OWENSBORO METROPOLITAN PLANNING COMMISSION

Administrative Appeal Non-Conforming Uses / Structures

01/20 190N 1/3

Appellant Information

All administrative appeals are made to the Owensboro Metropolitan Board of Adjustment. **Use this form** to propose changes to non-conforming uses/structures where authorized by Article 4 of the Zoning Ordinance. **Use Form 190Z** to appeal allegations of error or claims of grievance regarding zoning administration or enforcement.

IMPORTANT: Legal counsel has advised that all information and exhibits regarding this appeal shall be attached to this submittal or presented to the Board of Adjustment at the public hearing. Direct individual contact with board members should not occur.

Date received by Planning Office

Subject Property

Street Address

Acreage

Please check one:

- ❑ **PROPERTY OUTSIDE Whitesville city limits:** Submit **one (1) copy** of all appeal materials. *See table at top right for required appeal materials.*
- ❑ **PROPERTY INSIDE Whitesville city limits:** Submit **two (2) copies** of all appeal materials. *See table at top right for required appeal materials.*

Appellant

Name, Address

Day Telephone

Owner / Co-Appellant

When the appellant is not the current owner of the subject property, the owner is considered to be a party to this appeal.

Name, Address

Day Telephone

Appeal prepared by

Name, Address

Day Telephone

Appeal Materials to Submit

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Filing Fee based on proposed zone

ZONING CHANGE TO				FEE
A-R Rural Agriculture		A-U Urban Agriculture		$220
MHP Manuf Housing		R-1A Single-Family		
R-1B Single-Family		R-1C Single-Family		
R-1T Townhouse				
R-2MF Multi-Family Res		R-4DT Inner-City Res		$330
R-3MF Multi-Family Res				
P-1 Professional/Service		B-1 Neighborhood Bus		$385
B-2 Central Business		B-3 Highway Business		
B-4 General Business		B-5 Business/Industrial		
I-1 Light Industrial		I-2 Heavy Industrial		
FILING FEE				

Applicant & Owner Certifications

By the Applicant/Owner: I (We) the undersigned applicant and owner, fully understand that approval of this Administrative Appeal does not allow the applicant/owner to construct, alter, modify, or occupy a building on the subject property. The applicant/owner is responsible for obtaining all approvals as necessary, including plan review, permitting inspections and site plan drainage approval before occupancy of the building will be allowed. Please contact the Building/Electrical Division of the OMPC at 270-687-8650 prior to beginning any work on the subject property for applicable requirements.

Applicant/Owner's Signature Date

By: _____
Applicant

By: _____
Owner

By the Applicant: I do hereby certify that, to the best of my knowledge and belief, all application materials are herewith submitted, and the information they contain is true and correct. I further certify that I accept responsibility for payment of advertising costs relating to this application and fully understand **that the *Messenger-Inquirer* requires that the OMPC Hearing Notice be paid in full before the notice is published. If the applicant fails to pay for the notice when contacted by the *Messenger-Inquirer* the item cannot be heard by the OMPC.**

Applicant's Signature Date

By: _____

By the Owner/Co-Applicant: I do hereby certify that I am the owner of this property and authorize the submission and consideration of this application and all information herein and attachments hereto.

Owner/Co-Applicant's Signature Date

By: _____

_____
(Please type or print name below signature)

PLEASE TYPE OR PRINT PLEASE TYPE OR PRINT

Site Plan Drawing

Submit copy of drawing that illustrates the items in the following list; two (2) copies if inside Whitesville. ***Twelve (12) reduced copies no larger than 11" X 17" must also be submitted.***

- ❑ Scale of drawing (1" = _____ feet)
- ❑ Shape and dimensions of the subject property
- ❑ Location of all adjoining streets, alleys, existing and proposed street access points
- ❑ Shape and dimensions of all existing and proposed buildings
- ❑ Distances, by dimension, of buildings to property lines and existing or proposed parking facilities (include parking layout)
- ❑ Location sketch for identification purposes to be placed on drawing, indicating location of the subject property within a two-to-three block area

Description of Appeal

Regarding Non-Conforming Uses / Structures

Submit copy; two (2) copies if inside Whitesville.

PLEASE CHECK THE TYPE(S) OF APPEAL INVOLVED:

- ❑ **PROPOSAL TO MOVE A NON-CONFORMING *USE* ON THE SAME LOT.** A non-conforming *use* may be moved to another position on the same lot or parcel through appeal to the Board of Adjustment. *Authorized by Zoning Ordinance, Section 4.32*

- ❑ **PROPOSAL TO MOVE A NON-CONFORMING *STRUCTURE* ON THE SAME LOT.** A non-conforming *structure* may be moved to another part of the same lot by appeal to the Board of Adjustment. *Authorized by Zoning Ordinance, Section 4.43*

- ❑ **PROPOSAL TO CHANGE FROM ONE NON-CONFORMING USE TO ANOTHER NON-CONFORMING USE.** A non-conforming use of a structure, or structure and premises, may be changed to another non-conforming use by appeal to the Board of Adjustment. However, limitations apply: (1) Structural alterations shall not be permitted. (2) The proposed use shall be in the same or a more restrictive classification. (3) The Board of Adjustment may require appropriate conditions and safeguards in accord with the provisions of the Zoning Ordinance. *Authorized by Zoning Ordinance, Section 4.53*

In the space at right or on an attached sheet, describe clearly and accurately what is proposed.

PLEASE TYPE OR PRINT

List of Adjoining Property Owners

Submit copy; two (2) copies if inside Whitesville. The appellant must submit a list of names and mailing addresses of all persons owning property adjoining the subject property, including properties directly across streets and other public rights-of-way.

Use the form below. The names shall be secured from the records of the Daviess County Property Valuation Administrator (PVA) no more than thirty (30) days prior to submission of this appeal.

In cases where a business, institution or other owner group is to be notified, please provide the name of the president, chairman or other officer of the owner group.

Address of Property Adjoining Subject Property	Name(s) of Property Owner(s)	Mailing Address(es) with Zip Codes

PLEASE TYPE OR PRINT