

General Information about this Legal Notice of the Metropolitan Board of Zoning Appeals (BZA)

Why am I getting this?	You are receiving this formal notice for one of three reasons. You are either a property owner within two properties distance or within 660 feet of the property which is the subject of this petition; or you are a neighborhood representative; or you are a City-County Councillor.
Do I need to do anything or go anywhere?	This notice does <u>not</u> require you to attend the hearing or do anything. This notice simply informs you that a petition has been filed pertaining to property near you and that you have the opportunity to be informed and speak to that petition.
What is the Board of Zoning Appeals?	The Metropolitan Board of Zoning Appeals (BZA) is an official decision-making body authorized by State Statute. The BZA consists of five citizens of Marion County who serve without compensation. The BZA members are appointed by the Mayor, City-County Council and the County Commission. There are three Divisions of the BZA. Each Division meets monthly with an alternate swing meeting. The Metropolitan Board of Zoning Appeals has the authority to grant or deny variance petitions.
What is a Variance?	A variance is permission to deviate or depart from the zoning ordinance. The zoning ordinance identifies uses that are permitted in various zoning classifications and the basic standards that development must meet, such as height and setback from property lines. The Metropolitan Board of Zoning Appeals has the authority to grant or deny variance petitions.
What do the Zoning Districts mean?	D-5 is Dwelling District Five, which permits single-family and/or originally constructed two-family dwellings with a typical density of 4.5 residential units per acre. C-3 is a Neighborhood Commercial District characterized by indoor retail sales for a neighborhood. Common uses in the C-3 district include convenience stores, restaurants, and general retail shops and personal service businesses. Consult the zoning code for specific details: www.indygov.org/cp
May I contact the petitioner?	Yes. The petitioner's contact information is on the front side of this notice.
May I contact Department of Metropolitan Development Staff?	Yes. While you cannot contact the BZA directly, you may contact DMD staff. A DMD staff planner is available to discuss questions you may have regarding the hearing process or the basis for the staff recommendation as written in the Staff Report. The Planner assigned to this petition is Melanie Mullens and can be reached at 327-5848 or email at mrmullen@indy.gov . The Mayor's Neighborhood Liaison is Betty Smith-Beecher, who can be reached at 327-8626 or by email at BLSmith@indy.gov . Neighborhood Liaisons serve as a bridge between citizens and city government, acting as ombudsmen and providing a communication link between neighborhoods and the City.
What Is a Staff Report?	The planner assigned to the petition prepares a written Staff Report prior to the hearing that includes an objective planning analysis and recommendation. The Staff Report is available to the public and petitioner 6 days prior to the hearing date listed on the front side of this notice.
How do I get a Continuance?	An "automatic" continuance of the petition is allowed (except Supplemental Review petitions), one for the petitioner (those presenting the petition) and one for the remonstrator (those against the petition), as a matter of right, if it is the first request for continuance by that party and is requested in compliance with the Metropolitan Board of Zoning Appeals Rules of Procedure. The Rules of Procedure are available in the City-County Building, 200 East Washington Street, Suite 1821. All automatic continuances move the petition to the next regularly scheduled hearing of the same Division of the BZA that is at least 3 weeks later. The request for an automatic continuance must include the new date of the hearing. The petition will be automatically continued to the hearing date stated in the request unless notice of a different date is subsequently given. The person requesting the continuance shall give notice to everyone required to be served with notice and to attorneys or agents who have entered their appearance or are known by the person requesting the continuance to represent petitioner or remonstrator. However, registered neighborhood organizations are only required to give notice to attorneys, agents, petitioner and remonstrators of record. A request for an automatic continuance must be filed in writing with the Administrator no later than 5 calendar days prior to the day of the scheduled hearing. The BZA decides all other continuance requests. Continuances do not require a fee.
What about Commitments or Conditions?	If the petition is approved, commitments or conditions may be attached to its approval. After the hearing process has been completed, the commitments or conditions may be obtained by mailing a self-addressed, stamped envelope, with the petition number, to the staff planner indicated above at 200 East Washington Street, Suite 1821, Indianapolis, Indiana 46204.
Where can I get more information?	In addition to contacting the petitioner or city staff as indicated above, you might also contact your City-County Councillor, your neighborhood organization, the Indianapolis Neighborhood Resource Center, or the public library. Online resources include: Current Planning (Zoning) office for general information: http://www.indygov.org/cp Determine the Neighborhood organizations in your area: http://imaps.indygov.org/RegOrgs/ Determine your elected officials, including City-County Councillors: http://imaps.indygov.org/GovntProfile/