

**Planning & Building Services Department**

300 E Pike St | Crawfordsville, IN 47933

crawfordsville.in.gov | 765-364-5152

SPECIAL EXCEPTION APPLICATION**OFFICE USE ONLY**

DOCKET # _____ FILED DATE: _____

FILING FEE: \$ _____

APPLICANT INFORMATION

Applicant Name: _____ Phone: _____

Business Name: _____ Email: _____

Address: _____

Property Owner's Name: _____ Phone: _____

Business Name: _____ Email: _____

Address: _____

Representative's Name: _____ Phone: _____

Business Name: _____ Email: _____

Address: _____

PROPERTY AND PROJECT INFORMATION

Project to be known as: _____

Address or Property Location: _____

Acreage: _____ (Attach Legal Description) Existing Land Use: _____

County Parcel ID #(s): _____

Zoning District: _____

Proposed Use: _____

I certify that I own or control the property involved in this application, and that the information in this application is true and correct.

Signature of Applicant/Representative_____
Print Name_____
Date

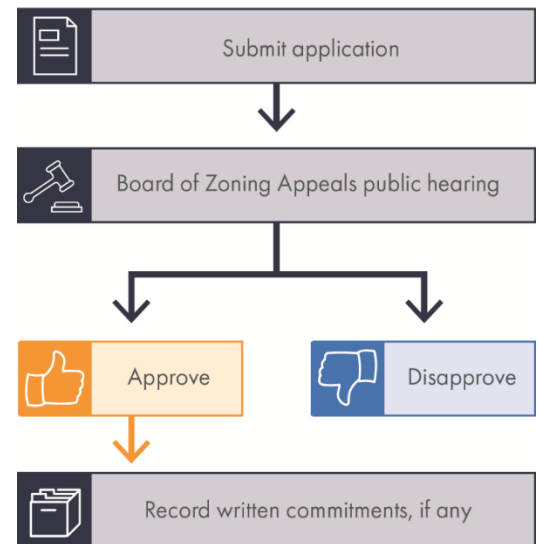
SPECIAL EXCEPTION APPLICATION INSTRUCTIONS

For comprehensive information on ***Special Exceptions***, please refer to ***Chapter 8 of the Unified Development Ordinance***.

A. Procedures

1. **Application:** Applications must be filed according to the schedule of meeting and filing deadlines. An applicant submits a completed application to the Administrator on forms provided by the Department with the filing fee and the required supporting information. The Administrator establishes the number of copies of complete applications and supporting documentation required to be filed.
2. **Action by the Administrator:** The Administrator reviews the application for completeness. Applications determined complete are docketed for a hearing by the BZA.
3. **Investigation of Application:** At the Administrator's discretion, the Technical Advisory Committee may review an application for special exception prior to the BZA's consideration.
4. **Public Notice:** Notification for the scheduled public hearing regarding the application must be completed consistent with the BZA's Rules of Procedure.
5. **Public Hearing:** At a public hearing, the BZA reviews the facts and circumstances of each application and supporting information. The applicant or applicant's representative must appear at the public hearing.

SPECIAL EXCEPTION PROCESS



B. **Decision Criteria.** The BZA may approve a special exception upon a determination in writing that the proposed use:

1. Is consistent with the vision, goals, and objectives of the Comprehensive Plan.
2. Complies with the requirements of this Ordinance.
3. Is compatible with the character of the general vicinity.
4. Can be adequately served by essential public facilities and services, such as streets, police and fire protection, drainage systems, refuse disposal, water and sewers, and schools.
5. Does not create circumstances detrimental to people, property, or the general welfare by producing excessive traffic, noise, smoke, fumes, glare, odor, or other conditions incompatible with the uses permitted in the zoning district. and
6. Allows orderly development of the surrounding property for uses permitted in the district.

C. **No Presumption of Approval.** The listing of a special exception on the Permitted Use Table does not constitute a presumption of approval. Each special exception is evaluated on an individual basis regarding compliance with the standards and whether the use is appropriate at the location and in the manner proposed.

D. **Resubmittal of Special Exception Application.** A special exception application denied by the BZA cannot be resubmitted for 12 months from the date of the denial, except when new evidence or information regarding changing circumstances or other relevant factors is submitted that might alter the decision. The Administrator determines if the new information constitutes a substantive change.

E. **Conditions of Approval.** Reasonable conditions may be imposed on the approval of a special exception to protect the public health, safety, and general welfare, ensure adequate public services can be provided, enhance compatibility with adjacent conforming land uses or activities, and protect natural resources.

- F. **Limitations of Approval.** Approval only authorizes the special exception at the premises where the approval was granted. It is not conditioned upon the property owner or operator of the approved use.
- G. **Effect of Approval.** The approval of a special exception does not authorize the development, construction, alteration, or moving of any building or structure. The approval authorizes the filing and processing of applications for permits or approvals required, such as approval of a site plan, improvement location permit, building permit, and certificate of occupancy.
- H. **Existing Use.** An existing use in a zoning district where such use is listed as a special exception may be permitted is considered a conforming use if the use meets the minimum lot area requirements of the zoning district. Any expansion of the special exception involving the enlargement of buildings, structures, and land area requires a new special exception approval.
- I. **Commitments.** The BZA may require the property owner to make written commitments concerning the use or development of the property per 8.23 Written Commitments.
- J. **Expiration.** Approval of a special exception expires 36 months after it is granted unless construction is complete, or commencement of the use has occurred. Prior to the expiration of the initial approval, the applicant may request in writing to the Administrator an extension of the approval period. The BZA may extend the approval 12 months or more upon finding there are no new conditions requiring reconsideration of the special exception.
- K. **Enforcement.** Violations of any conditions or commitments imposed on a special exception approval are subject to enforcement procedures.



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PROPERTY OWNER AFFIDAVIT

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath says 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 Name)

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

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

State of _____, County of _____, SS:

Notary Public Signature

Notary Public (Printed Name)



EXAMPLE PUBLIC NOTICE (BOARD OF ZONING APPEALS)

NOTICE IS HEREBY GIVEN THAT the Crawfordsville Board of Zoning Appeals will hold a public hearing on **Time of BZA Meeting**, at **Location of BZA Meeting**, to consider petition(s) **[insert docket #]**, filed by **[insert representative's name (if applicable)]** on behalf of **[insert applicant's or property owner's name]**. The request pertains to real estate comprising approximately **[insert #]** acres and generally located at **[insert address or intersection location]**, Crawfordsville, Indiana.

The request is for approval of a **[insert application type (e.g., Variance of Use, Variance of Development Standards, Special Exception)]** to allow **[insert project description]**.

Specific details regarding this request, including the application, file, and property legal description, may be obtained from the Planning & Building Services Department, or by calling 765-364-5152.

Written suggestions or objections relative to the request may be filed with the Planning & Building Services Department, at or before the public hearing. Interested persons desiring to present their views upon the request, either in writing or verbally, will be given the opportunity to be heard at the above mentioned time and place. Such hearing may be continued from time to time as may be found necessary.

Please review the agenda for this meeting on the City's website (www.crawfordsville.in.gov) immediately prior to the scheduled meeting time to confirm that this item has not been continued to the following meeting or that the meeting has not been cancelled.

APPLICANT:

[Enter contact information]

REPRESENTATIVE:

[Enter contact information]

City of Crawfordsville

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AFFIDAVIT OF NOTICE OF PUBLIC HEARING

Docket #: _____ Public Hearing Date: _____

Applicant's Name: _____

Representative's Name: _____ Company: _____

Project to be Known As: _____

Application Type: ☐ Standard Zoning District ☐ Planned Unit Development District ☐ Text Amendment
 ☐ Primary Plat ☐ Secondary Plat ☐ Site Plan ☐ Board of Zoning Appeals

PUBLIC NOTICE AFFIDAVIT

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath does hereby certify that notice of public hearing to consider above petition was sent by certified, registered or first class mail to the last known address of each of the following persons, as attached hereto as **Exhibit A**, they being all persons to whom notice was required to be sent by the Plan Commission or Board of Zoning Appeals' Rules of Procedure (as applicable), and that said notices were postmarked on the _____ day of _____, 20____, being at least ten (10) days prior the scheduled public hearing.

I (We) further certify that the notice required to be posted on the subject property described in the above petition was posted on the subject property in accordance with the Plan Commission's or Board of Zoning Appeals' Rules of Procedures (as applicable) on the _____ day of _____, 20____, being at least ten (10) days prior the scheduled public hearing.

Applicant/Representative (Signature)

Applicant/Representative (Printed Name)

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

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

State of _____, County of _____, SS:

Notary Public Signature

Notary Public (Printed Name)