

**Pulaski County Advisory Plan Commission
APPLICATION FOR PUBLIC HEARING**

DATE FILED: _____

Docket # _____

Petition:

____ Map Amendment \$500

Documentation Timeline Process

All Petitions shall be filed in accordance with the Pulaski County Zoning Ordinance section Viii, 8.5

Your hearing is scheduled for ____/____/____ at ____:____ p.m. EST to be held in room 201 of the Pulaski County Courthouse, 112 East Main Street, Winamac, IN

- \$175 residential/ \$500 commercial, utility hearing filing fee to be paid prior to processing payable to: Pulaski County Building Department
-
- Complete:
 - o Application
 - o Finding of Facts
 - o Application Requirements (diagrams, photos, business plan, etc)
- Mail Legal notices to all legal landowners within proper distance (based on specific petition) of any boundary of subject property by USPS Certificate of Mailing or Certified mailing (Special Exception) no sooner than ____/____/____ but no later than ____/____/____.
- Affidavit of proof of mailing notarized and returned to building department with proof of mailings no later than ____/____/____.
- Payment to both The Pulaski County Journal newspaper for legal notice publication no sooner than ____/____/____ and no later than ____/____/____.

Thank you for your time and attention!

Karla Redweik
Inspector
APC/BZA Administrator
Office: 574-946-7858
Cell: 574-242-2046
buildinginspector@pulaskicounty.in.gov

DATE FILED: _____

Docket # _____

Petition: ____ Map Amendment/Rezone –APC ____ Special Exception –BZA
 ____ Use Variance –BZA ____ Variance from Development Standards –BZA

**Pulaski County Advisory Plan Commission & Board of Zoning Appeals
APPLICATION FOR PUBLIC HEARING**

Petitioner Information

Name(s): _____

Street address: _____

City, State Zip: _____

Telephone: _____ Email: _____

Signature: _____

Petitioner is Sole Owner Joint Owner Tenant Agent Other: _____

Property Owner Information (if different from petitioner)

Name(s): _____

Street address: _____

City, State Zip: _____

Telephone: _____ Email: _____

Signature: _____

Premises Affected

Address: _____

(If no assigned address, then provide location relative to nearest cross streets or county roads.)

Parcel #: _____

(If more than one parcel is included, please provide key parcel number here and additional numbers as an attachment to this application. Please attach complete legal description(s).)

Acreage: _____ Current use: _____

Present Zoning: _____ Proposed Zoning: _____

(For rezoning requests only)

Use of Adjacent properties

North: _____ East: _____ South: _____ West: _____

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Application Requirements

1. With your completed application, please include your nonrefundable application fee. Consult the Plan Administrator for the current fee for the request that you are submitting, pursuant to the Pulaski County Development Fee Schedule.
2. On a separate page, please provide a Statement of Intent addressing the following:
 - the address, general location, acreage, and parcel number(s) of subject property
 - the planned use for the subject property
 - the specific development standards from which you are seeking relief (if applicable)
 - the questions asked in the findings-of-fact inquiry on the next page
 - what benefits, if any, your intended use will provide for the community
 - additional information that would assist the APC/BZA in making a decision
3. Submit a to-scale development site plan, defined in Section 8, 'Definitions', of the Pulaski County Unified Development Ordinance, including the following information:
 - address, general location, acreage, and parcel number(s) of subject property
 - name of subdivision in which property exists (if applicable)
 - location/key with north arrow
 - property dimensions
 - existing and proposed buildings, parking areas, and other natural and manmade features
 - adjacent streets/roads and alleys
 - existing and proposed ingress/egress
 - existing building setbacks and separation
 - delineation of all requested variant development standards (if applicable)
 - existing easements
 - *approximate* locations of neighboring uses and structures
 - brief description of neighboring uses and structures
 - existing and proposed landscaping, lighting, and signage
 - map scale
 - dated signature of applicant and owner

The scale of the plan should be no smaller than 1" = 200' and no larger than 1" = 50'. Site plans should be large enough for easy readability, but no larger than 24"x36".
4. Aerial photograph/map of the property in question zoomed out far enough to show immediately neighboring properties/uses/structures.
5. Copy of the property deed and, if applicable, any pertinent contracts.
6. Photographs of the property, especially of area(s) slated for development per this request.
7. Provide rough, to-scale elevation sketches of proposed buildings and structures slated for construction as part of the project for which you are making this request.

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Statement of Intent Findings-of-Fact Inquiry

Dear Petitioner: The Indiana Code and the Pulaski County Unified Development Ordinance require the Advisory Plan Commission and County Commissioners to consider certain criteria when judging the merits of a rezoning request; require the Board of Zoning Appeals to consider certain criteria when judging the merits of a request for a variance; and permit the Board to consider certain criteria when judging the merits of a request for a special exception. Answer the following as thoroughly as possible in your Statement of Intent to ensure that staff and Commissioners/Board members have all relevant information. Answer only those questions applicable to your type of petition.

Map Amendment (Rezoning) – APC

1. Is the proposed map amendment compatible with the current comprehensive plan for Pulaski County (<http://gov.pulaskionline.org/comp-plan/>)? Please explain.
2. Is the proposed map amendment compatible with the current conditions and character of existing structures and uses in the district? Please explain.
3. Would the (use intended for the) proposed map amendment provide for the most desirable use for which the land in this zoning district is adapted? Please explain.
4. Would the proposed map amendment likely have a positive, neutral, or negative impact on property values throughout the jurisdiction? Can you provide a basis for your judgment?
5. Does the proposed map amendment allow for responsible development and growth, or the opposite? Consider the following in answering this and defending your answer: potential economic impact, availability of adequate public facilities and services (utilities and drainage, roads and traffic, public safety, *et c.* — as necessary), adverse environmental effects, and similar issues.

* * *

Please be advised that, pursuant to Indiana Code 36-7-4-1015, the Advisory Plan Commission and Board of Zoning Appeals retain the right to require written commitments, as warranted, as conditions to the adoption of a rezoning proposal and approval of a special exception or variance. Additionally, pursuant to Indiana Code 36-7-4-918.4 and -918.5, the Board retains the right to grant variances only with the acceptance of reasonable conditions imposed as warranted.

An Improvement Location Permit (ILP) should be obtained from the Plan Administrator with expedience after a favorable judgment from the Commission or Board. An ILP shall expire if authorized work has not commenced within six months of issuance; for an additional fee, an expired special exception may be extended on a monthly basis. A special exception shall expire if the authorized use is not established within 12 months of approval, or if the special-exception use is discontinued for 12 months or longer; in the former, but not the latter, case, for an additional fee, an expired special exception may be extended on a monthly basis.

The petitioner is required to meet all application requirements in a manner deemed to be complete by the Administrator before the petition will be docketed.

Having your petition heard does not guarantee that it will be approved. Decisions of the Board of Zoning Appeals are final insofar as the Board makes adjudications, and not recommendations. Decisions made by the Advisory Plan Commission regarding map-amendment proposals are recommendations, and the final authority lies with the Board of County Commissioners.

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Pulaski County Advisory Plan Commission & Board of Zoning Appeals
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Pursuant to Indiana Code 36-7-4-1016(a), Board decisions regarding variances and special exceptions, administrative appeals, and appeals of commitment modifications or terminations are considered zoning decisions and may be subject to judicial review pursuant to Indiana Code 36-7-4-1600, et seq.

Pursuant to Indiana Code 36-7-4-1016(e), map-amendment (rezoning) decisions made by the Commission and Board of County Commissioners are considered to be legislative decisions and, consequently, may not be subject to judicial review pursuant to Indiana Code 36-7-4-1600, et seq.

Public-Hearing Notification Requirements

Legal notices

You are required by Indiana Code to publish the legal notice for your public hearing one time, no earlier than 30 days before your scheduled hearing and no later than 10 days prior thereto for use variance and variance from development standards and no sooner than 60 days before your schedule special exception or map amendment hearing and no later than 45 days prior to your scheduled hearing date. The form to be provided to the publishing newspaper(s) is included in this packet.

For all petitions, you must publish in the Pulaski County *Journal*.

Proof of publication of the public notice, in the form of a Publisher's Affidavit, must be provided by the newspaper(s) in which you have published your notice. It must specify the general location of the publication of the newspaper, the date/edition of publication, and the name of the newspaper. You must file it with the administrator or administrative secretary prior to the hearing.

Pulaski County Journal & Independent

574-946-6628 (o) 574-946-7471 (f)

114 West Main Street/ P.O. Box 19 Winamac, Indiana 46996

ads@pulaskijournal.com

Publication deadline for the following week's paper is 5:00p.m. E.T. on Thursday.

Mailed Notices

Additionally, the petitioner shall notify all legal landowners of any property within 660' of any boundary of the subject property. This mailing shall be done by USPS Certificate of Mailing – Firm, Form 3665. This must be done no earlier than 30 before your scheduled hearing and no later than 10 days prior thereto for use variance and variance from development standards and no sooner than 60 days before your schedule special exception or map amendment hearing and no later than 45 days prior to your scheduled hearing date.. The return address provided should be that of the Pulaski County Building and Zoning Department. A copy of the public noticed provided to the newspaper(s) will be sufficient for this form of notification. The administrator can assist you with determining all landowners who must be notified.

You must submit a completed, signed, dated, and notarized affidavit (included in this application) verifying that have mailed all required notices timely.

Posted Notice

At least fifteen (15) days before the hearing, you may also be required, at the discretion of the administrator, to post a notice in a visible location on the subject property.

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AFFIDAVIT

To the Pulaski County Plan Administrator,

I, _____, do affirm under penalty of perjury that I have, at least 15 days, and no more than 30 days, prior to the scheduled public hearing for my petition to the

_____, for a _____

for _____, filed by _____

on the _____ day of _____, 20____,

provided notice by USPS Certification of Mail – Firm, Form 3665, to all legal landowners with properties within 660’ of the subject property of the petition, as determined in consultation with the Administrator. Return address for said notices was listed as Pulaski County Building and Zoning Department, 125 South Riverside Drive, Suite 120, Winamac, Indiana 46996.

Further affiant sayeth naught.

Signature

Date

Printed name

STATE OF INDIANA)
) SS:
COUNTY OF PULASKI)

Before me, a Notary Public in and for said County and State, hereby certify that

_____, personally known to me to be the affiant in the foregoing affidavit, personally appeared before me this day and having been by me duly sworn deposes and says that the facts set forth in the above affidavit are true and correct.

Witness my hand and official seal this the _____ day of _____, 20_____.

Signature

County of Residence

Printed Name

Commission Expiration Date

Pulaski County Advisory Plan Commission & Board of Zoning Appeals
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FINDING OF FACTS FOR MAP AMENDMENT REQUEST
For the
PULASKI COUNTY ADVISORY PLAN COMMISSION

Petitioner: _____

Parcel number(s): _____

Parcel location(s): _____

Total acreage: _____

Map Amendment – APC
Rezoning

1. Is the proposed map amendment compatible with the current comprehensive plan for Pulaski County (<http://gov.pulaskionline.org/comp-plan/>)?
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4. Would the proposed map amendment likely have a positive, neutral, or negative impact on property values throughout the jurisdiction? Can you provide a basis for your judgment?
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