

Attachment E: Development Standard Variance

Town of Upland, Indiana Advisory Plan Commission

This attachment is to be used for applicants seeking to modify development standards presented by the zoning ordinance. These standards include, but are not limited to, setbacks, landscaping, etc.

Please state the existing development standard, its location in the ordinance, and the proposed alternative standard. Please complete one copy of this attachment for EACH variance requested.

Existing Zoning: _____ Ordinance Location: _____

Existing Standard:

Proposed New Standard:

Reason for New Standard:

Under IC 36-7-4-918.5, the following criteria will be used to evaluate an application for a development standards variance:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community:

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner:

3. The strict application of the terms of the zoning ordinance will result in a practical difficulty in the use of the property:

IMPORTANT:

Before approval of a proposal involving a structure regulated under IC 8-21-10 may become effective, the Board of Zoning Appeals must have received:

1. A copy of:
 - a. The permit for the structure issued by the Indiana Department of Transportation; or
 - b. The Determination of No Hazard to Air Navigation issued by the Federal Aviation Administration; and
2. Evidence that notice was delivered to a public use airport as required in IC 8-21-10-3 not less than sixty (60) days before the proposal is considered.