

Standard of Review for Zoning Amendments

Per §93.178, Section (F), Items 1-7 of the Madison County Zoning Ordinance, the Zoning Board of Appeals shall consider the following items when reviewing a Zoning Map Amendment:

1. The effect the proposal would have on the county comprehensive plan;
2. The effect the development would have on schools, traffic, streets, shopping, public utilities, and adjacent properties;
3. Is the application necessary for the public convenience at that location;
4. In the case of an existing nonconforming use, will a special use permit/map amendment make the use more compatible with its surroundings;
5. Is the application so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected;
6. Will the application cause injury to the value or other property in the neighborhood in which it is located; and,
7. Will the special use be detrimental to the essential character of the district in which it is located?

Standard of Review for Special Use Permits

As per §93.178, Section (F), Items (1-7), below are the seven (7) consideration items listed in the Zoning Ordinance that the Zoning Board of Appeals shall take into account while reviewing a SUP request:

1. The effect the proposal would have on the county comprehensive plan;
2. The effect the development would have on schools, traffic, streets, shopping, public utilities, and adjacent properties;
3. Whether the application is necessary for the public convenience at that location;
4. In the case of an existing nonconforming use, whether a special use permit would make the use more compatible with its surroundings;
5. Whether the application is designed, located, and proposed to be operated in a manner that protects the public health, safety, and welfare;
6. Whether the application will cause injury to the value of other property in the neighborhood in which it is located; and,
7. Whether the special use would be detrimental to the essential character of the district in which it is located.

Standard of Review for Variances

Per §93.177, Section (I), Items 1-4 of the Madison County Zoning Ordinance, the Zoning Board of Appeals shall ensure that the following conditions are met when considering a Variance request:

1. That there are special circumstances or conditions as fully described in the findings, applying to the land or buildings for which the variance is sought, which circumstances or conditions are peculiar to such land or building and do not apply generally to the land or buildings in the surrounding area, and that circumstances or conditions are such that strict application of this Zoning Code would deprive the applicant of a reasonable permitted use of the land or building; and,
2. That, for reasons fully set forth in the findings, the granting of the variance is necessary for the reasonable use of land or buildings, and that the variance is the minimum variance that will accomplish this purpose; and,
3. That the granting of this variance would be in harmony with the general purpose and intent of this Zoning Code, and will not be injurious to the surrounding area or otherwise detrimental to the character and use of adjoining buildings and those in the vicinity, the Board, in making its findings, shall take into account whether the condition of the subject premises is peculiar to the lot or tract described in the petition or is merely part of the general condition of the area.
4. No Variance shall be approved that constitutes a variation in use not permitted in the district.

ZONING HEARING APPLICATION

Project Information

File Number: _____ Submittal Date: _____

Address/General Location of the property: _____

Parcel I.D. Number: _____ Legal Description: Lot _____ Block _____ Tract _____

Subdivision Name: _____

Contact Information

Applicant Name: _____

Mailing Address: _____

Daytime Phone: _____ Cell Phone: _____ Fax Number: _____

Email: _____

Property Owner Name: _____

Mailing Address: _____

Daytime Phone: _____ Cell Phone: _____ Fax Number: _____

Email: _____

Project Manager/Representative: In order to reduce confusion, planning staff request that one contact person be designated to discuss issues concerning this petition.

Project Manager/Representative Name: _____

Mailing Address: _____

Daytime Phone: _____ Cell Phone: _____ Fax Number: _____

Email: _____

Type of Zoning Request (fill in what applies)

Variance:

Minor Bulk Variance: Yes ____ No ____

Proposed Bulk Variance(s): _____

Special Use Permit:

Proposed Special Use Permit(s): _____

Zoning Map Amendment (Rezoning)

Existing Zoning: _____ Proposed Zoning: _____

Size of parcel involved in the zoning change: _____

Describe existing use of property: _____

Describe proposed use of property: _____

Flood Zone: Yes ____ No ____ If yes, which zone? _____ Panel Number: _____

Declaration

I, the applicant, of the above legally described property on which the zoning change is proposed, has provided answers to the questions herein that are true to the best of my knowledge. I have been granted permission by the property owner(s) of the above legally described property to apply for a zoning change on said property. By virtue of my application for a zoning change, I do hereby declare that the appropriate appointed and elected officials responsible for the review of my application are given permission to visit and inspect the property proposed for a zoning change in order to determine the suitability of the request.

Applicant Signature

Date

Owner Signature

Date

Owner Signature

Date

Staff Signature

Date

Office Use Only:

Intake Clerk: _____ Fee Amount: \$ _____ Payment Type: _____

ZBA Date: _____ P&D Date: _____ County Board Date: _____

Plot Plan

Please show the following items on the plot plan below:

- North arrow
- Sketch of property with exact dimensions
- Location of roadways (public and private)
- Location of all existing and proposed structures (show distance to property lines and between structures)
- Utility locations, including water line and overhead or underground electric lines
- Location of sewer treatment systems and lateral lines for lots without public sewers
- Supplemental information or details relevant to the zoning petition

