



**City of New Albany, Indiana
City Plan Commission
Special Exception**

142 East Main Street, Suite 200
New Albany, IN 47150
812-948-5327

www.cityofnewalbany.com

Date Stamp

SPECIAL EXCEPTION

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

Docket #: _____

Date Filed: _____

CERTAIN SPECIAL EXCEPTION USES PERMITTED.

Certain land uses, construction and operations are specified as special exceptions 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 Comprehensive Plan.

PROCEDURE FOR SPECIAL EXCEPTION.

(A) On receipt of an application for a special exception by the property owner, the Planning Director 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 Comprehensive 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.

All fees are NON-REFUNDABLE

Docket #: _____

SECTION ONE:

1.0 Address of Property: _____

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

1.2 Parcel Number: - - - - . -

SECTION TWO:

2.0 Name of Applicant: _____

2.1 Applicant's Address: _____
Street City State Zip

2.2 Applicant's Phone #: _____

2.3 Applicant: ☐ OWNS ☐ LEASES ☐ OPTIONS the property for the variance

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 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?

Docket #: _____

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:

Date of Zoning Action: _____ Docket No(s).: _____

Results: _____

(5.6) Additional Information: _____

SECTION SIX:

6.0 Plans prepared by: _____

6.1 Address: _____
Street City State Zip

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 Plan Commission and/or Board of Zoning Appeals, as well as their staff, to enter onto the property for purposes of inspection. 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**

Docket #: _____

OFFICE USE ONLY

Plan Commission Meeting Date: _____ **Favorable** **Unfavorable**
Board of Zoning Appeals Public Hearing Date: _____

Signs issued by: _____ **Date:** _____

Application taken by: _____ **Date:** _____

The Board: ☐ Approved ☐ Approved with Conditions ☐ Denied ☐ Accepted ☐ Withdrawal