



BZA APPLICATION INFORMATION

REQUIRED DOCUMENTS AT FILING

Submit a complete application packet that includes the following:

- ☐ **Application.** A completely filled out application including the pages with notarized signatures of the applicant.
- ☐ **Property Owner Consent.** If the applicant is different than the owner of the property, then property owner's consent is required found on page 5 of the application form.
- ☐ **Legal description of the property.** If the project site includes several parcels, the legal description of every parcel shall be included.
- ☐ **Copy of the Deed.** A copy of the latest recorded deed for every parcel within the project shall be provided.
- ☐ **Narrative.** A written letter that explains why the request is necessary and what the project will be shall be provided.
- ☐ **Location (Vicinity) Map.** A general location or area map indicating (in a reproducible manner) the location of the property and the surrounding area. Maps created using internet mapping sites are acceptable.
- ☐ **Site Plan.** A site plan showing proposed improvements shall be provided. Plan must be legible and drawn to a scale of 1"= 10', 1"=20', 1"=30', or 1"=40'.
- ☐ **Septic/Sewer verification.** A letter verifying that proper waste disposal will be available to the property shall be provided for a *Special Use* or *Variance of Use* application for an undeveloped site. For a *Special Use application on existing septic*, submit a letter from the Madison County Board of Health indicating that the special use will make acceptable use of an existing or proposed septic system. For *any variance* on a property with septic, submit a letter from the Madison County Board of Health indicating that the variance will not negatively affect the operation of a septic system.
- ☐ **Other documents.** Depending on the type of the application, other documents may be required to be submitted.
- ☐ **Filing fee payment.** A non-refundable fee shall be paid according to the [Fee Schedule](#). Acceptable methods of payment include cash, check, or MasterCard, VISA, Discover or American Express credit card. Checks must be made payable to "Town of Lapel." Credit cards are accepted; however, the credit card processing agency assesses a fee ~3% of the transaction amount.
- ☐ **(Optional) On-site hearing notice sign fee.** The On-Site Notice must be posted in a conspicuous location along each street frontage of the affected property. There is a non-refundable fee of \$10 per sign required.
- ☐ **(Optional) Surrounding property owners address list.** The petitioner must obtain a list of surrounding property owners from the Madison (or Hamilton) County Assessor's Office's map *not earlier* than 40 days before the public hearing and submit it with the application. If the applicant would like the Town of Lapel to prepare the list instead, please submit a \$25 payment with the application fee. The list shall contain names and last known mailing address of the property owners of property adjacent to the subject property to a depth of two parcels or 660 feet, whichever is smaller.

REQUIRED DOCUMENTS DURING REVIEW PROCESS

- ☐ **Revisions.** Any documents revised during the review process shall be submitted electronically at least two (2) weeks before the public hearing date.
- ☐ **Affidavit of mailed notices.** The applicant shall submit a notarized affidavit of mailing the notices to the surrounding property owners at least three (3) days before the public hearing.
- ☐ **Certificates of Mailing.** The applicant shall provide copies of the certificates of mailing together with the affidavit mentioned above at least three (3) days before the public hearing.
- ☐ **Proof of newspaper publication.** The applicant shall provide a copy of the proof of publication from the newspaper(s) before the public hearing.

PROCEDURE

A. Pre-Filing

Prior to applying, the petitioner shall meet with the Planning Administrator to review information about the project, development standards, and procedures for the correct type of application. The Planning Administrator will advise the petitioner regarding the preparation of the application and supportive documents as necessary.

B. Filing

Submit a filled-out application, application packet and payment to the BZA's office in Lapel Town Hall. Please, find the filing deadlines in the *Calendar of Meetings and Filing Dates*. Also, email the application packet to planadmin@lapelindiana.org. When emailing the packet, please send scanned files of the documents that are signed and notarized. A list of the required documents can be found in this document under the "Required Documents at Filing" section.

C. Review

The Planning Administrator and other applicable town and county staff will review the application and communicate with the applicant regarding the completeness of the application, revisions, the date of the public hearing (if applicable) and any other matters related to the submittal.

D. Public Hearing Notice

Newspaper Notice

Once the Planning Administrator sets a public hearing date, (s)he will write and send a notice to the newspaper(s) or request that the applicant corresponds with the newspaper(s) regarding its publishing. The notice must be published once, at least 10 days before the hearing date. The notice publishing request should be sent to the newspaper(s) at least 3 weeks in advance to ensure ample time for the newspaper(s) to publish the notice per its publishing schedule. Applicant's contact information will be provided to the newspaper(s), so that the latter can contact the applicant regarding the payment. The applicant is responsible for the payment of the published notice.

Mailed Notice

Once the Planning Administrator sets a public hearing date, (s)he will provide a notice to the applicant or a notice template for the applicant to fill out and mail to the adjoining property owners. The notice must be mailed at least 10 days prior to the public hearing date via Certificate of Mailing.

E. Public Hearing

Board of Zoning Appeals shall review the submittal at a public hearing meeting and make a decision at the meeting. The BZA may continue the hearing of the petition to its next scheduled meeting.

F. Recording

If the petition is approved, the applicant will be asked to sign an Acknowledgement of Variance of Development Standards or Special Use form (and any commitments and /or conditions of the approval) to be recorded at Madison County Recorder's Office against the property. A copy of the recorded ordinance shall be provided to the applicant and the Town of Lapel for BZA record.