



MAR 2 20 2:28PM

Docket # 2020-UV-02

Apr. 6 hearing
327 legal

Town of Cumberland, Indiana
Department of Planning & Development

**APPLICATION FOR A
VARIANCE OF USE**

Applicant(s): Ron + Jennye Sanders Telephone: 317-502-4050
Address: 7183 W. US 40 Fax: _____ Email: sandfam@ameritech.net
Cumberland, IN 46229
Owner(s): Ron + Jennye Sanders Telephone: 317-502-4050
Address: 7183 W US 40 Fax: _____ Email: sandfam@ameritech.net
Cumberland IN 46229

Property Location: 7183 W. US 40
Street Address: 7183 W. US 40 Cumberland IN 46229
Nearest Street Intersection: US 40 + 700^W
Section: _____ Township: SC Range: _____ Parcel Number(s) 30-09-02-400-010
30-09-02-400-010-05

Existing Zoning Classification

- | | |
|--|---|
| <input type="checkbox"/> A-1 Agricultural District | <input type="checkbox"/> R-6 Residential District |
| <input type="checkbox"/> C-1 Conservation District | <input checked="" type="checkbox"/> B-1 Business District |
| <input type="checkbox"/> R-1 Residential District | <input type="checkbox"/> B-2 Business District |
| <input type="checkbox"/> R-2 Residential District | <input type="checkbox"/> I-1 Industrial District |
| <input type="checkbox"/> R-3 Residential District | <input type="checkbox"/> I-2 Industrial District |
| <input type="checkbox"/> R-4 Residential District | <input type="checkbox"/> PUD Planned Unit Development |
| <input type="checkbox"/> R-5 Residential District | |

Existing Land Use: single family home

Surrounding Land Use: North R South C East C West C

Previous Planning/Zoning Approvals: _____

Brief Description of variance(s) requested: Requesting a variance to
allow single family use to continue



Town of Cumberland, Indiana
Department of Planning & Development

**REQUIREMENTS FILING AN APPLICATION
FOR VARIANCE OF USE**

A complete application shall include the following items to be considered complete:

1. ☒ One (1) completed checklist **signed and dated**. (Attach completed copy of this form.) Mark all items N/A (Not Applicable) which don't apply to your project.
2. ☐ One (1) completed application form: typewritten, signed by the owner or an authorized agent of the subject property, notarized and filed at least thirty (30) days before the date of the Board of Zoning Appeals meeting. If application is not complete, staff reserves the right to deny the request to be placed on the Agenda.
Be sure to include:
 - Project Name
 - Acres
 - Project Address
 - Number of Lots/Parcels
 - Section, Township, Range
 - Nearest intersection
 - Key/Parcel number(s)
 - Current zoning classification
 - Existing land use
 - Previous planning/zoning approvals
 - Applicable provision of ordinance
 - Surrounding land use
3. NA If the applicant is not the owner, one (1) signed and notarized copy of the Letter Granting Authority for an Agent.
4. ☐ One (1) copy of the legal description of property.
5. ☐ One (1) copy of the Letter of Intent. This should include a brief description of the project and facts supporting the request.
6. ☒ A completed Findings of Fact for a Variance of Use form.
7. ☐ Two (2) copies of a property survey, certified by a registered land surveyor, showing existing lot lines and dimensions as well as lot area, all easements, all public and private rights-of-way and all streets across and adjacent to the subject property.
8. NA A sketch plan, drawn to scale showing all proposed construction of development.
9. ☐ One (1) completed Public Notification Letter to be sent to adjacent property owners.
10. ☒ A list of adjacent property owner(s) and completed sample notification letter.
11. ☐ Completed and notarized Affidavit of Notice to Interested Parties.
12. ☒ Nonrefundable application fee. (Check must be made payable to the "TOWN OF CUMBERLAND").

Ron Sanders

Signature of Person Completing Application

2-26-20

Date



Town of Cumberland, Indiana
Department of Planning & Development

CONTACT INFORMATION

The person indicated below will receive all correspondence between the Staff and the applicant. It shall be the responsibility of the contact person to provide copies of information to other interested parties.

Indicate the Contact Person to be notified in the event additional information is required, to schedule meetings, receive Plan Commission Staff Letters and Recommendations, and to received the Plan Commission's Findings of Fact:

Please type or print legibly.

Business Name: _____

Contact Person: Ron Sandus

Address: 7183 W. US 40

Cumberland, IN 46229

Daytime Phone: 317-502-4050 Fax Number: _____

Email: SandusR@ameritech.net



Town of Cumberland, Indiana
Department of Planning & Development

Legal Description of the subdivision must be attached to the application.

I (We) do hereby apply for approval of the variance of use in accordance with the provisions of the Comprehensive Plan and Zoning Ordinance of Cumberland, Indiana. I (We) am (are) the owner(s) of the real estate included in the proposed subdivision. The undersigned, having been duly sworn on oath states the above information is true and correct as (s) he is informed and believes.

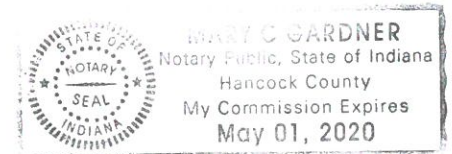
I (We) also understand that the application fee does not include the fees associated with design review and/or construction management review. Fees for design review and/or construction management review are the direct responsibility of the applicant payable directly to the engineering firm(s) specified by the Town at rates set out by various agreements and/or ordinances of the town, for services, inspections, reports, and the like required by the Town.

2-14-20
Date

Ronnie Sanders
Signature of Owner(s) or Agent

Signature of Owner(s) or Agent

STATE OF INDIANA }
 } SS:
COUNTY OF HANCOCK }



Subscribed and sworn to before me this 20th day of February, 20 20

✓ Mary C Gardner
Notary Public: Signature

Mary C Gardner
Notary Public: Printed Name

My Commission Expires: 5/1/20

Residing in Hancock County

FOR OFFICE USE ONLY

Date Received: _____

Fee Paid: _____

Received By: _____

Application # _____

Town of Cumberland, Indiana
Department of Planning & Development**FINDINGS OF FACT
VARIANCE OF USE**Project Name: 7183 W US 40
Cumberland IN 46229
Requested Variance: Residential

The petitioner seeking a variance from the development standards before the Board of Zoning Appeals must answer the following five (5) questions and provide any documentation that may support the findings. (These may serve as the basis for the written Findings of Fact for this petition)

1. Will the approval of the variance be injurious to the public health, safety, morals, and general welfare of the community? (Please answer yes or no and state the reason[s] for your answer on the lines below.)

NO - Requesting a zoning variance to be able to
Secure Refinancing of our Residence

2. Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner? (Please answer yes or no and state the reason[s] for your answer on the lines below.)

NO. The use will not change. Status of its use will
Remain the same

3. Does the need for the variance arise from some condition peculiar to the property? (Please answer yes or no and state the reasons[s] for your answer on the lines below.)

yes - Our home exists in a Business zone area.

4. Will the strict application of the terms of the Cumberland Zoning Ordinance constitute an unnecessary hardship if applied to the property for which the variance is sought? (Please answer yes or no and state the reasons[s] for your answer on the lines below.)

yes. Its current classification prevents a Financial
institution from completing the loan process

5. Does the use interfere substantially with the Town's comprehensive plan? (Please answer yes or no and state the reasons[s] for your answer on the lines below.)

NO - our home is grandfathered already included in the
Comp. Plan

Person Completing This Form:

Ron Sanders

Printed Name:

Owner

Title:

Ron Sanders

Signature:

317-502-4050

Telephone Number:



Docket # _____

Town of Cumberland, Indiana
Department of Planning & Development

**LETTER GRANTING AUTHORITY FOR AN AGENT
VARIANCE OF USE**

I (we) do hereby grant authority to _____
(Name of Agent)

To seek a variance of use from the Cumberland Board of Zoning Appeals for the property

located at 7183 W US 40 Cumberland, IN 46229
(Property Address or parcel number(s))

I (we) am (are) the owner(s) of the real estate included in the proposed Variance of Use.

Date

Signature of Owner(s) or Agent

Signature of Owner(s) or Agent

STATE OF INDIANA }
 }
COUNTY OF HANCOCK } SS:

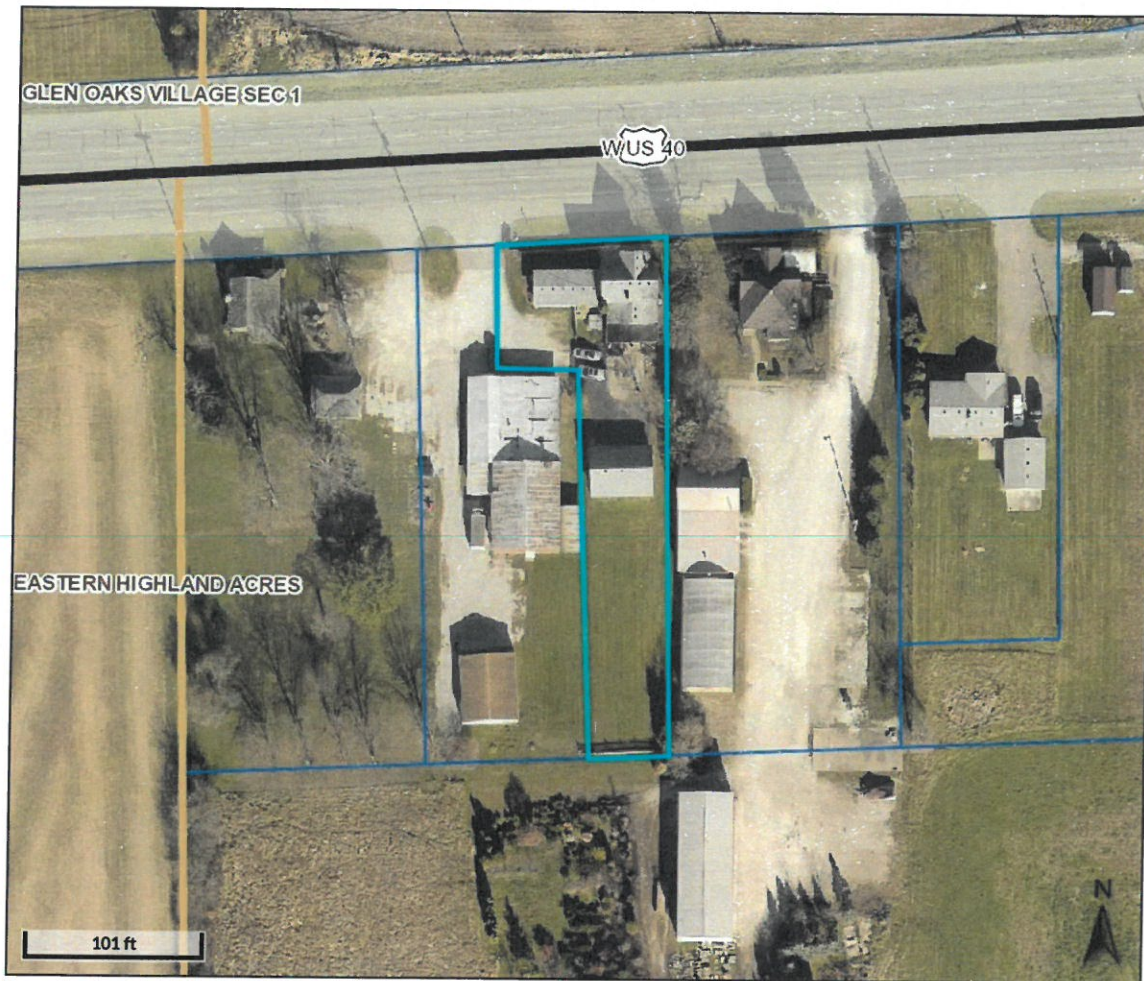
Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public: Signature

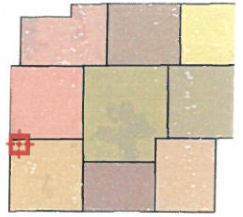
Notary Public: Printed Name

My Commission Expires: _____

Residing in _____ County



Overview



Legend

Roads

— <all other values>

, PRIVATE

, PRIVATE

— I, PUBLIC

— S, PUBLIC

— U, PUBLIC

■ Subdivisions

■ Rights of Way

■ Parcel Search

Parcel ID	30-09-02-400-010.001-015	Alternate ID	30-09-02-400-010.001-015	Owner Address	Sanders, Ronnie L & Jennye P
Sec/Twp/Rng	n/a	Class	n/a		7183 W US Highway 40
Property Address	7183 W US 40	Acreage	n/a		Indianapolis, IN 46229
	Indianapolis				

District CUMBERLAND TOWN-SUGAR CREEK TWP
Brief Tax Description SE 2-15-5.539AC

(Note: Not to be used on legal documents)

Date created: 2/20/2020

Last Data Uploaded: 2/20/2020 4:10:23 AM

Developed by  **Schneider**
GEOSPATIAL

Docket #
2020-UV-001

Ron & Jennye Sanders
7183 W. US 40
Cumberland, IN 46229

Date:

Name
Address
City, State, and Zip Code

Dear:

Please be advised that the undersigned owner or agent of the property owner of the property below has made application to the Cumberland Board of zoning Appeals requesting a variance from use for:


Continue as Single Family residential

The property for which the variance is requested is located at: **7183 West US 40** in the Town of Cumberland, Indiana, Section, Sugar Creek Township, Range located near **intersection of 700 West and US 40 Cumberland, IN 46229 Hancock Co.**

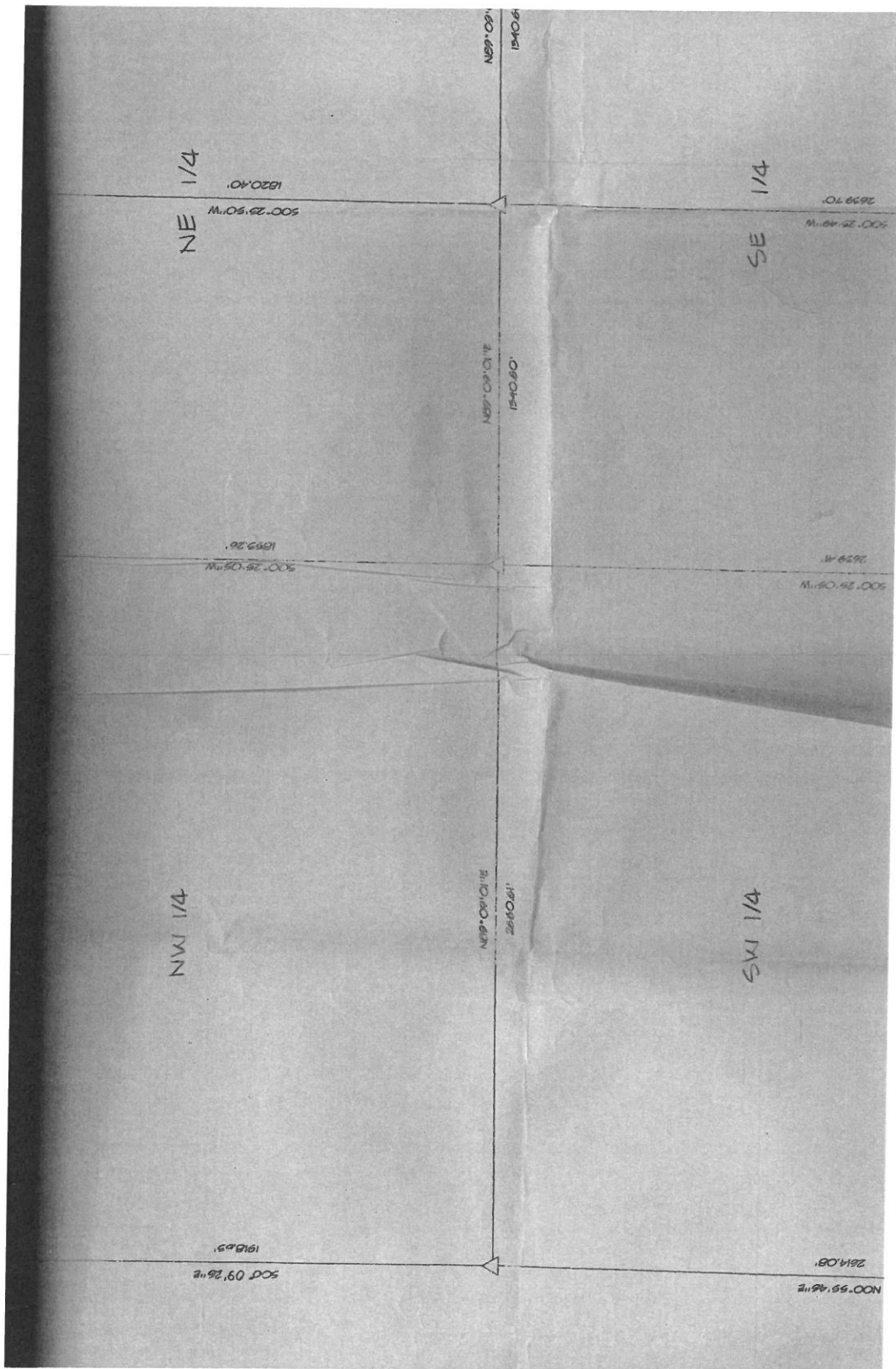
A copy of this application, legal description, and all plans pertaining to the proposed variance are on file and available for examination prior to the public hearing in the Planning and Development Department at the Cumberland Town Hall located at 11501 E. Washington Street, Cumberland, Indiana, 46229 between the hours of 9 a.m. and 4 p.m., Monday through Friday. Written objections to a proposal may be filed with the Board of Zoning Appeals Staff within ten (10) days after the receipt of this letter at the Cumberland Town Hall at the above address and such objections will be considered.

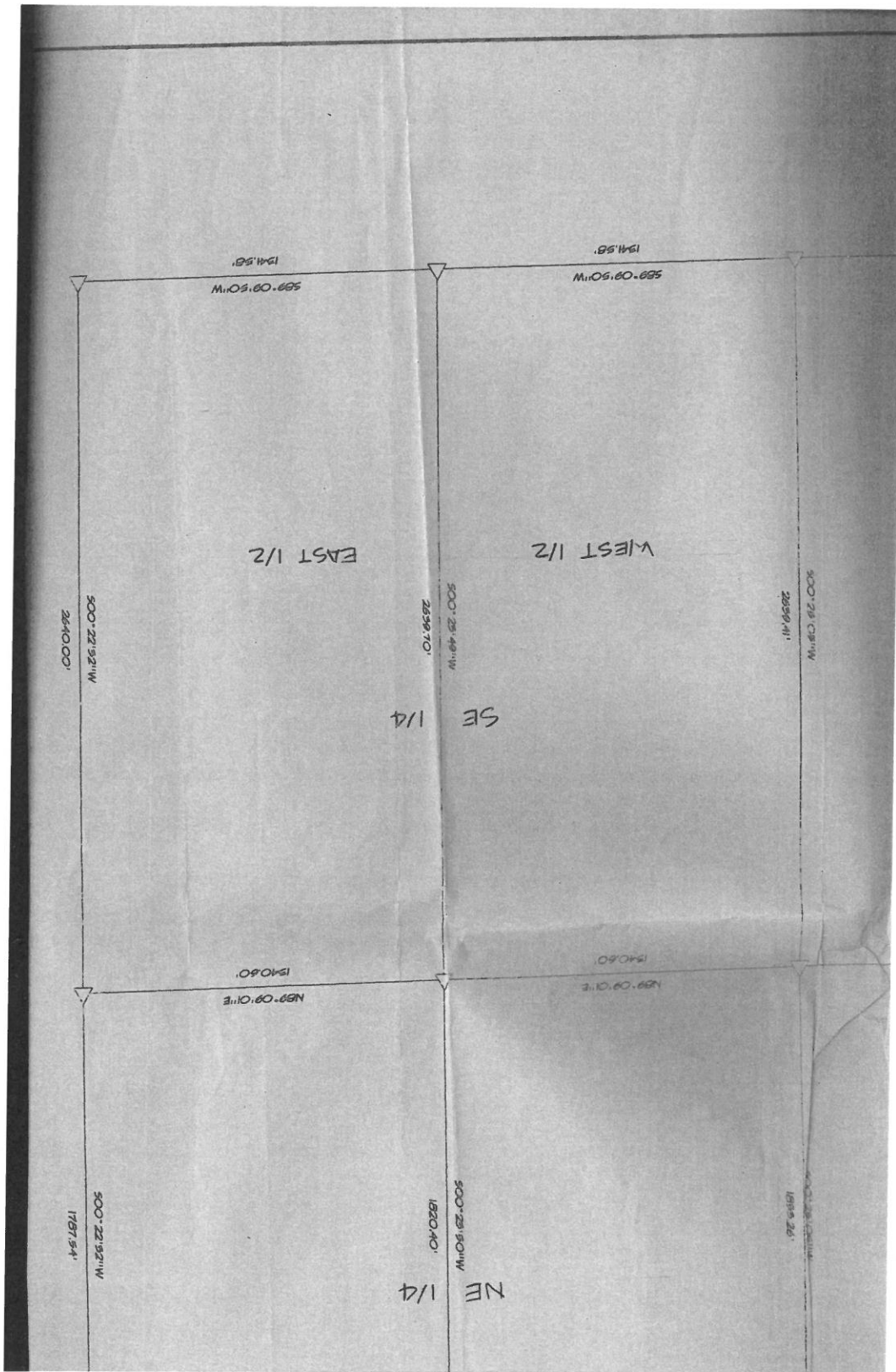
The Cumberland Board of Zoning Appeals will hold a public hearing on this proposed major subdivision in the Cumberland Town Hall located at 11501 E. Washington Street, Cumberland, IN 46229 on **April 6th**, **6:00 PM**

Very Truly Yours,



Ron Sanders





**NOTICE OF PUBLIC HEARING
CUMBERLAND BOARD OF ZONING APPEALS**

Notice is hereby given of a public hearing to be held by the Cumberland Board of Zoning Appeals on April 6, 2020 at 6:00 p.m. in the Council Chambers at the Town Hall located at 11501 E. Washington Street, Cumberland, IN 46229 to consider the application of **UV 2020-01 7183 W US 40**, requesting a variance of US to allow a pre-existing single family residential use to be permitted in the B-2 business district. Interested persons may appear and be heard at this public hearing.

A copy of this application, legal description, and all plans pertaining to this project are on file and available for examination prior to the hearing in the office of the Department of Planning and Development at the Town Hall at 11501 E. Washington Street, Cumberland, Indiana 46229 between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday. Written comments on this special exception application may be filed with the Director of Planning & Development within ten (10) days after this publication at the above address and all comments will be considered by the Board of Zoning Appeals.

CUMBERLAND BOARD OF ZONING APPEALS
Cumberland, Indiana

This legal notice should be published one (1) time.

Indianapolis Star East:
Greenfield Reporter:

Publication Date: On or before March 27, 2020
Publication Date: On or before March 27, 2020

Two (2) proofs of publication and billing should be sent to:

Plan Commission
Town of Cumberland
11501 E. Washington Street
Cumberland, IN 46229

Distribution: *EMAIL to Star and Reporter*
Distribution Date: *March 9, 2020*
By: *Christine Owens/Town of Cumberland*

