

**APPLICATION PROCEDURES
FOR A USE VARIANCE
MONROVIA BOARD OF ZONING APPEALS
TOWN OF MONROVIA, INDIANA**

DEFINITION: A use or structure not permitted in a zoning district classification until approved by the Board of Zoning Appeals after a public hearing subject to reasonable terms and conditions set by the Board.

PRELIMINARY CONSULTATION: Prior to the submission of the application for a use variance, 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, no later than Thirty (30) days before 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 use variance:

1. Application: \$450.00
Applicant is responsible for Legal Advertisement

PUBLIC NOTIFICATION: The following notification is required:

1. **NEWSPAPER NOTIFICATION:** The applicant must submit legal notice to the Morgan County Correspondent and the Martinsville Reporter Times newspapers for publication at least ten (10) days prior to the date of Board of Zoning Appeals Public Hearing.
publicnotices@morgancountycorrespondent.com;
martinsvillertlegals@gannett.com **Submit proof of publication to the Administrator at least one week prior to the hearing.**
2. **WRITTEN NOTIFICATION:** The applicant must mail via certificate of mailings to adjacent property owners post marked at least fifteen (15) 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, whichever is less, of the applicant's property. The applicant must follow the sample written notification letter. (See attached copy.) **Submit proof of mailing (stamped Certificate of Mailing) to the Administrator at least one week prior to the hearing.**
3. **POSTING ON PROPERTY:** Ten (10) days prior to the date of the Board of Zoning Appeals Public Hearing, the applicant must submit an affidavit for the proposed use variance. The applicant will post a sign on site with 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 Monrovia Government Center located at 60 Marley Way Monrovia, Indiana 46157 at 6:30 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.