

**Procedures for Legal Notice
For Rezoning, Approval, Variance & Special Exception Petitions
Under The Rules of Procedure of the
Metropolitan Development Commission and
Metropolitan Board of Zoning Appeals**

As a petitioner seeking a rezoning, approval*, variance or special exception, you must notify surrounding property owners and other interested parties. The responsibilities and procedures that must be followed are set out in Article V of the Metropolitan Development Commission Rules of Procedure and Article IV of the Metropolitan Board of Zoning Appeals' Rules of Procedure. The procedures for notice are summarized below:

1. The Current Planning staff provides three items:
 - a) **'Legal Notice of Public Hearing'**. This document is two-sided and on white paper for mailing (see paragraph 2).
 - b) **On-Site Notice Sign** for posting (see paragraph 3).
 - c) **Affidavit of Notice of Public Hearing**. This form is one-sided, on white paper, and is to be returned to the Current Planning office upon completion (see paragraph 4).

Current Planning staff will call or email the Contact Person when these items are ready to be picked up. While every attempt is made to provide these items with plenty of lead-time, there may be only a short amount of time to pick-up, mail and post the notices in time. Before leaving the Current Planning office, check the legal notice for accuracy.

2. **Legal Notice of Public Hearing** - The staff-prepared notice must be copied (both sides) and mailed by you, the petitioner, by either first class (with or without confirmation), registered, or certified mail at least twenty three (23) days before the hearing date. This **Legal Notice of Public Hearing** must be mailed to the following:

- All property owners of all adjacent parcels of land surrounding the subject property to a depth of two (2) ownerships, but not exceeding 660 feet from the subject property. Such notice shall be given to owners of property outside of Marion County**, regardless of jurisdiction, if their property is within a depth of two (2) ownerships or within 660 feet of the perimeter of the subject property described in the petition.
- Registered neighborhood organizations***; and
- Affected City-County Councilors***.

You may request that the Planning staff research and provide a list of surrounding property owners for a fee of \$25 (Additional fees may apply if extensive research of properties is required). This service must be requested and the fee must be paid at the time of filing. If this service is not requested, the petitioner must do their own research through the County Assessor's Office.

3. The **On-Site Notice Sign** must be posted in a conspicuous location along each street frontage of the property at least twenty three (23) days before the hearing and remain there until the final hearing of the petition. There is a \$10.00 non-refundable fee for each **On-Site Notice Sign** that is required.
4. The **Affidavit of Notice of Public Hearing** must be completed, notarized, and then filed in or mailed to the Current Planning office within three (3) business days after the **Legal Notice of Public Hearing** was mailed. On the **Affidavit of Notice of Public Hearing**, the names and addresses of all property owners, neighborhood organizations and City-County Councilors to whom you sent notice must be listed.

PLEASE NOTE - If these steps are not followed, the scheduled hearing may be postponed!

- * Regional Center, Park District One, Hospital District One, University Quarter District One, and Central Business District-Special Approval Petitions are not required to notify surrounding property owners.
- ** Planning staff cannot research property ownerships which extend to neighboring counties. Petitioner should contact adjacent municipalities to fulfill this requirement.
- *** A list of the Registered Neighborhood Organizations (including names, addresses and contact persons) as well as affected City-County Councilors will be provided along with the Legal Notice of Public Hearing.