



FILING CHECKLIST FOR VARIANCE PETITION
Please read carefully

Your Variance Packet must be filed electronically via permits@cityoflawrence.org or in person with the Board Secretary, located at: Lawrence Government Center, 9001 E 59th St., Ste 205, Lawrence, IN 46216.

Filing fees must be paid to receive a docket number. Any additional fees must be paid prior to the initial hearing.

The initial packet must be filed thirty-five (35) days prior to the hearing date and include the following:

Your initial packet must include the following:

- a. Petition
- b. Findings of Fact
- c. Zoning Base Map (obtained thru Board Secretary) with subject property prominently marked
- d. Consent Form (if applicable)
- e. Set of Structural plans, including floor plans and elevations (if applicable)
- f. Site Plan (with landscaping, if applicable)
- g. Plot Plan

- Must be drawn to a scale of 1"=30', 1"=20', 1"=10'. Indicate scale on plans.

Plot Plan must include:

- The North arrow
- Address of the site
- All dimensions of the entire site
- Names, centerline and right-of-way widths of all street, alleys and easements (including: drainage easements, utility easements, etc)
- Location and horizontal dimensions of all structures, existing and proposed. Proposed structures indicated by cross-hatching. e.g. ////
- Use of each structure by labeling. (such as: residence, garage, existing shed, etc)
- Structures to be removed indicated by broken lines. e.g. - - - -
- Distance from front, rear and each side of property line to all structures. (This distance is measured from the point where the structure is nearest the property line.)
- Location of proposed or existing driveway and its width at the right-of-way (property) line. (Also show connection to street and alley.)
- Measurement of curb radius and/or taper.
- Locations, dimensions and use of any other paved areas.
- The name of legal ditches or streams on or adjacent to the site.
- Location, type (i.e. ground, pole, projected, wall or other) and dimensions of all signs. Include separate, elevation of proposed sign structures complete with all dimensions and drawn to scale.
- Location, size and type of all existing and proposed trees and landscaping.

Legal Notice:

- a. The Legal Notice of Public Hearing must be mailed to neighboring property owners and the Lawrence Council Members (available from Board Secretary) at least ten (10) days prior to the hearing.
- b. A copy of the Legal Notice of Public Hearing must also be posted on the property of which the Variance is being applied for.

Once Legal Notice has been mailed to neighboring property owners the following documents will need to be submitted to the Board Secretary no less than three (3) days prior to the hearing:

- c. Affidavit of Legal Notice of Public Hearing
- d. List of neighbors and Council members notified



LAWRENCE BOARD OF ZONING APPEALS
OF MARION COUNTY, INDIANA
PETITION FOR VARIANCE

DOCKET #: _____

ADDRESS OF PREMISES AFFECTED: _____
STREET ADDRESS CITY STATE ZIP

NAME OF PETITIONER(S): _____ PHONE: _____

PETITIONER(S) E-MAIL: _____

PETITIONER(S) ADDRESS: _____
STREET ADDRESS CITY STATE ZIP

AGENT: _____ PHONE: _____

AGENT E-MAIL: _____

AGENT ADDRESS: _____
STREET ADDRESS CITY STATE ZIP

NAME OF OWNER(S): _____ PHONE: _____
IF DIFFERENT FROM PETITIONER(S)

OWNER(S) E-MAIL: _____

OWNER(S) ADDRESS: _____
STREET ADDRESS CITY STATE ZIP

IS/ARE THE PETITIONER(S) THE OWNER(S) OF ONE HUNDRED PERCENT (100%) OF THE ARE INVOLVED IN THE PETITION?
YES NO

LEGAL DESCRIPTION (CHECK ONE):
COMPLETE METES & BOUNDS WITH LEGAL DESCRIPTION ATTACHED
PLATTED SITE WITHIN A RECORDED SUBDIVISION WITH COPY OF PLAT MAP ATTACHED
SUBDIVISION NAME: _____ SECTION: _____
LOT NUMBER(S): _____

IS THIS PROPERTY THE SUBJECT OF ANY CODE ENFORCEMENT ACTION? YES NO

WAS THIS PROPERTY THE SUBJECT OF ANY PREVIOUS PETITION(S)? YES NO

IF YES, LIST THE DOCKET NUMBER(S): _____

CURRENT ZONING: _____ TOWNSHIP: _____ ACREAGE: _____

EXISTING USE OF THE SUBJECT PREMISES: _____

THE VARIANCE REQUEST IS FOR A VARIANCE OF:
USE DEVELOPMENT STANDARDS
USE AND DEVELOPMENT STANDARDS SPECIAL EXCEPTION
ReZoning

PROVIDE A DETAILED DESCRIPTION OF THE PROPOSED USE: STATE THE SPECIFIC ORDINANCE(S), STANDARDS(S), AND/OR REGULATION(S) SOUGHT TO BE MODIFIED (ATTACH ADDITIONAL PAGES, IF NECESSARY).



THE ABOVE INFORMATION, TO MY KNOWLEDGE AND BELIEF, IS TRUE AND CORRECT.

SIGNATURE(S) OF PETITIONER(S) OR AGENT

SIGNATURE(S) OF OWNER(S) IF DIFFERENT THAN PETITIONER

STATE OF INDIANA, COUNTY OF MARION, SS:

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 20_____

NOTARY PUBLIC _____

PRINTED NAME _____

MY COMMISSION EXPIRES _____

COUNTY OF RESIDENCE _____



City of
Lawrence
Indiana

PETITION NO.: _____

LAWRENCE BOARD OF ZONING APPEALS
OF MARION COUNTY, INDIANA

CONSENT FORM

The undersigned, _____, being the owner(s) of the property commonly known as _____, hereby authorize(s) _____ to file land development petitions necessary for the aforementioned address.

This consent shall:

remain in effect until revoked by a written statement filed with the Lawrence Board of Zoning Appeals.

OR

remain in effect until _____, 20____.

Property Owner

Property Owner

Date: _____

Date: _____

STATE OF INDIANA)
) SS:
COUNTY OF _____)

Before me, a Notary Public in and for said County and State, appeared the Property Owner(s) herein, who acknowledged the execution of the foregoing as his/her/their voluntary act and deed for the uses and purposes expressed therein.

Witness my hand and notarial seal this ____ day of _____, 20____.

My commission expires:

NOTARY PUBLIC

County of Residence:

Printed Name

LAWRENCE BOARD OF ZONING APPEALS OF MARION COUNTY, INDIANA

PREPARING YOUR FINDINGS OF FACT

It is important to prepare your Findings of Fact properly. If your petition is granted, the Findings of Fact are adopted by the Lawrence Board of Zoning Appeals as the basis for granting the petition. If the petition granted is judicially reviewed by a court of law, these findings would be the primary evidence in the court's review. Therefore, the following suggestions are offered to assist you in your preparation:

Read each statement carefully before completing the finding. What you write after the word "because" in each of the findings must support the statement that introduces the finding.

Be sure that you understand the statements in the Findings of Fact. For example, if you do not know what the comprehensive plan recommendation is, do not try to complete the finding regarding the comprehensive plan until you learn what it is.

Do not use personal matters as reasons for findings. The findings must relate to the property, not to a person.

Check your spelling.

Use correct grammar. When in doubt, please get assistance.

Do not use pronouns (I, he, she, we or the possessives my, his, her, our) to describe yourself or the petitioner, i.e., the person or entity seeking the variance. Simply repeat the word "petitioner" or "petitioner's".

You may want to consider obtaining professional assistance if you are uncertain about how to proceed.



City of
Lawrence
Indiana

PETITION NO.: _____

LAWRENCE BOARD OF ZONING APPEALS
OF MARION COUNTY, INDIANA

WAIVER OF THE REFILING RULE
FINDINGS OF FACT

There has been a substantial change in the particular circumstances that induced the prior denial, warranting relief from the refiling rule because:

DECISION

IT IS THEREFORE THE DECISION OF THIS BODY THAT THIS PETITION PERMITTING A WAIVER OF THE REFILING RULE PETITION IS APPROVED.

Adopted this _____ day of _____, 20_____

Chairman

Vice-Chairman

Member

Member

Member

**PROCEDURES FOR FILLING OUT THE
LEGAL NOTICE OF PUBLIC HEARING
AND THE
AFFIDAVIT OF PUBLIC HEARING**

As a petitioner seeking a variance, you must notify other interested parties and property owners. Your responsibilities and the procedures you must follow are set out in the Rules of Procedure of the Lawrence Board of Zoning Appeals. The procedures for notice are summarized below:

1. *The Petitioner* must prepare the LEGAL NOTICE OF PUBLIC HEARING for mailing. The notice must be sent by registered, certified or first-class mail at least ten (10) days before the date of hearing. The notice must be mailed to the owners of all adjacent parcels of land surrounding the subject property to a depth of two (2) property ownerships, but not exceeding 660 feet from the subject property. You can obtain all information on ownership of surrounding property from the Board of Zoning Appeals Secretary, 9001 E 59th St, Suite 205, (317-545-5566).
2. The LEGAL NOTICE OF PUBLIC HEARING must also be sent to appropriate neighborhood organizations. This information can be obtained from the Board of Zoning Appeals Secretary, 9001 E 59th St, Suite 205, (317-545-5566).
3. The LEGAL NOTICE OF PUBLIC HEARING must also be sent to all members of the Lawrence Common Council as well as the At-Large members of the Lawrence Common Council. This information can be obtained from the Board of Zoning Appeals Secretary, 9001 E 59th St, Suite 205, (317-545-5566).
4. A copy of the LEGAL NOTICE OF PUBLIC HEARING must be posted in a conspicuous place on the subject property at least ten (10) days before the hearing and remain there until final hearing of the petition.
5. The AFFIDAVIT OF NOTICE OF PUBLIC HEARING must be notarized and then filed in the office of the Lawrence Board of Zoning Appeals along with a copy of the LEGAL NOTICE OF PUBLIC HEARING within three (3) business days after mailing of the notices. These documents may be filed in person or mailed to the Lawrence Board of Zoning Appeals, Attn.: Board Secretary, 9001 E. 59TH Street, Suite 205, Lawrence, Indiana 46216. The affidavit must include the names and addresses of all property owners, neighborhood organizations and Lawrence City Councilors to whom the notice was sent.

**NOTE: IF YOU FAIL TO FOLLOW THESE DIRECTIONS,
THE SCHEDULED HEARING MAY BE POSTPONED.**

LEGAL NOTICE OF PUBLIC HEARING

**LAWRENCE BOARD OF ZONING APPEALS
OF MARION COUNTY, INDIANA**

Notice is hereby given that the undersigned has filed a petition with the Lawrence Board of Zoning Appeals of Marion County, Indiana, requesting the following:

Docket Number

Address of subject property

REQUEST:

LEGAL DESCRIPTION:

This petition and all exhibits and plans filed therewith may be examined in the Board's office at the Lawrence Government Center, 9001 East 59th Street, Ste #205, between the hours of 10:00 a.m. and 4:00 p.m., Monday through Friday. Written objections to the petition may be filed with the Secretary to the Lawrence Board of Zoning Appeals before the hearing at the above address and such objections will be considered.

Contacting members of the Lawrence Board of Zoning Appeals regarding a pending petition is prohibited.

A public hearing will be held at the Lawrence Government Center, 9001 E. 59th Street on **Tuesday, _____, at 6:00 p.m.** All interested persons will be given an opportunity to be heard in reference to the matters set out in said petition. The hearing may be continued from time to time as may be found necessary. This notice is sent to you as an owner of property adjacent to the property included in said petition, pursuant to the applicable Rules of Procedure.

PETITIONER

DEVELOPER
(if different from Petitioner)

Signature

Signature

Name Printed

Name Printed

Street Address

Street Address

City State Zip

City State Zip

AFFIDAVIT OF NOTICE OF PUBLIC HEARING

**LAWRENCE BOARD OF ZONING APPEALS
OF MARION COUNTY, INDIANA**

I/We _____ do hereby certify that the Legal Notice of Public Hearing to consider Docket No. _____ was sent by certified, registered or first-class mail to the last known address of each of the following persons, they being all persons to whom notice was required to be sent by the rules, regulations and order of the Lawrence Board of Zoning Appeals of Marion County, Indiana:

OWNER'S NAME

ADDRESS

(list attached)

Said notices were mailed by certified, registered or first-class mail on the _____, being at least ten (10) days prior to the scheduled public hearing, and that receipts for said certified or registered mailings are attached hereto.

I/We further certify that the notice required by said rules, regulations and order to be posted in a conspicuous place on the property described in Petitioner's petition was posted on the property on the _____, being at least ten (10) days prior to the scheduled hearing.

Petitioner, Attorney or Authorized Agent

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Subscribed and sworn to before me this _____ day of _____, 20____.

My commission expires: _____

Notary Public

County of residence:

Printed Name

NOTICE

City of Lawrence Board of Zoning Appeals

Date of Hearing:

**Location of Hearing:
Lawrence Gov't Center
9001 E 59th St
Assembly Room
Time: 6:00 pm**

Petition Number:

Petitioner:

Petition Address:

Request for Petition: