



**Building Department
CITY OF GOSHEN**

204 East Jefferson Street, Suite 5 • Goshen, IN 46528-3405

Phone (574) 534-1811 • Fax (574) 533-8626 • TDD (574) 534-3185
building@goshencity.com • www.goshenindiana.org

BOARD OF BUILDING APPEALS

APPLICATION FOR APPEAL

CASE NUMBER _____

NAME OF APPLICANT _____

ADDRESS _____ PHONE _____

NAME OF CONTRACTOR _____

NAME OF COMPANY OR ORGANIZATION _____

ADDRESS _____ PHONE _____

TYPE OF PROJECT _____

ADDRESS OF PROJECT _____

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 19 OF ORDINANCE 3714 ADOPTED BY THE CITY OF GOSHEN, INDIANA, I APPEAL TO THE BOARD OF BUILDING APPEALS FOR:

DESCRIPTION OF APPEAL REQUEST _____

NAME OF CODE INVOLVED _____ SPECIFIC CODE SECTION _____



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EXPLAIN HOW PUBLIC HEALTH, SAFETY AND WELFARE WILL NOT BE AFFECTED:

EXPLAIN HOW ENFORCEMENT OF THIS RULE WILL CAUSE UNDO HARDSHIP TO THE APPLICANT:

APPLICANT SIGNATURE

DATE



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BUILDING APPEAL

A. RIGHT OF APPEAL:

1. Any appeal from a City of Goshen Chief Building Inspector's decision shall be made within fifteen (15) days of that decision (Ordinance 3714 Section 19)
 - a) If the Inspector's decision is complied with before a hearing, the applicant is still entitled to a hearing if they so desire.
2. The City of Goshen Building Inspector's interpretation may be appealed "in principle" without a specific building code being violated or cited.

B. APPLICATION PROCEDURE:

1. Review complaint with the Chief Building Inspector:
 - a) If not resolved, the Chief Building Inspector will cite the specific code references in writing within one (1) week.
 - b) If resolved, the Chief Building Inspector will make a notation on the property file with a copy to the applicant.
2. The Complainant will request a hearing before the Appeals Board by contacting the Mayor's Administrative Assistant at 202 S. 5th Street, (574-533-8621).
 - a) The Mayor's Administrative Assistant will date the appeal and ascertain if the request was filed within the allotted time frame.
 - b) The Mayor's Administrative Assistant will assign a number to the appeal.
 - c) The Mayor's Administrative Assistant will contact all members of the Appeals Board to schedule a date and time to insure a quorum, and where complainants can attend. The Board shall give due notice for the hearing.
3. At least two (2) days prior to the hearing, the applicant shall provide each Appeals Board member with a completed copy of the appeals form.
 - a) The Chief Building Inspector shall provide each member of the Appeals Board with a written brief, citing the Code interpretation.
4. If pictures are required, the Complainant shall allow the Chief Building Inspector or his/her designate access to take pictures.



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C. APPEALS BOARD HEARINGS:

1. The Appeals Board Chair is in charge of the hearing
2. The Board shall adopt rules that it feels are necessary.
3. The Board shall modify, revoke or affirm the interpretations(s) of the Chief Building Inspector.

D. DECISIONS:

1. The Appeals Board shall render all findings and decisions in writing to the applicant and to the Chief Building Inspector.
2. Any party to the final decision may, within thirty (30) days thereafter, appeal the decision to the Indiana Department of Homeland Security (IDHS) State Building Commission by submitting an application requesting a variance of the decision of the local Appeals Board. A copy of the variance request shall be delivered by the Petitioner to the City of Goshen Building Department. Upon receiving the variance request, the Building Commission, at its next monthly meeting, shall hold a hearing in accordance with provisions of IC 22-13-2-13. The State Building Commission shall hear the request and shall modify, revoke or affirm the decisions of the local governing body. (675 IAC 12-5-6).

E. SUBJECTS APPROPRIATE FOR AN APPEAL HEARING:

1. Interpretation of a specific code or specific codes.
2. Use of equivalent building process or materials (*Note: 675 IAC 12-5-5 requires a statement that noncompliance with the rule will not be adverse to the public health, safety, or welfare and a specific explanation as to why that is so, or alternate action(s) that the applicant would be willing to undertake in lieu of compliance with the rule to insure that the granting of the variance will not be adverse to the public health, safety, or welfare; and a specific explanation as to why it or they would be adequate.*)
3. The alleged difficulty or hardship is caused by the code interpretation and has not been created by any person(s) presently having an interest in the property.