

City of Elkhart

INSTRUCTIONS AND FILING PROCEDURE FOR AFFIDAVIT FOR SETBACK ALLOWANCE FOR ADA ACCESSIBLE RAMP

An Affidavit for a Setback Allowance for an ADA Accessible Ramp is required when a proposed ramp exceeds the setbacks that are allowed by the Zoning Ordinance. Responsibility for completing and recording the affidavit rests with the property owner(s) who are filing the affidavit.

The Planning Department staff will gladly answer any questions you may have. If you would like, you can sign and have the form notarized at the Permit Center, and then have it checked by the Planning Department staff before taking it to the Elkhart County Recorder's Office.

A person wishing to file for an Affidavit for a Setback Allowance for an ADA Accessible Ramp shall submit the following items to be recorded at the Elkhart County Recorder's Office, located at 117 N 2nd St #205, Goshen, IN 46526:

- A completed affidavit form (see page 2). The form must be notarized in order to be complete. Notaries can be found at the Permit Center (229 S 2nd St, Elkhart, IN 46516).
- A full and accurate legal description of the property for which the affidavit is being requested. **The abbreviated version shown on a tax form is NOT an acceptable legal description.** A full legal description may be found on the recorded deed or possibly on a certified survey.
- A recording fee will be assessed at the Recorder's Office.

By signing and recording the document, the owner agrees to remove the ramp once it is no longer needed.

You will need to provide a copy of the recorded affidavit to the Planning Department staff.



Affidavit for Setback Allowance for ADA Accessible Ramp

We certify that the proposed ADA ramp at the below address

_____ will be built to all ADA standards for the explicate use of residents and patrons of the mentioned property. The attached legal description identifies the property where the proposed ramp will be located. At which time the ramp is no longer needed for the use of the property, it shall be removed or brought into compliance with all Zoning Ordinance standards.

All local permits shall be applied for before the structure is constructed or removed. The ramp shall be built to be temporary in nature and grant access only to preexisting entries.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law.

Property Owner Signature: _____ Date: _____

Property Owner (Print Name): _____

State of Indiana, _____ County, SS:

This record was signed and sworn to (or affirmed) before me on this _____ day of _____, _____ by _____ (Printed Name).

Signature of Notarial Officer: _____

My commission expires: _____

Document Created by:
City of Elkhart Planning & Zoning
229 S 2nd Street, Elkhart, IN 46516
(574)294-5476