

**APPLICATION PROCEDURES
FOR VARIANCE FROM THE DEVELOPMENT STANDARDS
MONROVIA BOARD OF ZONING APPEALS
TOWN OF MONROVIA, INDIANA**

DEFINITION: A modification of the strict terms of the relevant regulations where the modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not a result of the action of the applicant, a literal enforcement of the zoning ordinance would result in unnecessary and undue hardship.

PRELIMINARY CONSULTATION: Prior to submitting an application for a variance from the development standards, the applicant is encouraged to schedule an appointment with Plan Commission Staff for an on-site or in house preliminary consultation to discuss the proposed variance. The applicant should provide a sketch showing the preliminary details of the variance request. There is no fee for this meeting. A written summary of this preliminary consultation will be provided upon request.

APPLICATION: The application will not be filed until all information is received. All applications will be reviewed for completeness and accuracy prior to acceptance. The following information must be submitted with the application:

1. A notarized application filed at least thirty (30) days before the date of the Board of Zoning Appeals Public Hearing.
2. A legal description of the property.
3. A sketch plan drawn to scale showing all existing and proposed improvements.
4. A list of adjacent property owners within six hundred sixty (660) feet but no more than two (2) property owners in depth.
5. A Letter of Intent which includes proof supporting the Findings of Fact.
6. A sample letter for the written notification requirements.
7. An application fee payable by check to the Town of Monrovia.

All applications must be submitted by appointment with the Plan Commission Staff.

FEES: The following fees apply to a variance from the development standards:

1. Application: \$200.00 plus \$50.00 for each additional variance of the development standards.

Legal Advertisement: Applicant responsibility

PUBLIC NOTIFICATION: The following notification is required:

1. **NEWSPAPER NOTIFICATION:** The applicant is responsible to submit legal notices in the Mooresville/Decatur Times and the Martinsville Reporter Times newspapers for publication at least ten (10) days prior to the date of the Board of Zoning Appeals Public Hearing.

Email: lgideon@reporter-times.com

Email: scrane@reporter-times.com

Email: legals@timesnewsgroup.com

2. **WRITTEN NOTIFICATION:** The applicant must mail certified letters with return receipts requested to adjacent property owners post marked at least ten (10) days prior to the date of the Board of Zoning Appeals Public Hearing. An adjacent property owner is defined as all property owners two (2) deep or within six hundred and sixty (660) feet, which ever is less, of the applicant's property. The applicant must follow the sample written notification letter. (See attached copy.)
3. **POSTING OF PROPERTY:** Ten (10) days prior to the date of the Board of Zoning Appeals Public Hearing, the applicant must submit an affidavit stating a brief description of the proposed variance and the date, time, and location of the public hearing. (See attached affidavit.)

STAFF REVIEW: The Plan Commission Staff is available for additional consultation, scheduled by appointment, prior to the Board of Zoning Appeals meeting. Technical review will be completed by the town's consulting engineering firm approximately two (2) weeks prior to the date of the Board of Zoning Appeals Public Hearing. Copies of the technical review and Staff comments will be made available to the applicant prior to the public hearing.

BOARD OF ZONING APPEALS MEETING: The Board of Zoning Appeals meetings are held on the third Monday of every month in the Municipal Center located at 140 E. Main Street, Monrovia, Indiana 46157 at 7:30 PM.

ACTION BY THE BOARD OF ZONING APPEALS: Any person aggrieved by a decision of the Board of Zoning Appeals may present to the Circuit or Superior Court of Morgan County a verified petition setting forth that the decision is illegal in whole or in part and specifying the grounds of the illegality. All appeals must be filed within thirty (30) days from the date of the Board of Zoning Appeals decision.