

Board of Zoning Appeals – **VARIANCE**

Docket_____

(Note: “This Chapter” refers to Chapter 150

Date_____

Zoning Code of the City of Decatur)

Applicant_____

150.370 FINDINGS AND ACTIONS

The Board must determine that the granting of a **VARIANCE** will –

- not be contrary to the public interest
- applicant has fully demonstrated on the basis of the facts presented, a literal enforcement of the provisions of this chapter will result in unnecessary hardship
- the spirit of this chapter shall be observed and substantial justice done

In considering all appeals or variances to this chapter, the Board shall first determine that the granting of VARIANCE –

- (1) The granting of the variance will not permit any use in any district which would be in conflict with the permitted uses of the district under the terms of this chapter. **(YES, AGREE) OR (NO, DISAGREE)**

Comments_____

- (2) It will not impair an adequate supply of light and air to adjacent property. **(YES OR NO)** Comments_____

- (3) It will not unreasonably increase the congestion in public streets. **(YES OR NO)** Comments_____

- (4) It will not increase the danger of fire or of the public safety. **(YES OR NO)** Comments_____

- (5) It will not unreasonably diminish or impair established property values within the surrounding area. **(YES OR NO)** Comments _____

- (6) It will not in any other respect impair the public health, comfort, safety, morals, or welfare of the inhabitants of the city. **(YES OR NO)**

Comments_____

PURSUANT TO I.C. 36-7-4-918.5 -- **VARIANCE FROM DEVELOPMENT STANDARDS**

(7) Approval will not be injurious to the public health, safety, morals, and general welfare of the community. (YES OR NO)

Comments _____

(8) Use and value of the area adjacent to the property included in the variance will not be affected in a substantial adverse manner. (YES OR NO)

Comments _____

(9) Strict approval of the terms of the zoning ordinance will result in practical difficulties in the use of the property. (YES OR NO)

Comments _____

It is therefore the decision of this Board that the Petition for

(Variance) (Special Exception) is (granted) (denied)

subject to any condition stated herein.

Restrictions: _____

Adopted this ____ day of _____, 20____.

VOTES:

YEA

NAY

Stephen Hakes

Stephen Hakes

Bill Lynch

Bill Lynch

Greg Kitson

Greg Kitson

Bill Stuckey

Bill Stuckey

Dave Haggard

Dave Haggard

Board of Zoning Appeals – **SPECIAL EXCEPTION**

Docket _____
Date _____
Applicant _____

*(Note: "This Chapter" refers to
Chapter 150 Zoning Code
of the City of Decatur)*

150.260 THRU 150.290 PROCEDURE AND REQUIREMENTS

A **SPECIAL EXCEPTION** is required for uses of such an unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property and public facilities.

The Board may authorize a special exception for certain uses as defined in this chapter providing the applicant has provided information that the proposed special exception will be in compliance with all applicable conditions and requirements of this chapter.

- (1) The establishment, maintenance, or operation of the special exception will not be detrimental to or endanger the public health, safety, morals, or general welfare. **(YES, AGREE OR NO, DISAGREE)** Comments _____

- (2) The special exception will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property value within the neighborhood. **(YES OR NO)** Comments _____

- (3) 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. **(YES OR NO)** Comments _____

- (4) Adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided. **(YES OR NO)** Comments _____

- (5) Adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic congestion in the public streets. **(YES OR NO)** Comments _____

- (6) The special exception will be located in a district where such use is permitted and where all other requirements set forth in 150.193 applicable to the special exception will be met. **(YES OR NO)** Comments _____

It is therefore the decision of this Board that the Petition for
VARIANCE/SPECIAL EXCEPTION is (granted) (denied)
subject to any condition stated herein.

Restrictions: _____

Adopted this ____ day of _____, 20____.

VOTES:

YEA

NAY

Stephen Hakes

Stephen Hakes

Bill Stuckey

Bill Stuckey

Greg Kitson

Greg Kitson

Bill Lynch

Bill Lynch

Dave Haggard

Dave Haggard