



CITY OF NEW ALBANY, INDIANA
NEW ALBANY CITY PLAN COMMISSION
NEW ALBANY BOARD OF ZONING APPEALS
SCOTT B. WOOD, DIRECTOR

Jeff M. Gahan, Mayor

SPECIAL EXCEPTION APPLICATION REQUIREMENTS

Fee: \$150.00 +\$10.00 (sign)

In order for the staff of the New Albany City Plan Commission to expedite your request in a timely fashion, 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, the staff will review the application at the next staff meeting (every Wednesday at 3:00 p.m.) to verify that all the required items in the checklist have been included. All items on the checklist provided must be submitted with the application or the request will not be assigned a Docket number. If items are missing, the applicant will be notified of the deficiency and the application will be held until the following month's meeting to allow the applicant time to submit those materials. If the applicant fails to submit the required items prior to the second deadline, a new application, including a new fee, will need to be submitted.
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 that fact. At that time, the remaining application fee will be due, and the public hearing signs will be issued (as applicable).

**All Fees Are
NON- REFUNDABLE**

Application Number _____

Docket Number _____

SPECIAL EXCEPTION

Fee: \$150+\$10 sign fee [\$160]

Docket Number: _____

Date Filed: _____

THE HONORABLE JEFF M. GAHAN, MAYOR, CITY OF NEW ALBANY, INDIANA
City Plan Commission and Board of Zoning Appeals
142 East Main Street, Suite 200
New Albany, Indiana 47150-3586
Phone: 1(812)948.5327 + Website: www.cityofnewalbany.com

§156.090 CERTAIN SPECIAL EXCEPTION USES PERMITTED.

Certain land uses, construction and operations are specified as special exceptions in §156.075 due to their extent, the nature of the operation, limited application, relationship to natural resources, relationship and effect on neighboring property, and relationship and regulation by both the zoning and non-zoning elements and objectives of the Master Plan. The special exception uses listed in §§156.075 through 156.079, and their accessory buildings and uses, may be permitted by the Board in the districts indicated in accordance with the procedures set forth in §156.091.

§156.091 PROCEDURE FOR SPECIAL EXCEPTION.

(A) On receipt of an application for a special exception by the property owner, the Building Commissioner shall refer such application to the Secretary of the Plan Commission for investigation as to the manner in which the proposed location and character of the special exception use will affect the Master Plan. The Plan Commission shall report its findings on the proposal to the Board of Zoning Appeals and, if the report is favorable to the proposal, the Board may, after public notice and hearing according to the law, grant the permit, including the imposition of conditions, restrictions, and requirements on the use which the Board deems essential to insure that the special exception is consistent with the spirit, purpose and intent of this chapter, will not substantially and permanently injure the appropriate use of neighboring property, and will not adversely affect the public health, safety, morals, and welfare.

(B) In considering the proposal for a special exception and imposing conditions, restrictions, and requirements, the Board shall consider, in addition to any other pertinent factors:

- (1) The avoidance of congestion and provision for traffic and other transportation.
- (2) The insurance from and provision for safety from any hazards associated with the proposal.
- (3) The avoidance of adverse effects to neighboring properties.

Statutory Reference: see *Indiana Code 36-7-4-918.2*

NOTE: An unfavorable recommendation by the New Albany City Plan Commission results in the special exception being denied. The Board of Zoning Appeals shall not hear the special exception.

SECTION ONE:

1.0 Address of Property: _____

1.1 Plat Number: _____ On Lot(s) Number: _____

1.2 Key Number: - - - - . -

1.3 Tax Identification Number: - -

SECTION TWO:

2.0 Name of Applicant: _____

2.1 Applicant's Address: _____
Street City State Zip

2.2 Applicant's Daytime Phone: _____

2.3 Applicant: OWNS LEASES OPTIONS the property for the special exception

SECTION THREE [Complete if the applicant does not own the property]:

3.0 Owner of Property: _____

3.1 Owner's Address: _____
Street City State Zip

3.2 Owner's Daytime Phone: _____

SECTION FOUR:

4.0 The Property is Zoned: _____

4.1 Size of the Property (in acres): _____

4.2 Lot Frontage Dimension (in feet): _____ Lot Depth Dimension (in feet): _____

SECTION FIVE:

5.0 What is the current use of the property? _____

5.1 I hereby make application for a special exception to permit: _____

5.2 What is the proposed use of the property? _____

5.3 How does the proposed special exception meet the following criteria?
(5.3.1) The avoidance of congestion and provision for traffic and other transportation.

(5.3.2) The insurance from and provision for safety from any hazards associated with the proposal.

(5.3.3) The avoidance of adverse effects to neighboring properties.

5.4 Has any other zoning application been previously filed on this property? YES NO

5.5 If YES, give Docket number, date, and describe:

5.6 Additional information:

SECTION SIX:

6.0 Plans prepared by: _____

6.1 Address: _____

6.2 Phone: _____

6.3 Acknowledgment:

By signing below, I acknowledge that the information provided by me is true and accurate to the best of my knowledge. In addition, by signing below, I hereby permit members of the New Albany City Plan Commission and/or New Albany Board of Zoning Appeals, as well as their staff, to enter onto the property for purposes of inspection. In continuance, I hereby state that I have provided a complete and accurate list of all adjacent property owners and their mailing addresses, (Exhibit 1, attached), as recorded in the Floyd County Assessors Plats. Finally, by signing below, I acknowledge receipt of two (2) public hearing signs that I agree to post and maintain in **conspicuous places** on the property for the special exception **15 days prior to the public hearing**.

Printed name of **APPLICANT**

Signed name of **APPLICANT**

Printed name of **OWNER**

Signed name of **OWNER**

OFFICE USE ONLY — Do Not Write Below This Line

Plan Commission Meeting Date: _____ Favorable Unfavorable

Board of Zoning Appeals Public Hearing Date: _____

Public Hearing Signs issued by: _____

Application Certified Complete by:

_____ Date: _____

The Board Approved Approved with Conditions Denied Accepted Withdrawal

Adjacent Property Owners

- 1. Owner's Name(s) _____
Mailing Address _____

- 2. Owner's Name(s) _____
Mailing Address _____

- 3. Owner's Name(s) _____
Mailing Address _____

- 4. Owner's Name(s) _____
Mailing Address _____

- 5. Owner's Name(s) _____
Mailing Address _____

- 6. Owner's Name(s) _____
Mailing Address _____

- 7. Owner's Name(s) _____
Mailing Address _____

- 8. Owner's Name(s) _____
Mailing Address _____

If additional space is needed, please copy and attach separate page.