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:

- **Variance from Development Standards** – a modification of the specific requirements or standards of the zoning provisions.
- **Variance from the Flood Hazard Areas Ordinance** – a modification of the specific requirements or standards of the Flood Hazard Areas Ordinance.

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	Variance from Development Standards	Variance from the Floodplain Ordinance
Application Fee *(add $200 for additional variances)*	$800	
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	✓	✓
Attachment A: Consent of Property Owner	✓	✓
Attachment B: Standards for Evaluating a Variance	✓	
Attachment C: Standards for Evaluating a Floodplain Variance		✓

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:**
   - 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.
   - 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. **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	
Variance	$800
Additional Variances	$200 each
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:

☐ Variance from Flood Hazard Areas Ordinance ☐ Variance from Development Standards for: _____

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.).

If requesting a variance related to the construction of an accessory structure, narrative must include information about the primary structure including height and area.

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 Evaluating a Variance

Use the following form or attach a separate sheet(s) to explain the Variance request. Use a separate sheet for each variance that is being requested. In accordance with IC 36-7-4-918.5, the BZA's decision is based exclusively on whether each of the following statutory requirements is adequately justified in your request.

Standards for Evaluation

1. The variance will not be injurious to the public health, safety, morals, and general welfare of the community. *(Explain in detail how allowing you to vary from the standards of the ordinance will not affect the county and residents in general. What are you specifically doing to minimize potential impacts?)*
2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. *(Explain in detail how the variance you are requesting will not have a negative impact on your neighbors' property and how they can use it. What are you specifically doing to minimize potential impacts?)*
3. The strict application of the terms of the ordinance will result in practical difficulties in the use of the property. *(Explain in detail how there is no other way for you to use your property or configure your proposed development without obtaining the variance.)*

Provide additional sheets if needed.

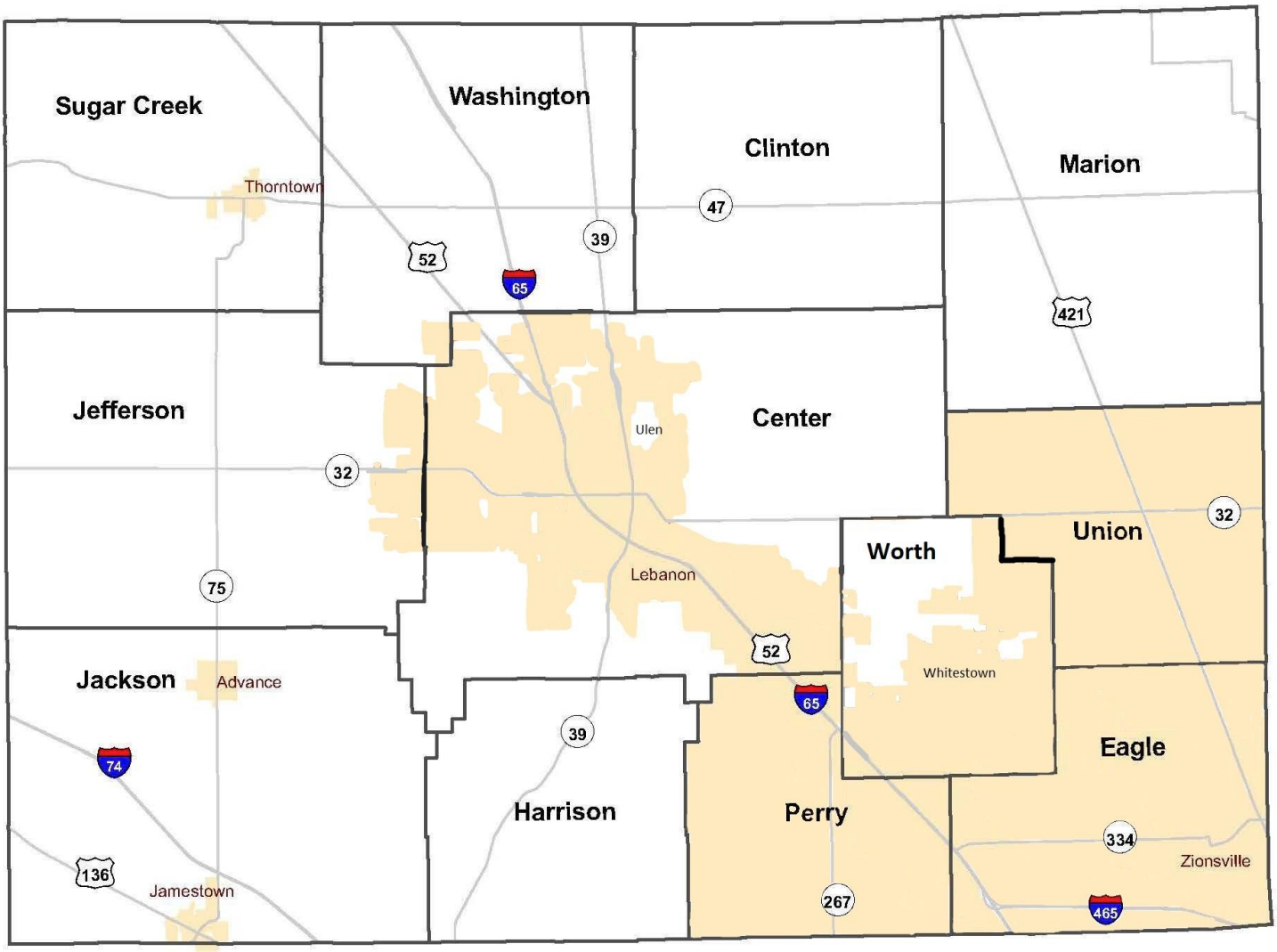
Attachment C: Standards for Evaluating a Floodplain Variance

Use the following form or attach a separate sheet(s) to explain the Variance request. Use a separate sheet for each variance that is being requested. In accordance with 152.56-152.59, the BZA's decision is based exclusively on whether each of the following requirements is adequately justified in your request.

Standards for Evaluation

1. Is there danger to life and property by flooding or erosion damage?
2. What is the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner?
3. Describe the importance of the services to be provided by the facility to the community
4. If this facility is located on the waterfront, describe the necessity for that location.
5. Describe the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage
6. Describe the compatibility of the proposed use with existing and anticipated development
7. Describe the relationship of the proposed use to the comprehensive plan and floodplain management program for that area.
8. Describe the safety and access of ordinary and emergency vehicles to the property during times of flood.
9. Describe the expected height, velocity, duration, rate of rise, and sediment of transport of the floodwaters at the site.
10. Describe the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

Provide additional sheets if needed.

County Location Map

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