

REZONING APPLICATION PACKAGE



Shelby County Plan Commission
25 West Polk Street, Room 201
Shelbyville, IN 46176
Phone: 317.392.6338
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Desiree Calderella, AICP
Planning Director

REZONING APPLICATION PROCEDURES

1. SUBMITTAL OF REQUIRED MATERIALS

1. Application
2. Filing Fee
3. Affidavit and consent of property owner (if the property owner is someone other than the applicant)
4. A copy of the deed for the property involved
5. Findings of Fact sheet with completed responses.
6. Site Plan (see site plan example of following pages)
7. Written statement indicating the purpose for the zoning amendment

2. SITE VISIT

The applicant is responsible for scheduling a property inspection with the Planning Director for a date at least two weeks prior to the hearing. The Director may request to view and document by photograph any portion of the property relevant to the petition, including inside buildings. Inspections can be scheduled Monday – Thursday, from 8AM to 4:00PM, or for an alternate time in the case of a mitigating circumstance.

3. PUBLIC HEARING NOTIFICATION PROCEDURE

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

- a. Notice: The Plan Commission Director will prepare legal notice and notice to interested parties of the petition within three business days of submittal of the application. The applicant may request to receive the notice by email or may obtain the notice at the plan commission office during regular business hours.
- b. Notice to Interested Parties: The applicant is responsible for distributing written notice of the petition to all owners of property within 600 feet of the boundaries of the subject property. The Plan Commission Director will provide the applicant with the mailing addresses of all property owners required to receive notice. The applicant is responsible for providing the notice mailed to each property owner, envelopes, and postage.
- c. Notification Certification: The addressed and stamped envelopes to be provided to each property owner and the signed and notarized Affidavit of Notice(the Plan Commission office can act as a notary) shall be provided to the Plan Commission Director at least 10 days prior to the hearing (not including the date of the hearing).

4. 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. The applicant must be present at the public hearing to present the request and to address any questions. The Plan Commission's recommendation will be certified to the Commissioners within 10 days of the decision.

5. COUNTY COMMISSIONER 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.

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 the Shelby County's planning jurisdiction.
5. Responsible Growth: Responsible growth and development.

REZONING APPLICATION

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For Office Use Only
Case #: _____
Hearing Date: _____
Fees: _____
Approved Denied

1. Applicant/Property Owner:

Applicant:

Name: _____

Address: _____

Phone Number: _____

Fax Number: _____

E-mail Address: _____

*please indicate preferred method of contact

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: _____

*please indicate preferred method of contact

Project Engineer:

Name: _____

Address: _____

Phone Number: _____

Fax Number: _____

3. Project Information:

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

Current Use: _____

Current Zoning: _____

Proposed Use: _____

Proposed Zoning: _____

Area (in acres): _____

4. Site Visit Appointment (Please indicate first and second choice of date & time, Mon-Thur, 8AM-4PM only)

First Choice _____

Second Choice _____

5. Attachments:

Affidavit & Consent of Property Owner (if applicable)

Copy of Deed

Statement of Intent

Site Plan

Findings of Fact

Application Fee

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:

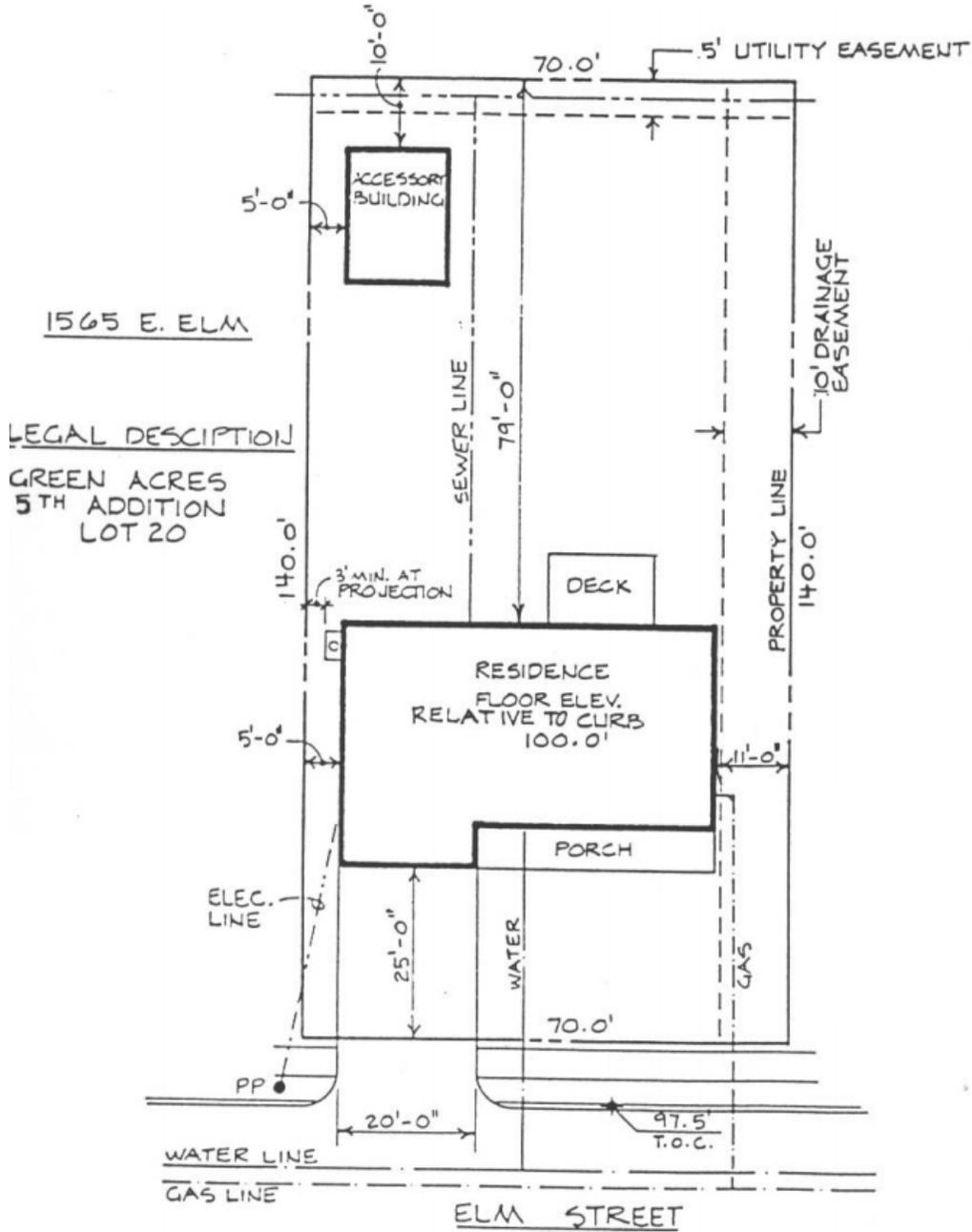
Subscribed and sworn to before me this _____ day of _____, _____.

_____/_____
Notary Public - Signed Printed

Residing in _____ County My Commission expires _____

SITE PLAN EXAMPLE

At minimum, the site plan should include all existing & proposed buildings on the subject property and all existing & proposed features of the property related to the request. The plan does not necessarily need to be drawn to scale, however the plan should indicate the dimensions of the property, dimensions of all buildings & property features, and the distance for all buildings and property features from the property line. The applicant may hand-draw the site plan or print out an online aerial map, however the Planning Director has the discretion to require a site plan drawn by a professional engineer dependent upon the complexity of the request.



APPLICATION FOR REZONING
FINDINGS OF FACT

The applicant (or their representative) must fill out the findings of fact on the following pages. The Plan Commission may review the applicant's findings of fact to assist with their decision-making process. Please see below for general guidance related to completing the findings of fact.

Applicant: _____

Case #: _____

Location: _____

1. The request **is** consistent with the Shelby County Comprehensive Plan because: _____

2. The request **is** consistent with the current conditions and the character of structures and uses in each district because:

3. The request **is** consistent with the most desirable use for which the land in each district is adapted because: _____

4. The request **is** consistent with the conservation of property values throughout the jurisdiction because: _____

5. The request **is** consistent with responsible growth and development because: _____

General Guidance – Rezoning (not to be considered legal advice):

Finding 1: How is the proposed new zoning designation consistent with the future land use of the property identified in the Comprehensive Plan? If you do not know the future land use of the property, please ask the Planning Director.

Finding 2: How is the proposed use, and/or other possible future uses permitted in the proposed zoning district, similar to surrounding structures and uses of land?

Finding 3: Why is the proposed use, and/or other possible future uses permitted in the proposed zoning district, the most desirable use for the land?

Finding 4: Explain why the proposed use, and/or other possible future uses permitted in the proposed zoning district, would not negatively impact property values.

Finding 5: Why is the change in zoning designation consistent with responsible growth and development?

