

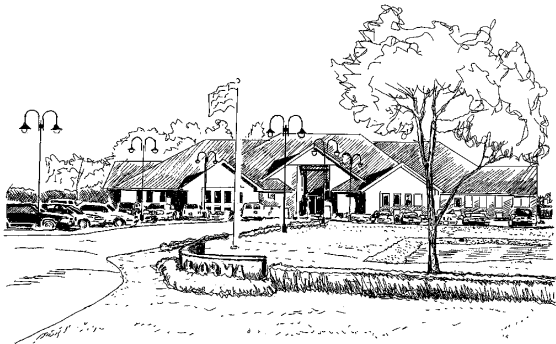
THE BOARD OF ZONING APPEALS

APPLICATION AND FEES

THE APPEALS PROCESS



The Board of Zoning Appeals (BZA) and the Hearing Officer hear, review, and act on cases where an exception to the requirements of the City of Fort Wayne or Allen County Zoning Ordinance is desired. The BZA is made up of 5 citizen volunteer members and meets once each month. The Hearing Officer is a Department of Planning Services staff member who hears and acts on certain types of cases.



A complete application includes:

- Application Forms
- Current Property Owner's Signature
- Site Plan and Legal Description
- Sign Rendering (if applicable)
- Filing Fee

| Request Type | City | County |
|--|--|--------|
| Use Variance | \$ 500 | 350 |
| • Renewal or Change | 100 | 250 |
| Contingent Use | 300 | 350 |
| • Renewal or Change | 100 | 250 |
| Development Standards | | |
| • Residential | 50 | 250 |
| • Non-residential | 100 | 250 |
| • Signs (residential) | 300 | 250 |
| • Signs (non-residential) | 100 | 250 |
| Special Use/Exception | | |
| • Residential | 150 | 350 |
| • Non-residential | 250 | 350 |
| • Towers | 600 | 350 |
| • Renewal or Change | 100 | 250 |
| Appeals of the Zoning Administrator | 400 | 480 |
| Appeals of the Hearing Officer | Same as Original Fee | 480 |
| Additional Development Standards Variances on Same City Property | 25 (residential) 50 (non-residential) | |

Fees are due at the time of application and payable in cash or by check. Make checks payable to the Allen County Treasurer.

A completed application must be submitted to the planning staff before the monthly application deadline. The applicant does not need to be the property owner, but the owner's signature is required on the form. The planning staff is generally at hand to answer questions, and a notary public is usually available. Applications to the Board may be limited to 10 each per month.

A map, site plan, or other document (showing the property lines, all structures, easements, and proposals) is required – a survey or sealed blueprint is preferred, but not mandatory. Variances involving signs require a measured rendering of the sign. Additional information is also required for requests for manufactured homes, towers, and other special requests.

Upon receipt, the planning staff will process the application, research, review the request, and publicize the upcoming public hearing (including posting a sign at the property, notifying affected neighborhood associations, and placing a legal advertisement in the newspaper).

At the monthly public hearing, the cases will be heard and the applicant will have an opportunity to explain their request. Supporters, dissenters, and those with questions are then provided an opportunity to address the Board or Hearing Officer. The applicant is given an opportunity for rebuttal.

The Board and Hearing Officer generally make their decision that day. Letters are sent confirming the decision following the meeting.

TYPES OF APPEALS



- **Variance of Development Standards**
Requests for exceptions to physical construction requirements such as setbacks from property lines, heights, sign requirements, fencing, etc.
- **Special Use/Special Exceptions**
Requests for uses that are available only in certain zoning districts with the Board's approval. Examples include manufactured homes, certain businesses, communication towers, and some home enterprises.
- **Contingent Use**
Requests for uses that are available in any zoning district, but only with the Board's approval. Examples include airports, cemeteries, educational facilities, and health care facilities.
- **Use Variance**
Requests to allow uses that are not permitted by the Zoning Ordinance in a particular district. Examples include some businesses in residential zones, or industrial uses in commercial zones.
- **Appeals of Decisions**
Decisions of the Zoning Administrators and the Hearing Officers may be appealed to the Board of Zoning Appeals.



For further information, please contact:

Department of Planning Services
1 East Main Street, Room 630
Fort Wayne, Indiana 46802
(260) 449-7607
(260) 449-7682 – fax

www.cityoffortwayne.org

www.co.allen.in.us

Department of Planning Services

Board of Zoning Appeals & Hearing Officer

Application Process and Procedures

