

# Jamestown BZA Application Packet

Contact: Administrator (317) 258-8046, [DLuzier@INcodecrafters.com](mailto:DLuzier@INcodecrafters.com)

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This application packet is for petitions under the jurisdiction of the Jamestown Board of Zoning Appeals and includes:

- **Variance** - A modification of the specific requirements or standards of the zoning ordinance.
- **Special Exception** - approval of a land use that would be permitted in the subject zoning district provided it meets certain conditions.
- **Use Variance** – approval of a specific land use that is not otherwise permitted in the subject zoning district.
- **Use Classification** – the classification of a land use that is neither listed nor similar to any use listed in the zoning ordinance.
- **Appeals** – an appeal of the Administrator’s review, decision, or determination in the enforcement of the zoning ordinance.

## Step 1: Pre-Application.

At least one week prior to the intended filing of the petition, the applicant must discuss the potential application with the Administrator for the purpose of becoming familiar with requirements, submittals, procedures, deadlines, and hearings. Contact the Administrator by calling (317) 258-8046 or emailing [DLuzier@INcodecrafters.com](mailto:DLuzier@INcodecrafters.com).

## Step 2: Making Application.

The applicant must make an appointment with the Administrator to file an application by calling (317) 258-8046 or emailing [DLuzier@INcodecrafters.com](mailto:DLuzier@INcodecrafters.com). A complete application and all required attachments are to be submitted by the date shown on the Application Schedule. At this time, the Administrator will review the application to determine whether the application is complete. If the application is not complete, it will be returned to the applicant with the deficiencies identified. Applications submitted or completed after the posted submittal deadline will be placed on the application cycle for the next regular meeting.

### Step 3: Submittal Checklist\*

	Variance	Special Exception	Use Variance	Use Classification	Appeals
1. Application Fee	\$800 (+\$50 for each additional variance)	\$800 (+\$50 for each variance)	\$800	\$400	\$400
2. Application Form	✓	✓	✓	✓	✓
3. Town Location Map	✓	✓	✓	✓	✓
4. Aerial Map of Site	✓	✓	✓	✓	✓
5. List of Adjacent Property Owners	✓	✓	✓	✓	✓
6. Site Plan	✓	✓	✓	✓	✓
7. Narrative	✓	✓	✓	✓	✓
8. Legal Description with Drawing	✓	✓	✓	✓	✓
Attachment A: Consent of Property Owner	✓	✓	✓		✓
Attachment B: Standards for Evaluating a Variance	✓				
Attachment C: Standards for Evaluating a Special Exception		✓			
Attachment D: Standards for Evaluating a Use Variance			✓		
Attachment E: Standards for Classifying a Use				✓	
Attachment F: Information for Appeal					✓

1. Application Fee. Make checks payable to "Town of Jamestown."
2. Application Form. All items must be fully completed and signed by the applicant(s) and notarized.
3. Town Location Map. Submit a map of the Town formatted for 8 ½"x11" in size, showing where the property is generally located in Town of Jamestown, making sure major streets are labeled.
4. Aerial Map of Site. Submit an aerial map of the subject parcel formatted for 8 ½" x 11" in size, showing all properties adjacent to the parcel. The map can be obtained from Google Earth or other similar aerial mapping programs. Be sure to outline the subject parcel.
5. List of Adjacent Property Owners. Obtain a list of all surrounding property owners whose property is within 600 feet and at least two (2) parcels deep from all portions of the subject parcel. The list can be obtained from either:
  - Boone County Auditor's Office, 201 Courthouse Square, Lebanon, IN 46052; (765) 482-2940
  - Hendricks County Auditor's Office, 355 S Washington St, Danville, IN 46122; (317) 745-9300
6. Site Plan. Submit a basic site plan formatted for 8 ½" x 11" in size, showing the basic layout of the proposed development for duplication purposes.
7. Narrative. A Narrative describing the nature of the application, land use, and proposed development including number of lots, hours of operation, number of employees, anticipated traffic generation, and the dates/details of previous construction/permits if applicable. Also include a bulleted statement of the history of the project (annexation, rezoning, platting, amendments, approvals, etc.)
8. Legal Description with Drawing. A land description of the written words delineating the property and a corresponding drawing with dimensions and bearings. For the electronic version, the legal description should be a PDF generated directly from a Word document so that the text is crisp and clear.
9. Attachments A - F. Complete necessary attachments per the respective instructions contained on each form.

## **Step 4: Notifying the Public**

State Law and the Rules and Procedures for Jamestown's BZA require you to notify the public of the hearing in two separate ways: by newspaper and by notifying property owners that surround the subject property. The Administrator will prepare the notices, and the applicant is responsible for publishing/mailing as well as the associated costs.

### ***Notification by Newspaper***

Publish the newspaper notification prepared by the Administrator one time in the newspaper listed below per the Public Notice Deadline on the Application Schedule. Failure to meet the publishing deadline will delay the hearing of your petition. Be certain to obtain a "Proof-of-Publication" affidavit from the newspaper for your advertisement. This affidavit and *Form 1: Affidavit of Notification* must be turned in to the Administrator prior to the hearing.

- Boone County - Lebanon Reporter. Published daily. (765) 482-4650.
- Hendricks County - The Republican. Published weekly. (317) 745-2777.

### ***Surrounding Property Owner Notification***

The Petitioner must notify all property owners within 600 feet of the subject property.

The surrounding property owner notification prepared by the Administrator must be mailed by First Class Certificate of Mailing (NOT certified mail). Certificate of Mailing provides evidence that mail has been presented to the post office for mailing. Use *Form 2: Adjacent Property Owners Notified by Mail* for listing those notified. All letters must be postmarked by the Public Notice Deadline on the Application Schedule. A copy of Form 2 with the Post Office stamp along with *Form 1: Affidavit of Notification* must be turned in to the Administrator prior to the hearing.

## 2025 Application Schedule

The following table depicts the deadlines for petitions before the Jamestown BZA. Deviations from this schedule are not permitted without requesting approval from the BZA to waive their *Rules and Procedures*.

Application Submittal	Deadline for Submitting Additional Info or Revisions to the File	Public Notice Deadline	Staff Report Published	BZA Hearing
Nov 18, 2024	Dec 16, 2024	Dec 18, 2024	Dec 24	Jan 2
Dec 23, 2024	Jan 20	Jan 22	Jan 30	Feb 6
Jan 20	Feb 17	Feb 19	Feb 27	Mar 6
Feb 17	Mar 17	Mar 19	Mar 27	Apr 3
Mar 17	Apr 14	Apr 16	Apr 24	May 1
Apr 21	May 19	May 21	May 29	Jun 5
May 19	Jun 16	Jun 18	Jun 26	Jul 3
Jun 23	Jul 21	Jul 23	Jul 31	Aug 7
Jul 21	Aug 18	Aug 20	Aug 28	Sept 4
Aug 18	Sept 15	Sept 17	Sept 25	Oct 2
Sept 22	Oct 20	Oct 22	Oct 30	Nov 6
Oct 20	Nov 17	Nov 19	Nov 26	Dec 4

- Application Submittal: The filing deadline is 3:00pm on the date indicated. Call (317) 258-8046 or email [dluzier@INcodecrafters.com](mailto:dluzier@INcodecrafters.com) to make an appointment to file your application. Application meetings are generally done electronically.
- TAC Meeting: When required and conducted in person, the Technical Advisory Committee Meetings are held at the Jamestown Town Hall, 421 E Main St, Jamestown, IN on the dates indicated.
- Deadline for Submitting Info/Revisions to the File: After a complete application has been received and given a file number, revisions or additions to the plans and/or file must be submitted by 3:00pm on the date indicated in order to remain on the current application schedule. Revisions shall be submitted electronically with a cover letter noting the file number and an explanation to the attention of the Administrator at [dluzier@INcodecrafters.com](mailto:dluzier@INcodecrafters.com).
- Public Notice Deadline: Deadline to publish public notice in the newspaper and postmark mailings to surrounding property owners.
- Staff Report Published: On the date indicated, Staff Reports will be emailed directly to the Jamestown BZA and the Applicant/Owner.
- Submit Proof of Public Notice: Submit Forms 1 and 2 as proof of adequate public notice of the hearing. Forms shall be submitted electronically with a cover letter to the attention of the Administrator at [dluzier@INcodecrafters.com](mailto:dluzier@INcodecrafters.com).
- BZA Hearing: Unless otherwise noticed, BZA Meetings are held at 6:00pm at the Jamestown Town Hall, 421 E Main St, Jamestown, IN 46147.

# BZA Application

This application is being submitted for (check all that apply):

- ☐ Variance      ☐ Special Exception  
☐ Use Variance      ☐ Use Classification  
☐ Appeal

## Applicant Info

Name	
Street Address	
City, State, Zip	
Primary Contact Person regarding this petition	
Phone	E-Mail
Other Contact Name	E-Mail

## Property Owner

Name	
Street Address	
City, State, Zip	
Phone	E-Mail
Applicant is (circle one):    Sole owner    Joint Owner    Tenant    Agent    Other (specify)	

## Premises Affected

10-digit Parcel Number				
Actual/approximate address or location from major streets				
Subdivision			Lot Number(s)	
Total Acreage		Flood Zone on Site?		
Zoning of Subject Property		Use of Subject Property		
Proposed Zoning		Proposed Land Use		
Zoning of Adjacent Properties	North:	South:	East:	West:
Land Use of Adjacent Properties	North:	South:	East:	West:

## Notarization

The above information and attached exhibits, to my knowledge and belief, are true and correct.

Signature of Applicant	
Notary Public's Name (printed)	Signature of Notary
My Commission Expires State County	Subscribed and sworn to before me this ____ day of _____, 20____.

## Attachment A: Consent of Property Owner

***Complete and submit if applicant is different from property owner.***

I (we)

NAME(S)

After being first duly sworn, depose and say:

- That I/we are the owner(s) of the real estate located at I (we)

ADDRESS

- That I/we have read and examined the Application and are familiar with its contents.
- That I/we have no objection to, and consent to such request as set forth in the application.
- That such request being made by the applicant (\_\_\_\_is) (\_\_\_\_is not) a condition to the sale or lease of the above referenced property.

(AFFIANT)

[illegible]

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

, Notary Public

My Commission expires: \_\_\_\_\_ County of Residence: \_\_\_\_\_

## Attachment B: Standards for Evaluating a Variance

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Use the following form or attach a separate sheet(s) to explain the Variance request. Use a new sheet for each variance requested. The BZA's decision shall be based upon how each of the following statutory requirements is justified in the request.

### ***Petition Information***

Describe the proposed use of the property (type of use, hours of operation, access, necessary construction, employees, etc.):

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### ***Standards for Evaluation***

1. The variance will not be injurious to the public health, safety, morals, and general welfare of the community because...
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2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because...
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3. The strict application of the terms of the ordinance will result in practical difficulties in the use of the property because...
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# Attachment C: Standards for Evaluating a Special Exception

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Use the following form or attach a separate sheet(s) to explain the Special Exception request. The BZA's decision shall be based upon how each of the following statutory requirements is justified in the request.

## ***Petition Information***

Describe the proposed use of the property (type of use, hours of operation, access, necessary construction, employees, etc.):

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## ***Standards for Evaluation***

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 because...
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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 because...
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3. The establishment of the Special Exception will not impede or substantially alter the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district because...
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4. Adequate utilities, access road, drainage, and other necessary facilities have been or are being provided, such as...
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5. Adequate measures have been or will be taken to provide entrance/exit to the property to minimize traffic congestion on the public roadways, and described as...
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6. The special exception is permitted in and will be located in the _____ zoning district. I have reviewed all of the applicable development standards for this district and for this particular use and they will be met.
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<input type="checkbox"/> YES, all of the standards will be met.
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<input type="checkbox"/> NO, the following standards cannot be met and will be remedied as follows:
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# Attachment D: Standards for Evaluating a Use Variance

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Use the following form or attach a separate sheet(s) to explain the Use Variance request. The BZA's decision shall be based upon how each of the following statutory requirements is justified in the request.

## ***Petition Information***

Describe the proposed use of the property (type of use, hours of operation, access, necessary construction, employees, etc.):

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## ***Standards for Evaluation***

1. The approval of the Use Variance will not be injurious to the public health, safety, morals, and general welfare of the community because...
2. The use and value of the area adjacent to the property included in the Use Variance will not be affected in a substantially adverse manner because...
3. The need for the Use Variance arises from a condition peculiar to the property involved, and is more clearly described as...
4. The strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought, and is more clearly described as...
5. The Comprehensive Plan describes this area as...  The approval does not interfere substantially with the Comprehensive Plan because...

# Attachment E: Standards for Classifying a Use

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Use the following form or attach a separate sheet(s) to explain the Use to be classified. The BZA's decision shall be based upon how each of the following statutory requirements is justified in the request.

## ***Petition Information***

Describe the proposed use of the property (type of use, hours of operation, access, necessary construction, employees, etc.):

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## ***Standards for Evaluation***

1. The subject use and its operations are compatible with the uses permitted in the district wherein it is proposed to be located, and are further described as...
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2. The subject use is similar to one or more uses permitted in the district within which it is proposed to be located. The best example of a similar use is _____  and it is similar in the following ways...
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3. The subject use will not cause substantial injury to the values of property in the neighborhood or district within which it is proposed to be located because...
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4. The subject use will be designed, located, and operated to protect the public health, safety, and general welfare in the following ways...
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# Attachment F: Information for Appeal

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Use the following form or attach a separate sheet(s) to explain the nature of the Appeal.

The BZA shall hear and determine appeals from and review any order, requirement, decision, or determination made by the Administrator in the enforcement of the UDO. In exercising its powers, the BZA may reverse or affirm (wholly or partly), or may modify the order, requirement, decision, or determination appealed and to that end shall have all of the powers of the Administrator from whom the appeal is taken.

When an appeal has been filed, all proceedings, operation, and work on the premises concerned must stop, unless the official from whom the appeal was taken shall certify to the BZA that, by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings or work shall not be stayed except by a restraining order, which may be granted by a circuit or superior court of the county in which the premises affected are situated, on notice to the office or board from whom the appeal is taken and the owner of the premises affected, and on due cause shown.

***Petition Information***

Itemize the subject of the appeal and identify Zoning Ordinance citations where applicable:

Document/ Citation / Requirement	Administrator's Interpretation	Applicant's Position

# Form 1: Affidavit of Notification

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***Submit this Form two days prior to the hearing along with proof of publication and proof of mailing.***

I (we)

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After being first duly sworn, depose and say:

- That I have notified in person or by First Class U.S. Mail all owners of property located within a 600-foot radius of my property located at \_\_\_\_\_.
- That the said property owners were informed by me of the filing of the petition and of the nature of said application, as directed in the application packet "Notifying the Public," which is part of the Rules and Procedures of the Plan Commission and/or BZA as described;
- That the said property owners were notified that the BZA/PC will hold a public hearing regarding this application on the date of \_\_\_\_\_, at 6:00pm/6:30pm; and
- That the names and addresses of said property owners so notified are listed on a separate paper which is a part of this Affidavit.

And further the Affiant sayeth not.

\_\_\_\_\_  
(AFFIANT)

STATE OF INDIANA    )  
                                  ) SS:  
COUNTY OF \_\_\_\_\_ )

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
, Notary Public

My Commission expires: \_\_\_\_\_ County of Residence: \_\_\_\_\_

## Form 2: Adjacent Property Owners Notified by Mail

*If property owners are to be notified by mail, either complete this form or provide a list with the same information. Make additional copies if necessary.*

Name and Address of Sender			Type of Mail: <input type="checkbox"/> Certified Mail <input type="checkbox"/> Certificate of Mailing ONLY	
Line	Name & Address	Postage	Fee	Remarks
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
Total number of pieces listed by sender:		Total number of pieces received at Post Office:	POSTMASTER, (name of receiving employee)	
Affix stamp here if issued as certificate of mailing or for additional copies of this bill. POSTMARK AND DATE OF RECEIPT:			Page _____ of _____	