department no later than ten (10) days prior to the public hearing.
- H. Board's Consideration: Following the public hearing, the Board may either approve, approve with conditions, deny or continue the petition.
- I. Resource: Please see the Board's Rules of Procedure for more detailed procedural information.

Petitioner's Presentation to Board Members

1. Please go to the podium and use the microphone in front of the Board members when your docket number is called.
2. Speak clearly and loudly without shouting.
3. State your name and current address for the record.
4. Explain your request in detail to the Board members.
5. Explain why you are requesting the variance.
6. Explain the hardship involved that causes you to need the variance you are requesting (items A-F on page 4).