

**INSTRUCTIONS FOR FILING PETITIONS FOR THE  
MOORESVILLE BOARD OF ZONING APPEALS - VARIANCE**

1. **FILING:** All petitions are to be filed in triplicate at least **ten (10) days** prior to the date of public hearing at which the petitions are to be heard. All petitions shall be submitted **before 3:00 p.m. if filed on the final day.**  
**NO EXCEPTIONS.**
  
2. **NOTICE OF PUBLICATION:** Legal notice in a newspaper of general circulation in the Town of Mooresville shall be published at least **ten (10) days** prior to the hearing date and proof of publication shall be made by an affidavit of the publisher attached to a copy of the notice taken from the paper in which it was published. Such affidavit shall include the name of the newspaper and the time of publication.
  
3. **NOTICE TO ADJOINING LANDOWNERS:** Additional notice shall be given to all adjoining landowners who are within **two (2) parcels in depth or six hundred sixty feet (660')** from the subject property, whichever is least. Such notification shall be made at least **ten (10) days** prior to the hearing date and be made by certified or registered mail. For purposes of this notice requirement, where any of the adjoining parcels of ground are owned by the Petitioner, the subject property shall be deemed to include such adjoining land owned by the Petitioner.

For the purpose of determining the names and addresses of the legal adjoining property owners the records in the bound volumes of the most recent tax assessment records as they appear in the offices of the Morgan County Recorder shall be deemed to be the true names and addresses of persons entitled to be notified.

Such notice shall state:

- (1) the location and legal description of the land involved in the petition;
  
- (2) that the petition may be examined in the Mooresville Government Center;
  
- (3) the substance of said petition; and,

- (4) the time and location said petition has been set for public hearing.
4. **NOTICE OF POSTING:** The Petitioner shall post notice of the Petition on site a minimum of **ten (10)** days prior to the hearing date in an area visible for interested parties to be able to identify the location.
  5. **AFFIDAVIT OF NOTICE:** The Petitioner shall furnish evidence of compliance of the notice requirements by filing a notarized statement with the Commission as is appropriate. Said notice shall list names and addresses of the property owners to whom the notices were sent and the return receipts of postal registration.
  6. **BOARD OF ZONING APPEALS:** The Board of Zoning Appeals meets on the **second (2nd) Thursday of each month at 6:00 p.m. at the Mooresville Government Center, 4 E. Harrison St., Mooresville, IN 46158** unless otherwise posted and hears variances and special exceptions.
  7. **All Petitioners shall be required to provide a Plat map from the County Auditor's Office or certified by a licensed Engineer or Surveyor showing the location of their property and the adjoining property owners that are required to be given notice pursuant to the Town's Ordinance. Parcel numbers should be given to each adjoining owner given notice so the name, parcel number and address can be used for a check off list for the appropriate notice.**
  8. All Petitioners shall be required to provide a map which shows the location of the property and driving instructions to that location from the Mooresville Government Center.
  9. All Petitioners shall be required to outline a description of the project, intended uses and any additional information related to the Petition.
  10. Attach proposed Findings of Fact as to proposed Variance.

## FILING FEES

### Filing:

- |     |                          |                               |
|-----|--------------------------|-------------------------------|
| (a) | Variance                 | \$200.00                      |
| (b) | Rezoning                 | \$300.00 + \$40.00 per acre   |
| (c) | Special Exception        | \$500.00                      |
| (d) | Subdivision Plats        |                               |
|     | Minor                    | \$300.00                      |
|     | Major                    | \$600.00 + \$40.00 per acre   |
| (e) | Planned Unit Development | \$1,000.00 + \$40.00 per acre |

**PETITION**

**TOWN OF MOORESVILLE BOARD OF ZONING APPEALS**

PETITIONER(S) :

NAME	ADDRESS	PHONE
_____	_____	_____
_____	_____	_____
_____	_____	_____

PETITIONER'S ATTORNEY

PETITIONER'S SURVEYOR/ENGINEER

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Phone: \_\_\_\_\_

REAL ESTATE AFFECTED:

STREET AND NUMBER: \_\_\_\_\_

LOT(S) NO. (S): \_\_\_\_\_

Legal Description and Parcel Numbers (required): \_\_\_\_\_

\_\_\_\_\_

Recorded in Plat Book \_\_\_\_\_, Page(s) \_\_\_\_\_ in the  
Office of the Recorder of Morgan County, Indiana.

Plat Size: \_\_\_\_\_ Fronting On: \_\_\_\_\_ Street Acreage: \_\_\_\_\_

SUMMARY OF VARIANCE SOUGHT BY THIS PETITION:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NATURE AND SIZE OF PRESENT IMPROVEMENTS IF ANY: \_\_\_\_\_

\_\_\_\_\_

PRESENT ZONING CLASSIFICATION: \_\_\_\_\_

PROPOSED TYPE OF USE: \_\_\_\_\_

**NOTE: Attach drawing of land showing Improvements and Proposed Improvements.**

SUPPORTING DATA: (Here list any reasons for request or other information showing hardship.)

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The above information is true and correct to the best of my knowledge and belief.

Name of Owners:

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STATE OF INDIANA        )  
                                  ) SS:  
COUNTY OF MORGAN     )

Subscribed and sworn to before me, a Notary Public, in and for the County of Morgan, State of Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public  
Printed: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
My County of Residence: \_\_\_\_\_

SUGGESTED SAMPLE FORM OF LETTER

Send Letters Certified Mail, Return Receipts

SEND TO ALL ADJOINING LANDOWNERS TO A DEPTH OF  
TWO OWNERSHIPS OR 660 FEET, WHICHEVER IS CLOSEST

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Name  
Address

Dear

Please be advised that the undersigned property owner(s) has/have made application to the Mooresville Board of Zoning Appeals to \_\_\_\_\_

\_\_\_\_\_ to the following described real estate in the Town of Mooresville:

Name: \_\_\_\_\_  
Street and number: \_\_\_\_\_  
and described as \_\_\_\_\_.

A public hearing will be held in the Mooresville Government Center at 4 E. Harrison St., Mooresville, Indiana on Thursday, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at 6:00 p.m.

Sincerely,

**SAMPLE OF NOTICE OF PUBLIC HEARING**

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held by the Mooresville Board of Zoning Appeals at the Mooresville Government Center, 4 E. Harrison St., Mooresville, Indiana on \_\_\_\_\_, 20\_\_ at 6:00 p.m. upon the application of \_\_\_\_\_ for a Variance from the requirement of the Zoning Regulations of Mooresville, Indiana to allow the Petitioners to: \_\_\_\_\_

at \_\_\_\_\_, Mooresville, Indiana, the legal description being: \_\_\_\_\_.  
(Parcel Number \_\_\_\_\_). Interested persons appearing in favor of or in opposition to the Petition will be heard thereon by the Board.

Publish 1 x Mooresville Times on \_\_\_\_\_

STATE OF INDIANA        )  
                                  ) SS:  
COUNTY OF MORGAN        )

**AFFIDAVIT OF NOTICE OF PUBLIC HEARING  
OF THE MOORESVILLE BOARD OF ZONING APPEALS**

I (we) \_\_\_\_\_  
do hereby certify that notice of public hearing of the  
Mooresville Board of Zoning Appeals to consider the Application  
of \_\_\_\_\_ requesting \_\_\_\_\_  
located at \_\_\_\_\_ was sent by certified mail  
requesting a return receipt signed by the addressee to the last  
know address of each of the following who are owners of all  
adjoining parcels of real estate to a depth of two (2)  
ownerships within six hundred sixty feet (660') of the property  
subject to this Petition:

And that said notices were mailed as stated above on the \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_ being at least ten (10) days prior  
to \_\_\_\_\_, 20\_\_, the date of the public hearing  
previously set on this Petition.

\_\_\_\_\_  
Petitioner or Agent

Subscribed and sworn to before me, a Notary Public, in and  
for the County of Morgan, State of Indiana, this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public  
Printed: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
My County of Residence: \_\_\_\_\_

# NOTICE OF PUBLIC HEARING

The Mooresville Board of Zoning Appeals will consider

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This case will be heard on the \_\_\_\_\_ day of

\_\_\_\_\_, 2012 in the Mooresville

Government Center, 4 E. Harrison St., Mooresville, IN

46158. For additional information call: (317) 831-1608.