

Appeal

Step 1: Application

Pre-Application Meeting. Prior to the intended filing, the applicant must discuss the potential application with Staff for the purpose of becoming familiar with requirements, procedures, deadlines, and hearings. The legal descriptions for the petition may be reviewed at this time.

Making Application. The applicant must make an appointment with Staff to file by calling (317) 881-8698. A complete application with all required attachments must be submitted by the date shown on the Application Schedule. If the application is not complete, it will be returned to the applicant with the deficiencies identified. Applications submitted or completed after the posted submittal deadline will be placed on the application cycle for the next regular meeting.

Items Required for a Complete Application:

- Application Fee. Make checks payable to the “City of Greenwood”.**
 - All Uses: \$100 (includes \$10 technology fee)
- Application Form.** All items must be fully completed and either typewritten or printed in ink. The application must be signed by the applicant(s) and notarized.
- Attachment A:** Specific Grounds for Appeal. [IC 36-7-4-919(a)]
- Attachment B:** Notice of Public Hearing for Newspaper – staff will fill in blanks for you.
- Attachment D:** Affidavit and Consent of Property Owner. (Submit only if the owner is different from the applicant.)
- Legal Description (if necessary).** If the appeal concerns a decision about a specific property, then a legal description of the subject property is required. If the appeal involves a general decision or interpretation, then no legal description is required.
- Vicinity Map.** 8 ½”x11” in size showing where the property is located in Greenwood, making sure major streets are labeled. Scale should be approximately 1:1,000.
- Site Plan (if necessary).** 11” x 17” or smaller in size showing the existing structures, proposed structures (if applicable), streets, land uses, etc., of the proposed development. If this plan is in color, submit 8 copies.

Step 2: Notifying the Public

State Law and Greenwood's Rules of Procedure require you to notify the public of the hearing by newspaper. Signing and submitting an Affidavit of Notification and providing the City copies of the Affidavit of Publication verifies this notification.

Notification by Newspaper

1. Attachment B: Notice of Public Hearing for Newspaper. At the application meeting, Staff will complete the attachment.
2. Publish the completed attachment one time in the newspaper listed below **at least 15 days** prior to the Hearing. Failure to meet the publishing deadlines will result in a continuance of the hearing for your petition and may cause you to re-advertise. Obtain a "Proof-of-Publication" affidavit from the newspaper for the advertisement. These affidavits must be filed in the Planning Office at least three days prior to the hearing (see Application Schedule on page 3).
 - a. ***The Daily Journal***. Published daily. Information must be submitted by 10:00am at least two days prior to the date you want your ad to be published. They are located at 30 S Water St, Second Floor, Ste A, PO Box 699, Franklin, Indiana, 46131. Phone (317) 736-7101.
3. **SUBMIT TO CITY 3 DAYS PRIOR TO HEARING:**
 - Proof of Publication Affidavit from newspaper
 - Form 3: Affidavit of Notification – signed and notarized

Step 3: Staff Report, Public Hearing and Application Schedule

Staff Report

After an examination of information in the public record and findings from additional research, Staff shall publish a Staff Report that provides an analysis of the petition request. Such report shall be published along with the agenda approximately five days prior to the hearing.

Public Hearing

The Board shall follow their adopted Rules of Procedure for the hearing, a copy of which is available at the Planning Office. Public hearings of the Board of Zoning Appeals are generally held on the second and fourth Monday of each month in the Common Council Chambers at the Greenwood City Center, 300 S Madison Avenue, Greenwood, Indiana, 46142.

When your request comes up on the agenda, you must present your request to the Board. You may represent yourself or have a consultant or attorney represent you. You may use any evidence that will assist you in the presentation. If the members need additional information, they will ask questions regarding your request.

Upon conclusion of its public hearing, the Board will vote on your petition. The Board may reverse, affirm or modify the order, requirement, decision or determination appealed.

Application Schedule

Refer to the current Greenwood Advisory Plan Commission or Board of Zoning appeals schedule posted on the Planning webpage. Deviations from this schedule are not permitted without approval from the Commission or Board.

Step 4: Petition Information (Completed by Staff at the Time of Application)

The Docket Number for this petition is _____. Please use this number for referencing the request and when submitting additional information in the future.

This petition will be heard by the Board on _____. The meeting starts at 6:00 pm in the Common Council Chambers of the Greenwood City Center, 300 S Madison Avenue, Greenwood, Indiana 46142.

Public Notification is required, _____ is the latest date to

- Publish legal notice in the newspaper

The Staff Report and Agenda for this petition will be published on approximately _____.

Public Notification is required, _____ is the latest date to submit:

- Proof-of-Publication from the newspaper
- Form 3: Affidavit of Notification

What Happens Next?

Should the BZA approve the appeal, the petitioner is free to take any actions necessary in accordance with the established procedures of the City to use property in accordance with the zoning ordinance as interpreted by the Board.

CITY OF GREENWOOD
DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES
PLANNING DIVISION
300 S Madison Avenue, 2nd Floor, Greenwood, IN 46142
Phone: (317) 881-8698 * Fax: (317) 887-5616
E-Mail: planning@greenwood.in.gov
Website: www.greenwood.in.gov



City of Greenwood Board of Zoning Appeals

For Office Use Only			
Docket #			
Filing Date		Fee	
BZA Date		PN Date	

Variance Petition

Administrative Appeal

1. Petitioner

Name _____

Street Address _____

City, State, Zip _____

Primary Contact Person regarding this petition _____

Phone _____ Fax _____ E-Mail _____

2. Property Owner

Name _____

Street Address _____

City, State, Zip _____

Phone _____ Fax _____ E-Mail _____

Applicant is (circle one): ___ Sole owner ___ Joint Owner ___ Tenant ___ Agent ___ Other (specify)

3. Premises Affected

Address, Subdivision & Lot Number, or location from major streets

 Present Zoning Subject Acreage Present Use of Premises

 Use of Adjacent Properties North: South: East: West:

4. Notarization

The above information and attached exhibits, to my knowledge and belief, are true and correct.

Signature of Applicant _____

Notary Public's Name (printed) _____ Signature of Notary _____

My Commission Expires _____ State _____ County _____

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



City of Greenwood Plan Commission and Board of Zoning Appeals

Attachment B: Notice of Public Hearing for Newspapers

All legal notices MUST be reviewed by Staff BEFORE it is published in the newspapers.

ATTACH: Legal Description

Notice is hereby given that I have, as the owner (or with the owner's consent) of the property commonly described as the address of _____, Greenwood, Indiana, and legally described by the attached legal description, have filed a petition before the (check the applicable body)

- Plan Commission of the City of Greenwood, Board of Zoning Appeals for the City of Greenwood,

which petition requests: (check the applicable request and provide necessary information)

- Annexation and Zone Map Change** of the said property from the current zoning district of _____ to the proposed district of _____ for the purpose of _____.
- Zone Map Change** of the said property from the current zoning district of _____ to the proposed district of _____ for the purpose of _____.
- Change Commitments for the property.**
- Residential Site Development Plan** for a Mobile Home Park.
- Primary Subdivision** of the said property for a development with _____ lots, to be known as _____.
- Plat Vacation** of _____ subdivision with _____ lots.
- Use Variance** for the said property in order to allow a _____ use, which is generally not permitted in the _____ zoning district.
- Dimensional Variance** for the said property in order to _____.
- Special Exception** for the said property to allow property that is zoned _____ to be used for _____.

This petition, Docket # _____, will come for hearing at _____ pm in the Common Council Chambers at the Greenwood City Building, 300 South Madison Avenue, Greenwood, Indiana, on _____.

A copy of the petition is on file in the Office of the Department of Community Development Services, 300 S. Madison Avenue, Greenwood, Indiana, and is available for inspection before the hearing during business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday. Written objections filed with the Planning Director before the hearing will be considered and oral comments concerning the petition will be heard. The hearing may be continued from time to time as may be found necessary.

In accordance with the American with Disabilities Act, the City of Greenwood is required to provide reasonable accommodations to persons with disabilities wishing to attend public meetings. Accommodations are available upon request to persons with disabilities who require alternately formatted materials, auxiliary aids, or reasonable modifications to policies and procedures to ensure effective communication and access to the public meetings. If you require accommodation to attend the meeting, please contact Daniel Johnston, Public Access ADA Coordinator, at 300 S. Madison Avenue, Greenwood, Indiana 46142, Tel: (317) 887-5000, Fax: (317) 887-5616, or contact Telecommunications Relay Services (TRS) at 711 to relay your request to Mr. Johnston. Please allow at least two business days to arrange for accommodations.

APPLICANTS PRINTED NAME



City of Greenwood Plan Commission and Board of Zoning Appeals
Attachment D: Affidavit & Consent of Owner

Project _____ Docket _____

Complete and submit if applicant is different from property owner.

I (we) _____
NAME(S)

After being first duly sworn, depose and say:

- 1. That I/we are the owner(s) of the real estate located at _____ (ADDRESS)
2. That I/we have read and examined the Application, and are familiar with its contents.
3. That I/we have no objection to, and consent to such request as set forth in the application.
4. That such request being made by the applicant (____is) (____is not) a condition to the sale or lease of the above referenced property.

(AFFIANT)

STATE OF INDIANA)
) SS:
COUNTY OF _____)

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

, Notary Public

My Commission expires: _____

County of Residence: _____