

Petition for Variance Instructions

The Board of Zoning Appeals will approve or deny all petitions according to the Zoning Ordinance, but only in situations specified in the Zoning Ordinance. The Board may impose reasonable conditions as part of its approval. Petitioner should complete the Petition for Variance and return to the Zoning Administrator.

A complete application includes the following:

- Completed Petition for Variance form
- Legal description of the property
- Location map
- Scaled site plan
- Petition filing fee of \$125.00, made payable to the Town of Newburgh

Upon receipt of a completed petition, the Zoning Administrator will:

- Review the petition
- Determine the hearing date
- Produce a Notice of Public Hearing

The petitioner must then:

- Notify abutting property owners at least 10 days prior to the hearing via certified mail or hand delivery of the Notice of Public Hearing. Abutting Property Owner is defined as the "official owner of record, whose property is contiguous to the subject property; any property which would touch at any point the subject property ignoring all right of ways, easements, alleys, and the like." Names and addresses may be obtained from the Assessor's Office located at 8211 Bell Oaks Dr., Newburgh, IN.

24 Hours before the hearing Petitioner should

- Submit proof of notification to the Zoning Administrator in the form a certified mail return receipt card or affidavit of notification

Petitioner or someone representing petitioner will be required to attend the hearing at which the petition will be heard. If the petition is approved a document will be provided from the Zoning Administrator's Office which the petitioner must record. If the petition is denied, no other petition for variance, conditional use, or appeal for the subject property will be allowed for a period of 12 months after the date of the denial or withdrawal unless by unanimous vote by the Board of Zoning Appeals.