

BZA Application Packet

Boone County Board of Zoning Appeals

This application packet is for petitions under the jurisdiction of the Boone County Area Plan Commission and includes:



- **Use Classification** - the classification of a land use that is neither listed nor similar to any use listed in the ordinance.
- **Appeals** - an appeal of the Administrator's (or Staff's) review, decision, or determination in the enforcement of the ordinances.
- **Modification or Termination of Commitments** - applies to commitments made as part of a decision made by the BZA.

STEP 1: Pre-Application Review.

Pre-Application review is required for all BZA applications. Please email your entire draft application, forms, and attachments by the Pre-App Review date on the Application Schedule to the Executive Director at nschell@co.boone.in.us. Be sure to note "BZA Application for ____" in the subject line along with the applicant's last name. Questions can be sent to this email or call (765) 482-3821. Note that the application DOES NOT have to be notarized at this time.

STEP 2: BZA Submittal Checklist	Use Classification	Appeal	Commitment Modification/Termination
Application Fee	\$500	\$500	\$275
1. Application Form	✓	✓	✓
2. Narrative (part of Application Form)	✓	✓	✓
3. County Location Map	✓	✓	✓
4. Aerial Map of Site	✓	✓	✓
5. Site Plan	✓	✓	✓
6. Deed and Legal Description with Drawing	✓	✓	✓
7. Existing Commitments & Proposed Commitments			✓
Attachment A: Consent of Property Owner	✓	✓	
Attachment B: Standards for Classifying a Use	✓		
Attachment C: Information for an Appeal		✓	

Explanation of Application Submittal Materials

If materials are submitted electronically, they must be in the format shown. If items on the checklist are sent in separate PDFs, they must include a file name that corresponds to the checklist item. (For example: 01 Application.pdf; 04 Aerial Map.pdf; 02 Narrative.pdf; etc.).

1. **Application Form:** Fill out all applicable fields completely and leave the fields blank that do not pertain. The form must be signed by the applicant(s). The 10-digit county identification Parcel Number (Do not use the State ID) is required on ALL permit applications and can be found on the Boone County GIS website at: [Boone County GIS Map Viewer](#). You can do a search by address or zoom in on the parcel and obtain the detailed information.
2. **Narrative:** Provide a detailed narrative describing the nature of the application, the desired land use, and the details of the proposed development including information such as number of lots, hours of operation, number of employees, anticipated traffic generation, and the dates/details of previous construction/permits if applicable. Also include a bulleted statement of the history of the project (rezoning, platting, other approvals, etc.).
3. **County Location Map:** Using the map on the last page of this packet, indicate where the property is generally located in the county with a star.
4. **Aerial Map of the Site:** Provide an aerial map of the subject parcel formatted for 8 ½" x 11" in size that zooms in on the subject parcel. The map can be obtained from Google Maps, Boone County GIS, or other similar aerial mapping programs. Be sure to outline the subject parcel.

5. **Site Plan:** Submit a site plan formatted for 8 ½" x 11" in size, showing the basic proposed development layout.
6. **Deed and Legal Description:**
 - o Deed - This is evidence of property ownership as well as any restrictions associated with the property. A copy of the recorded deed for the property with the Recorder's Stamp, available from the Boone County Recorder's Office, 202 Courthouse Square, Lebanon, IN 46052, (765) 482-3070.
 - o Legal Description - **Only required if the lot does not have its own tax parcel ID number.* This is the written words delineating the property and a corresponding drawing with dimensions and bearings.
7. **Existing and Proposed Commitments:** Provide a copy of the existing commitments as well as a separate mark-up copy clearly showing the requested modifications.
8. **Attachments A - C:** Complete the required attachments per the respective instructions contained on each form.

STEP 3: Completing the Filing Application.

You will receive an email confirmation when the Executive Director has completed the Pre-Application Review and you are ready to complete the filing of this application. This email will include instructions for making an appointment to complete the filing and schedule the Technical Advisory Committee Meeting (TAC). Filings submitted or completed after the posted submittal deadline may be placed on the application cycle for the next regular meeting. Questions about completing the filing of the application can be directed to the Administrative Assistant at (765) 482-3821 or aelliott@co.boone.in.us.

At this time our office can only accept payment by cash or checks made out to the "Boone County Treasurer". Our office will NEVER request payment by wire transfer.

Permit Fees and Other Fees

BZA Petitions	
Use Classification requiring BZA Hearing	\$500
Appeal of Director's Decision requiring BZA Hearing	\$500
Modification/Termination of Commitments	\$275
Fines	
Construction Error Requiring Variance	When construction occurred that did not meet the approved Development Plan. The fine is 5X the initial Development Plan fee in addition to the cost of the Variance.

STEP 4: Notifying the Public

State Law and the Rules and Procedures for the Boone County APC and BZA require you to notify the public of the hearing in two separate ways: by newspaper and by notifying property owners that surround the subject property.

Staff will prepare the notices and provide a list of surrounding property owners. The Application is responsible for publication/mailing as well as the associated costs.

Notification by Newspaper

Publish the newspaper notification prepared by the Administrator/Staff one time in each of the newspapers listed below per the Public Notice Deadline on the Application Schedule. Failure to meet the publishing deadline will delay the hearing of your petition. Be certain to obtain a "Proof-of-Publication" affidavit from the newspaper for your advertisement and provide a copy of this Form prior to the hearing to show proof of newspaper notification.

- Lebanon Reporter - 117 E Washington Street, Lebanon, IN 46052, (765) 482-4650.

Surrounding Property Owner Notification

The Petitioner must notify all property owners within 660 feet of the subject property. A list of property owners that need to be notified will be provided by staff.

The surrounding property owner notification is to be mailed by First Class Certificate of Mailing (NOT certified mail with green cards). Certificate of Mailing provides evidence that mail has been presented to the post office for mailing. Use *USPS Form 3665: Certificate of Mailing Firm* provided by staff and follow the instructions for mailing.

After being stamped by the Post Office, provide a copy of this Form prior to the hearing to show proof of mailing notification.

All letters must be postmarked by the Public Notice Deadline on the Application Schedule.

2027 Application Schedule

The following table depicts the deadlines for petitions before the Boone County BZA. Deviations from this schedule are not permitted.

Pre-App Review	Filing Completion	TAC Meeting	Deadline for Submitting Additional Info/Revisions	Public Notice Deadline	Staff Report Published	BZA Hearing
Nov. 13, 2026	Nov. 20, 2026	Dec. 2, 2026	Jan. 13	Jan. 13	Jan. 20	Jan. 27
Dec. 21, 2026	Dec. 28, 2026	Jan. 6	Feb. 10	Feb. 10	Feb. 17	Feb. 24
Jan. 15	Jan. 22	Feb. 3	March 3	March 3	March 10	March 17
Feb. 12	Feb. 19	March 3	April 14	April 14	April 21	April 28
March 22	March 29	April 7	May 12	May 12	May 19	May 26
April 16	April 23	May 5	June 9	June 9	June 16	June 23
May 14	May 21	June 2	July 14	July 14	July 21	July 28
June 18	June 25	July 7	Aug. 11	Aug. 11	Aug. 18	Aug. 25
July 16	July 23	Aug. 4	Sept. 8	Sept. 8	Sept. 15	Sept. 22
Aug. 13	Aug. 20	Sept. 1	Oct. 13	Oct. 13	Oct. 20	Oct. 27
Oct. 15	Oct. 22	Nov. 3	Nov. 24	Nov. 24	Dec. 1	Dec. 8

- **TAC Meeting:** The Technical Advisory Committee (TAC) Meetings are held at the APC Office, 116 W Washington Street, Room 101, Lebanon, IN 46052, (765) 482-3821. **The engineer preparing plans for a minor residential subdivision MUST attend the meeting.**
- **Deadline for Submitting Additional Info/Revisions to the File:** At the TAC meeting, revisions or additions to the plans and/or file must be submitted by 12:00pm noon on the date indicated in order to remain on the current application schedule.
- **Public Notice Deadline:** Deadline to publish public notice in the newspapers and postmark mailings to surrounding property owners.
- **Staff Report Published:** On or after the date indicated, Staff Reports will be emailed directly to the BZA members and the Applicant/Owner.
- **Submit Proof of Public Notice:** Prior to the hearing date, submit *Form 1: Affidavit of Notification* (provided by staff) as proof of adequate public notice of the hearing. Forms shall be emailed with a cover letter to the attention of the Administrative Assistant at aelliott@co.boone.in.us or the Executive Director at nschell@co.boone.in.us.
- **BZA Hearing:** Unless otherwise noticed, BZA Hearings are held at 6:00pm in the Connie Lamar Room at the Boone County Office Building, 116 W Washington Street, Lebanon, IN 46052. The Applicant or their representative is required to attend. (NOTE: Petitions for Special Exception with Minor Residential Subdivision will also be heard at the proceeding APC hearing. See the APC Application Packet for hearing dates.)

For Office Use Only

File # _____

BZA Application

This application is being submitted for:



- ☐ Use Classification
☐ Appeal

- ☐ Modification of Commitments
☐ Termination of Commitments

Applicant Info

Name:	
Street Address:	
City, State, Zip:	
Primary Contact Person regarding this petition:	
Phone:	E-Mail:
Engineer Preparing Plans:	E-Mail:
Others to be Notified:	E-Mail:

Property Owner

Name:	
Street Address:	
City, State, Zip:	
Phone:	E-Mail:
Applicant is (Check one): ☐ Sole owner ☐ Joint Owner ☐ Tenant ☐ Agent ☐ Other (specify):	

Premises Affected

10-digit County Parcel Number:		Acreage:		
Actual or Approximate address:		Township:		
Subdivision Name:		Lot Number(s)		
Zoning of Subject Property:	Use of Subject Property:	Flood Zone on Site:		
Proposed Land Use:				
Zoning of Adjacent Properties:	North:	South:	East:	West:
Land Use of Adjacent Properties:	North:	South:	East:	West:
Variance Submitted for (Check all applicable):	☐ Lot Size ☐ Accessory area ☐ Accessory height ☐ Cumulative Accessory Area ☐ Lot to Depth Ratio ☐ AG Buffer ☐ Other (specify):			

Notarization

The above information and attached exhibits, to my knowledge and belief, are true and correct.

Signature of Applicant	
Notary Public's Name (printed)	Signature of Notary
My Commission Expires State County	Subscribed and sworn to before me this ____ day of _____, 20_____.

BZA Application Narrative and History

Provide a detailed narrative describing the nature of the application, the desired land use, and the details of the proposed development including information such as number of lots, hours of operation, number of employees, anticipated traffic generation, and the dates/details of previous construction/permits if applicable. Also include a bulleted statement of the history of the project (rezoning, platting, amendments, other approvals, etc.).

Narrative

History of the Project

Provide additional sheets if needed.

Attachment A: Consent of Property Owner

Complete and submit ONLY if the applicant is different from property owner.

I (we)

NAME(S)

After being first duly sworn, depose and say:

- That I/we are the owner(s) of the real estate located at I (we)

ADDRESS

- That I/we have read and examined the Application and are familiar with its contents.
- That I/we have no objection to, and consent to such request as set forth in the application.
- That such request being made by the applicant (____is) (____is not) a condition to the sale or lease of the above referenced property.

(AFFIANT)

STATE OF INDIANA)
) SS:
COUNTY OF _____)

Subscribed and sworn to before me this _____ day of _____, _____.

, Notary Public

My Commission expires: _____ County of Residence: _____

Attachment B: Standards for Classifying a Use

Use the following form or attach a separate sheet(s) to explain in detail the Use to be classified. The BZA’s decision shall be based upon how each of the following criteria is explained and justified in the request.

Standards for Evaluation

1. INTENSITY. Is the unlisted use similar in the amount of activity and type of activity to a listed use?
- Residential, Public, and Office Uses: Intensity levels should compare to the number of people using a space.
 - Commercial Uses: Intensity levels should compare the gross commercial floor area associated with the primary structure as well as the operation of the business, such as hours of operation and anticipated customer volumes.
 - Industrial Uses. Intensity should compare the amount of noise, noxious exhaust, and public safety hazards generated on the site. In addition, the types of vehicles used, type of storage (indoor and outdoor), and hours of operation should be considered.

2. CHARACTER. Does the use have similar physical characteristics, structures, scale, operational hours, or other features similar to a listed use?

3. ACCESSORY USES AND STRUCTURES. Does the use have similar potential for accessory uses and/or structures to a listed accessory use? Or if it is an accessory use, is it incidental to, necessary, and/or compatible with a permitted primary use?

4. INTENT. Is the unlisted use compatible with the purpose of the subject zoning district and consistent with the future land use contemplated in the Comprehensive Plan?

Provide additional sheets if needed.

Attachment C: Information for Appeal

Use the following form or attach a separate sheet(s) to explain the nature of the Appeal.

The BZA shall hear and determine appeals from and review any order, requirement, decision, or determination made by the Administrator in the enforcement of the UDO. In exercising its powers, the BZA may affirm (wholly or partly), reverse, or modify the order, requirement, decision, or determination appealed and to that end shall have all of the powers of the Administrator from whom the appeal is taken.

When an appeal has been filed, all proceedings, operation, and work on the premises concerned must stop, unless the official from whom the appeal was taken shall certify to the BZA that, by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings or work shall not be stayed except by a restraining order, which may be granted by a circuit or superior court of the county in which the premises affected are situated, on notice to the office or board from whom the appeal is taken and the owner of the premises affected, and on due cause shown.

Petition Information

Itemize the subject of the appeal and identify ordinance citations where applicable:

Document/ Citation / Requirement	Administrator’s Interpretation	Applicant’s Position

Provide additional sheets if needed.

County Location Map

Add a ★ to this map indicating the general area of where the subject property is located.

