

Boone County Board of Zoning Appeals

Use Classification

APPLICATION PROCEDURES:

STEP ONE: PRE-APPLICATION

Before filing an application, it is recommended that the applicant meet with the Executive Director of the Area Plan Commission at least one week prior to the anticipated application submission to discuss the proposed request and to become more familiar with the applicable requirements. Call (765) 482-3821 to schedule a meeting.

STEP TWO: APPLICATION

1. A complete Use Classification Application and all required Attachments are to be submitted by 4:00pm of the posted deadline date, as shown on the Board of Zoning Appeals Application Schedule (see page 4). Please submit the application, attachments, and associated fees to the Area Plan Commission Office, 116 Washington Street, Room 101, Lebanon, Indiana. The APC Staff shall determine whether the application is complete. If the application is not complete, the applicant will be notified of the deficiencies. Applications submitted or completed after the posted deadline date will be placed on the next month's application cycle.
2. The items below are required in order to complete your application and shall be submitted when your application is filed. **PLEASE FOLD ALL PLANS AND MAPS SUBMITTED.**

☐ **Application Form**

- All items must be completed fully and either typewritten or printed in ink.
- The application must be signed by the applicants and notarized.

☐ **Application Fee (Payment of Required Fees Due Post TAC Approval)**

- \$200

STAFF REPORT AND AGENDA

If a petitioner does not agree with the use classification depicted by the Executive Director, or if the Executive Director is unsure of which use classification is appropriate, the petitioner or staff may request a Use Classification through the BZA. The Staff Report for a Use Classification will list one or more use classifications as per Table 2 of the Zoning Ordinance that best describe the proposed use. Such report shall be released along with the agenda 10 days prior to the hearing according to the Application Schedule (see page 2.) All additional documents to be studied and considered by staff for use in the Staff Report should be submitted no less than 15 days prior to the hearing according to the Application Schedule (see page 2.) Any interested party may provide support documentation to be delivered to the BZA members along with the Staff Report. To do so, the party must provide 10 copies of each document, which should be submitted no less than 15 days prior to the hearing. According to the Application Schedule (see page 2.)

BOARD OF ZONING APPEALS HEARING

The BZA shall follow their adopted Rules of Procedure for the hearing, a copy of which is available at the APC office. Public hearings of the BZA are generally held the fourth each month at 7:00 p.m. at the Boone County Office Building Meeting Room, 116 Washington Street, Lebanon, Indiana. Always check with the APC office to verify the exact meeting date, place, and time should a conflict occur.

When your request comes up on the agenda, the following procedure is followed:

You or Staff is asked to present your request to have the use classified by the Board. You may employ an attorney for this purpose or do it yourself. You may use any maps or graphics that will assist you in the

presentation. If the Board members need additional information, they will ask questions regarding your request.

Per Indiana Code 36-7-4-912, the BZA shall make written Findings of Fact, which is the BZA's decision based upon their interpretation of the Presentation and Application. Within 10 business days of the BZA hearing, Staff will send you a copy of the written Findings of Fact.

BOARD OF ZONING APPEALS APPLICATION SCHEDULE -- 2023

The following table depicts the deadlines for petitions before the BZA. Deviations from this schedule are not permitted without approval from the Board. Public hearings of the BZA are generally held the forth each month at 7:00 p.m. at the Boone County Office Building Meeting Room, 116 Washington Street, Lebanon, Indiana. Always check with the APC office to verify the exact meeting date, place, and time should a conflict occur.

Version Dated December 8, 2023
Boone County Area Plan Commission
116 Washington Street, Room 101
Lebanon, IN 46052
Phone (765) 482-3821 * Fax (765) 483-5241
www.boonecounty.in.gov/apc

Use Classification Application

For Office Use Only: **FILE NUMBER**

_____- 24 -_____
 Year Twp File #

1. Petitioner(s)Check one: ☐ owner ☐ agent ☐ lessee ☐ contract purchaser ☐ other _____

Name: _____

Address: _____

Phone Number: _____

Fax Number: _____

E-Mail Address: _____

2. Applicant's Contact Person or Attorney and Project Engineer (if any)

Contact Person/ Attorney Name: _____

Project Engineer: _____

Address: _____

Address: _____

Phone Number: _____

Phone Number: _____

Fax Number: _____

Fax Number: _____

E-Mail Address: _____

E-Mail Address: _____

Use Classification Request

Use is Most Similar to the Following Listed Use(s):

Description of Intended Use: _____

The undersigned states the above information is true and correct as (s)he is informed and believes.

Signature(s) of Applicant(s): _____

Date: _____

Notary Statement

Sworn to and subscribed before me the

_____, day of _____, 20____

Notary Public in and for the State of Indiana.

Notary Public / Printed

Seal

My commission expires: _____

For Office Use Only

Date Filed: _____

Public Notice: _____

Newspaper Ad: _____

Date of BZA Hearing: _____

Decision of BZA: ☐ unfavorable ☐ favorable ☐ favorable with conditions

Conditions: _____