Mike Moore, Mayor

CITY OF JEFFERSONVILLE
DEPARTMENT OF PLANNING & ZONING
500 QUARTERMASTER COURT, SUITE 200
JEFFERSONVILLE, IN 47130
PHONE: (812) 285-6413
WEBSITE: www.cityofjeff.net

BOARD OF ZONING APPEALS
Administrative Appeal

APPLICATION REQUIREMENTS

In order for the staff of the City of Jeffersonville Board of Zoning Appeals to expedite your request in a timely manner, we ask that you follow these requirements:

1. The application and supporting materials must be submitted before the appropriate meeting deadline. No exceptions.

2. Once the application has been submitted with the required application processing fee, our staff will review the application to verify that all the required items in the checklist have been included. All items on the checklist must be submitted with the application or the request will not be assigned a Docket number. This is considered an incomplete application, and the submitted items will be promptly mailed back to the applicant.

3. When the application is deemed complete by the staff, the request will be assigned a Docket number and will be placed on the appropriate agenda, and the applicant will be notified of the meeting date.

4. A pre-filing conference is encouraged for all Board of Zoning Appeals petitions.
   Call 285-6413 to set an appointment to discuss a petition prior to filing for a hearing before the Board of Zoning Appeals.

BOARD OF ZONING APPEALS PROCEDURES

- The City of Jeffersonville has established a procedure for the consideration of any request to the Board of Zoning Appeals. Requests are reviewed by the Board of Zoning Appeals which makes the final determination. Requests may originate from either property owners or potential owners (subject to the consent of the current owners). In reviewing all applications the Board of Zoning Appeals shall consider the following:

Check the variance type that apply:

- Code Violation and Fines:_____
- Use Determination:_____
- Special Exception Revocation:_____
- General Administrative Appeal:_____

Docket #: _____
Date Filed: ____/____/_____
To be assigned by planning department. This space for office use.

BOARD OF ZONING APPEALS
APPLICATION

- **Name of Applicant**:_____

Applicants Address: _____
Name of Business: _____
Phone: ( )_____Fax: ( ) _____
Email: _____ Cell: ( ) _____

- **Applicant's Attorney/Contact Person and Project Engineer (if any):**

Attorney Name: _____ Address: _____
Phone: ( ) _____ Fax: ( ) _____
Email: _____ Cell: ( ) _____

Project Engineer: _____ Address: _____
Phone: ( ) _____Fax: ( ) _____
Email: _____ Cell: ( ) _____

- **Project/Development Information:**

Location of Property (and address if applicable): _____
_____
Current Use: _____ Current Zoning: _____
Proposed Use: _____

- **Reason (s) for Request**:

_____
_____

- Additional Requirements:
  a. Proof of ownership (Warranty Deed) including legal description of property
  b. Written authorization from owner (Affidavit & Consent Of Property Owner Page 5)
  c. Letter of Intent describing the proposed plan and use of property
  d. One 8 1/2"x 11" copy of proposed site plan
  e. Draft Findings of Fact responding to criteria on Page 6 (I.C. 36-7-4-918.4)
  f. Postage fee of $1 per letter for adjoining property notification letters (calculated after submittal)
  g. Any additional information as required by Director or Zoning Administrator

The undersigned states the above information is true and correct as (s)he is informed and believes to the best of her/his knowledge.

Signature of Applicant: _____ Date: _____

State of Indiana)
Clark County) SS:

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

_____/_____
Notary Public – Signed Printed

Residing in _____ County My Commission expires: _____.

OFFICE USE ONLY---DO NOT WRITE BELOW THIS LINE

Application (all materials in file) certified completed on:
_____/_____/_____.
BZA public hearing date: _____/_____/_____.
Adjacent property owners notified via mail on:_____ /_____/_____.
Legal ad emailed to The Evening News on :_____/_____/_____.
Sign addresses emailed to Street Department on: _____/_____/_____/
Public notice posted at City Hall on: _____/_____/_____.
Public notice posted on City's website on: _____/_____/_____.

Docket #: _____
Date Filed: ____/____/_____
To be assigned by planning department. This space for office use.

- AFFIDAVIT & CONSENT OF PROPERTY OWNER -
Application to the Jeffersonville Board of Zoning Appeals

STATE OF INDIANA)
COUNTY OF CLARK) SS:

I, _____, AFTER BEING DULY SWORN, DEPOSE AND SAY THE FOLLOWING:

1.That I am the owner of real estate located at: _____;
(Address of affected property)

2.That I have no objections to, and consent to the request(s) described in the Application made to the Jeffersonville Plan Commission.

_____
Owner's Name (Please Print)

_____
Owner's Signature

State of Indiana)

County of Clark) SS:

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

_____/_____
Notary Public Printed

Residing in _____ County My Commission expires: _____

Determination of Request:
Below is a brief description of each type of Board of Zoning Appeals Petition. Please review each to determine which type of procedure you need.

Code Violations/Fines
Any person receiving a notice of violation and/or fines may appeal the violation and/or fine to the Board of Zoning Appeals or to the court of jurisdiction. A written statement from the person in violation shall be submitted to the Planning Director via Certified Mail at least three (3) days prior to the date the fine is due in order to appeal the violation.

No additional notices will be issued by the Plan Commission in the event the person(s) in violation has (have) submitted a written statement of their intention to Appeal or go to trial.

The person(s) in violation shall have thirty (30) days to file for a hearing with the BZA or court of jurisdiction. Also the person(s) in violation shall have a maximum of two (2) years to complete the hearing process with the BZA. Failure to meet these deadlines will reinstate all fines due by the person(s) in violation.

Fines due will be postponed until the BZA or court of jurisdiction have made a ruling as to the violation and/or fine.

Use Determination
The use of land or the use of a building or structure other than that prescribed by the Jeffersonville Zoning Ordinance.

The Planning Director will have the principal responsibility for administration and enforcement (or coordination of enforcement) of this Ordinance within the Plan Commission's planning jurisdiction.

This includes the determination of the most appropriate use within the Zoning Ordinance as documented on the application for the Certificate of Zoning Compliance

Special Exception
The use of land or the use of a building or structure on the land which is allowed in the Zoning District applicable to the land only through the grant of a Special Exception by the Board of Zoning Appeals.

The Board may only approve a use variance upon a determination in writing that (1) the proposal will not be injurious to the public health, safety, morals, and general welfare of the community; (2) the requirements and development standards for the requested use as prescribed by this Ordinance will be met; (3) granting the exception will not subvert the general purposes served by this Ordinance and will not permanently injure other property or uses in the same district and vicinity; and, (4) the proposed use will be consistent with the character of the district therein, the spirit and intent of this Ordinance, and the Jeffersonville Comprehensive Plan.

Special Exception Revocation Procedure
A special exception may be terminated by the Board of Zoning Appeals as follows:
1. Upon the filing of an application by an interested person or a member of the staff, and after which a public hearing is held with notice to the property owner; and,
2. At the public hearing a finding is made by the Board that one or more of the following has not been complied with:
• The terms of this Ordinance,
• The conditions placed on approval, and
• The written commitments made in conjunction with the original special exception application

General Administrative Appeal
An appeal from any order, requirement, decision, or determination made by the Staff, Planning Director, administrative board, or other body except the Plan Commission.