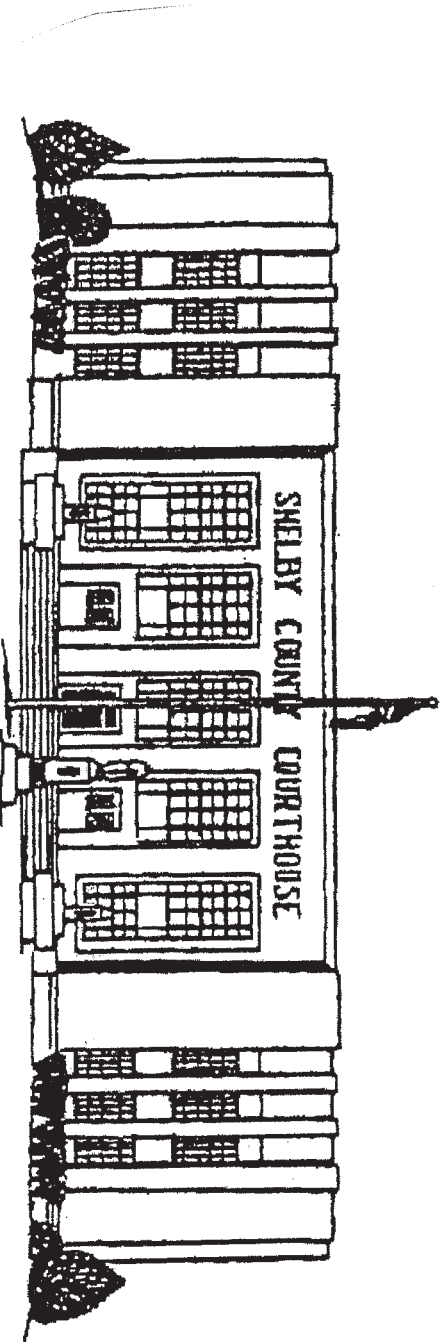


REZONING APPLICATION PACKAGE



Shelby County Plan Commission
25 West Polk Street, Room 201
Shelbyville, IN 46176
Phone: 317.392.6338
Fax: 317.421.8365
amy.dillon@co.shelby.in.us

Amy L. Dillon, AICP, Executive Director

REZONING APPLICATION PROCEDURES

ORIGINATION OF PROPOSALS

Proposals for Zoning Map Amendments (rezoning) may be initiated by either the Plan Commission, the County Commissioners, or through an application signed by property owners of at least 50% of the land involved.

1. County Initiation: The Plan Commission shall prepare the application for zoning map amendments if either the Commission or the County Commissioners has initiated the application. The Plan Commission Director shall serve as the representative of the County Commissioners for such proposals.
2. Property Owner Initiation: Any property owners requesting a zoning map amendment shall be the applicants and assume responsibility for preparing application materials.

REZONING DECISION CRITERIA

In reviewing the rezoning application, the Plan Commission and County Commissioners shall pay reasonable regard to the following:

1. Comprehensive Plan: The Shelby County Comprehensive Plan and any other applicable, adopted planning studies and reports.
2. Current Conditions: The current conditions and character of current structures and uses in each district.
3. Desired Use: The most desirable use for which the land in each district is adapted.
4. Property Values: The conservation of property values throughout Shelby County's planning jurisdiction.
5. Responsible Growth: Responsible growth and development.

GENERAL PROCEDURE

The general procedure for rezoning a property is as follows:

1. Application: The applicant submits a Rezoning Application, required supplemental materials, and application fees to the Plan Commission Director.
2. Public Notice: Public notice for the Plan Commission hearing must be provided as directed by the Unified Development Ordinance.
3. Plan Commission Hearing: The Plan Commission will review the application in a public hearing and make a recommendation to the County Commissioners on the application. This hearing will occur no more than 60 days following the receipt of the application for rezoning. The Plan Commission's recommendation will be certified to the Commissioners within 10 days of the decision.
4. County Commissioners Meeting: The County Commissioners shall vote on the proposed rezoning within 90 days of its certification by the Plan Commission. If the County Commissioners take no action within the 90-day period, then the recommendation of the Plan Commission stands as the final decision on the rezoning.

SUPPORTING MATERIALS

The following supporting materials must be submitted with an application for Rezoning:

1. Site Plan: A site plan drawn to scale showing, at a minimum, all existing and proposed structures, setbacks, easements, rights-of-way, and any other features relevant to the application.
2. Vicinity Map: A vicinity map showing the use and zoning of all properties within 500 feet of the property subject to the rezoning application.
3. Letter of Intent: A letter of intent to the Plan Commission stating the reasons for the rezoning, including a detailed description of any proposed development for which the rezoning is sought. The letter should include any written commitments being made by the applicant.

PUBLIC HEARING NOTIFICATION

Notice of Public Hearing for the Plan Commission is to be completed as set forth in the Shelby County Unified Development Ordinance. The procedures related to public hearings notification contained in this Petition Packet are provided for convenience purposes only.

1. Legal Notice: The applicant is responsible for posting a legal advertisement in the newspaper. The legal advertisement must run at least once, at least 10 days prior to the hearing (not including the date of the hearing). The advertisement must be submitted to the newspaper 2 days prior to the desired publication date.
2. Notice to Interested Parties: The applicant is responsible for preparing and distributing written notice of the petition (including the same information found in the Legal Notice) to all property owners within 2 ownerships of the boundaries of the subject property. Names and addresses of those property owners should be obtained from the Property Transfer Books contained in the Shelby County Auditor's Office. The notices must be sent at least once, at least 10 days prior to the hearing. Notice must be distributed through regular first-class mail.
3. Notification Certification: A copy of the materials provided to each property owner, the completed mailing and/or delivery forms, and a signed and notarized Affidavit of Notice certifying the correctness of the mailing list shall be provided to the Plan Commission Director by the petitioner a minimum of 10 business days prior to the date of the public hearing.

REZONING APPLICATION

Shelby County Plan Commission
25 West Polk Street, Room 201
Shelbyville, IN 46176
P: 317.392.6338 F: 317.421.8365

**For Office Use
Only**

Case #: _____
Hearing Date: _____
Fees: _____

Approved Denied

1. Applicant/Property Owner:

Name: _____
Address: _____
Phone Number: _____
Fax Number: _____
E-mail Address: _____

Owner:

Name: _____
Address: _____
Phone Number: _____
Fax Number: _____

2. Applicant's Attorney/Contact Person and Project Engineer (if any): Attorney/Contact Person:

Name: _____
Address: _____
Phone Number: _____
Fax Number: _____

Name: _____
Address: _____
Phone Number: _____
Fax Number: _____

3. Project Information:

General Location of Property (and address if applicable): _____

Current Use: _____
Proposed Use: _____
Proposed Zoning: _____
Area (in acres): _____

4. Attachments:

- Affidavit & Consent of Property Owner (if applicable)
- Proof of ownership (copy of deed)
- Letter of Intent
- Site Plan

- Vicinity Map
- Application Fee
- Legal Description

The undersigned states the above information is true and correct as (s)he is informed and believes.

Signature of Applicant: _____ Date: _____

State of Indiana)
County of Shelby) SS: _____
Subscribed and sworn to before me this _____ day of _____.

Notary Public - Signed _____ / _____ Printed _____
Residing in _____ County My Commission expires _____

**AFFIDAVIT & CONSENT OF PROPERTY OWNER
APPLICATION TO THE SHELBY COUNTY PLAN COMMISSION**

STATE OF INDIANA)
COUNTY OF SHELBY) SS:

I, _____, AFTER BEING DULY SWORN, DEPOSE AND SAY THE FOLLOWING:
(Name of property owner)

1. That I am the owner of real estate located at _____;
(Address of affected property)
2. That I have read and examined the Application made to the Shelby County Plan Commission by:

(Name of applicant)
3. That I have no objections to, and consent to the request(s) described in the Application made to the Shelby County Plan Commission.

Owner's Name (Please Print)

Owner's Signature

State of Indiana)
County of Shelby) SS:

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

Notary Public / _____ Printed
Residing in _____ County My Commission expires _____

NOTICE OF PUBLIC HEARING
BY THE
SHELBY COUNTY PLAN COMMISSION

Notice is hereby given that the Shelby County Plan Commission will hold a Public Hearing on _____ (Date of hearing)

at _____ in Conference Room 208A at the Shelby County Courthouse Annex to consider a petition (Time)

by _____ to allow the following:
(Name of applicant)

(Type a brief description of request)

The property is located at _____, on the _____ side of County Road _____ between County Road _____ and County Road _____ in section ____ of _____ Township and also described by the following:

(INSERT LEGAL DESCRIPTION OF PROPERTY)

The application may be examined at the office of the Shelby County Plan Commission located in the Courthouse Annex at 25 West Polk Street, Room 201, Shelbyville, Indiana, 46176, Monday through Thursday between the hours of 7:00 AM and 5:00 PM.

Written comments in support of or in opposition to the Petition may be filed with or mailed to the Plan Commission Director prior to the Public Hearing at the above address or filed with the Plan Commission Secretary at the Public Hearing. Said Public Hearing will be open to the public and any objectors will be heard at this meeting. Hearings may be continued from time to time as may be necessary.

_____ Plan Commission Representative

_____ Title

**AFFIDAVIT OF NOTICE TO INTERESTED PARTIES
PUBLIC HEARING OF THE SHELBY COUNTY PLAN COMMISSION**

STATE OF INDIANA)
COUNTY OF SHELBY) SS:

I, _____, DO HEREBY CERTIFY THAT NOTICE TO INTERESTED
(Name of person mailing letters)

PARTIES OF THE PUBLIC HEARING BY THE SHELBY COUNTY PLAN COMMISSION, to consider the application

of: _____
(Name of person on application)

Requesting: _____

For Property Located at: _____

Was sent to the following owners and addresses as listed in the Plat Books of the Shelby County Auditor's Office (attach additional sheets if necessary):

| <u>OWNERS</u> | <u>ADDRESS</u> |
|---------------|----------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
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| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

And that said notices were sent on or before the _____ day of _____, being at least ten (10) days prior to the date of the Public Hearing.

_____ (Name of person mailing the letters)

State of Indiana)
County of Shelby) SS:

Subscribed and sworn to before me this _____ day of _____.

Notary Public / _____ Printed
Residing in _____ County My Commission expires _____

**APPLICATION FOR REZONING
FINDINGS OF FACT BY THE SHELBY COUNTY PLAN COMMISSION**

Applicant: _____

Case #: _____

Location: _____

The Shelby County Plan Commission, having heard the application for rezoning described above and all opposition from parties claiming to be adversely affected thereby, has considered the request based on the provisions of Indiana law and forwards the following findings and recommendation to the Shelby County Commissioners:

1. The request **is/is not** (circle one) consistent with the Shelby County Comprehensive Plan because: _____

2. The request **is/is not** (circle one) consistent with the current conditions and the character of structures and uses in each zoning district because: _____

3. The request **is/is not** (circle one) consistent with the most desirable use for which the land in each district is adapted because: _____

4. The request **is/is not** (circle one) consistent with the conservation of property values throughout the jurisdiction because: _____

5. The request **is/is not** (circle one) consistent with responsible growth and development because: _____

Based on the findings described above, the Plan Commission hereby forwards a **favorable/unfavorable** (circle one) recommendation to the County Commissioners this _____ day of _____, _____.

Shelby County Plan Commission

By: _____ Attest: _____

President

Secretary