

HENDRICKS COUNTY PLANNING & BUILDING DEPARTMENT



REZONING PROCEDURAL GUIDELINES

1. **DEFINITION:** To amend the zoning classification of a particular lot or parcel of land.

2. **PRELIMINARY CONSULTATION:**
 - a) Schedule by appointment **only**;
 - b) Optional pre-application discussion with owner or developer either on-site or at the Hendricks County Government Center;
 - c) On a sketched plan, show all existing and proposed improvements;
 - d) Written summary of the preliminary consultation will be provided upon request;

3. **APPLICATION (SEE CHECKLIST):**
 - a) Notarized application **must** be filled at least **thirty (30) days** before the Plan Commission meeting;
 - b) Proposed amending Ordinance, approved as to form by the County Attorney;
 - c) A statement on how the proposed rezoning relates to the Hendricks County Comprehensive Plan;
 - d) A vicinity map showing property lines, dimensions, thoroughfares, existing and proposed zoning, and such other items as may be required;
 - e) A parcel map and list identifying adjacent property owners and their mailing addresses within six hundred sixty (660) feet but not more than two (2) ownerships in depth;
 - f) Sample notification letter to adjacent property owners;
 - g) Legal description of the property;
 - h) Aerial photo of the property;

- ADDITIONAL INFORMATION (IF APPLICABLE):**
 - i) Submission to INDOT;
 - j) Transportation Impact Study;
 - k) Fiscal Impact Analysis

4. **FEE:** \$570.00 + \$29.00/acre + \$55.00 (Legal Advertising Fee)

5. **NOTIFICATION:**

- a) **ENTITY NOTIFICATION:** Proof that the applicant has notified all affected utility companies, local fire departments, school superintendent of the affected school district and all affected incorporated town(s) located within two (2) miles of the proposed development site in the same manner as prescribed in the Rules of Procedure of the Hendricks County Area Plan Commission, and has also provided those parties listed above with said notice a copy of the primary plat and construction plans. Proof of notification shall be certified mail receipts. **Proof of mailing must be submitted to staff prior to the TAC meeting.**

Before any zoning amendment is approved affecting any land within three hundred (300) feet of the centerline of a proposed new highway or highway for which changes are proposed, or within a radius of five hundred (500) feet from the point of intersection of the centerline with any public road or highway, the Plan Commission may require the applicant give notice by mail to the Indiana Department of Transportation.

- b) **WRITTEN NOTIFICATION:** Applicant **must** mail letters to adjacent property owners at least **ten (10) days** before scheduled meeting and file an affidavit with the Planning and Building Department prior to the public hearing.
- c) **PUBLIC NOTIFICATION:** Planning and Building Department will submit legal notices in the Flyer and the Republican at least **ten (10) days** before scheduled meeting and the applicant will pay this fee at the time the application is submitted.

6. **SITE VISITS:** The Area Plan Commission Staff will be conducting on site inspections of the property, if necessary, prior to Staff Review. Signs will be posted during these visits. All signs are to be returned to the Planning and Building Department after the Plan Commission meeting.

7. **TECHNICAL REVIEW:** A meeting between the developer's representative and the Plan Commission Staff to discuss the project. Check the meeting schedule for time and place.

8. **AREA PLAN COMMISSION MEETING:** A public hearing concerning the recommendation to the Board of Hendricks County Commissioners. See attached meeting schedule.

9. **BOARD OF HENDRICKS COUNTY COMMISSIONERS:**

- a) Public meeting to consider the Plan Commission's recommendation for the proposed rezoning;
- b) The Commissioners have **ninety (90) days** to make a final decision.

This procedural guideline is intended as a summary of the approval process and is not intended to replace any ordinance or Rule of Procedure. Refer to the Subdivision Control Ordinance, Storm Drainage, Erosion, Sediment Control Ordinance (SDESCO), Zoning Ordinance and Plan Commission Rule of Procedure for actual requirements.

Zoning Amendment Checklist

ZA _____

The following requirements of the Hendricks County Zoning Ordinance must be met before your application can be considered by the Hendricks County Area Plan Commission. It is important that all requirements are met prior to applying for a zoning amendment. An incomplete application will not be scheduled for hearing. If you have any questions about these requirements, please consult Plan Commission staff at 317.745.9254.

This check-off list is to help you organize and complete your application. It is also to assist Plan Commission staff in reviewing your submission. **PLEASE PUT A CHECK MARK BESIDE EACH REQUIREMENT AS IT IS MADE PART OF THE APPLICATION.**

A COMPLETED CHECKLIST MUST BE SUBMITTED WITH EACH APPLICATION

ORDINANCE REQUIREMENTS

12.5 (B) (3) (b) CONTENTS OF APPLICATION

Applications for amendments to the Official Zoning Map shall contain the information as listed below.

✓	
	A. Application form;
	B. Present use;
	C. Present zoning classification;
	D. Proposed use;
	E. Proposed zoning classification;
	F. Signature of property owner(s) or agent;
	G. Authorization letter from property owner (if there is an agent);
	H. A vicinity map showing property lines, thoroughfares, existing and proposed zoning, and such other items as may be required;
	I. Proposed amending Ordinance, approved as to form by the County Attorney;
	J. Letter of intent;
	K. A statement on how the proposed amendment relates to the comprehensive plan;
	L. Separate written legal description;
	M. Property inspection release;
	N. A fee as established by the Board of County Commissioners;
	O. A parcel map and list identifying all property owners and their mailing addresses;
	P. Sample notification letter;
	Q. Affidavit of written notification adjoining landowners filed before scheduled meeting;
	R. Proof that the applicant has notified all affected utility companies, local fire departments, school superintendent of the affected school district and all affected incorporated town(s) located within two (2) miles of the proposed development site in the same manner as prescribed in the Rules of Procedure of the Hendricks County Area Plan Commission, and has also provided those parties listed above with said notice a copy of the primary plat and construction plans. Proof of notification shall be certified mail receipts;
	S. Traffic Impact Study (if applicable); and
	T. Fiscal Impact Study (if applicable).
	U. Before any zoning amendment is approved affecting any land within three hundred (300) feet of the centerline of a proposed new highway or highway for which changes are proposed, or within a radius of five hundred (500) feet from the point of intersection of the centerline with any public road or highway, the Plan Commission may require the applicant give notice by mail to the Indiana Department of Transportation.

All presentations to the Plan Commission must be in PowerPoint format. Staff will provide the necessary equipment for the presentation.

** Electronic alteration of this form is prohibited.*

Eric Fazzini
Planning Technician
Hendricks County Planning & Building Department
355 South Washington Street #212
Danville IN 46122
Phone: 317.745.9254
Fax: 317.745.9347

Email: efazzini@co.hendricks.in.us
Website: www.co.hendricks.in.us

Large Project Application Procedure

Purpose

The purpose of the large project application procedure is to ensure that (1) all the necessary information for evaluating complex applications is available at the time of public hearing, (2) applications are heard in a timely manner according to a reliable and predictable schedule, and (3) Plan Commission members and staff can adequately familiarize themselves with the project prior to the public hearing.

Application

This procedure applies to rezoning, plat, and development plan applications.

Definition

A large project is:

1. A residential or mixed use project of 150 residential lots/units or more necessitating both a traffic study and a fiscal study.
2. A non-residential project that is unusually large, controversial, or otherwise of high public interest.
3. Any project deemed as such by the Plan Commission.

Procedure

Prior To Application

Arrangements by the applicant shall be made with the Engineer's Office and the Planning and Building Department to initiate the applicable traffic and fiscal studies. At the applicant's request, the Director of the Plan Commission shall authorize the consultant, Financial Solutions Group, to proceed with the fiscal study. Once the fiscal study is authorized, the applicant is responsible for reimbursing the County for the cost of the fiscal study whether or not an application is applied for.

Time Of Application

Large project zoning and plat/development plan submittals shall be complete at the time of application. This includes traffic and fiscal studies completed to the satisfaction of the appropriate departments. With a complete application, the project shall be scheduled for the next hearing. An exception to this requirement are IDEM approvals which may be submitted by the staff review meeting two weeks before the public hearing.

Pre-Hearing Meeting

The applicant shall meet with staff and Plan Commission members in quorum or non-quorum numbers to review the project in detail prior to the public hearing. This is a duly advertised informational session open to the public where no testimony is taken and no action is permitted. The applicant shall be prepared to discuss the project at a level of detail appropriate for the type of petition.

Public Hearing

A large project application may be heard during a regularly scheduled public hearing or a special hearing may be scheduled.

PROPERTY INSPECTION RELEASE FORM

REAL ESTATE AFFECTED: Section _____ Township _____ Range _____

Township _____

Location of Subject Property to Nearest County Road Intersection:

Address of Subject Property: _____

Town of: _____ Lot _____ Block _____ Addition _____

Subdivision _____ Lot _____ Section _____

I (We) hereby authorize and grant to the employees of the Hendricks County Planning and Building Department, other Hendricks County Officials, members of the Board of Zoning Appeals and members of the Plan Commission the right to come onto the above described property for the purpose of inspecting and evaluating the premises regarding this application. I (We) further release said Board members, Commission members, and County employees and officials from any and all liability during said inspection and related matters.

Applicant(s) _____

Date _____

SAMPLE ILLUSTRATION OF WRITTEN NOTIFICATION

The sample illustration of written notification on the following page is designed to help the applicant notify the adjacent property owners of a public hearing as required by Indiana Code 36-7-4-706 and the Hendricks County Area Plan Commission Rules of Procedure.

The applicant must follow steps 1-3 in order to ensure that proper written notification is given to adjacent property owners.

STEPS:

1. Notify all adjacent property owners within six hundred sixty (660) feet of the applicant's property lines or two (2) ownerships deep, whichever comes first. The applicant's property shall include all contiguous parcels that he or she owns. If the applicant's property abuts or includes a county line, the applicant shall follow the above rule of notification into that county.
2. Letters of written notification shall be sent by certified, registered, or first-class mail to the legal property owner. If first-class mail is used, a USPS Certificate of Mailing must be submitted for each letter. The mailing address of legal property owners shall be obtained from the Hendricks County Auditor's Office. For notification into an adjacent county, the applicant shall contact the appropriate county office to secure names and addresses of property owners.
3. The applicant shall submit an Affidavit of Written Notification on the forms available at the Planning & Building Department by the appropriate deadline. Proof of mailing shall be submitted to the Planning & Building Department staff prior to the public hearing.

4. **STATE OR FEDERAL HIGHWAY NOTIFICATION:**

All applications requiring a public hearing by the Area Plan Commission or Board of Zoning Appeals must notify the Indiana Department of Transportation as part of the written notification requirements if a state or federal highway is located within six hundred sixty (660) feet.

All applicants should contact INDOT as follows:

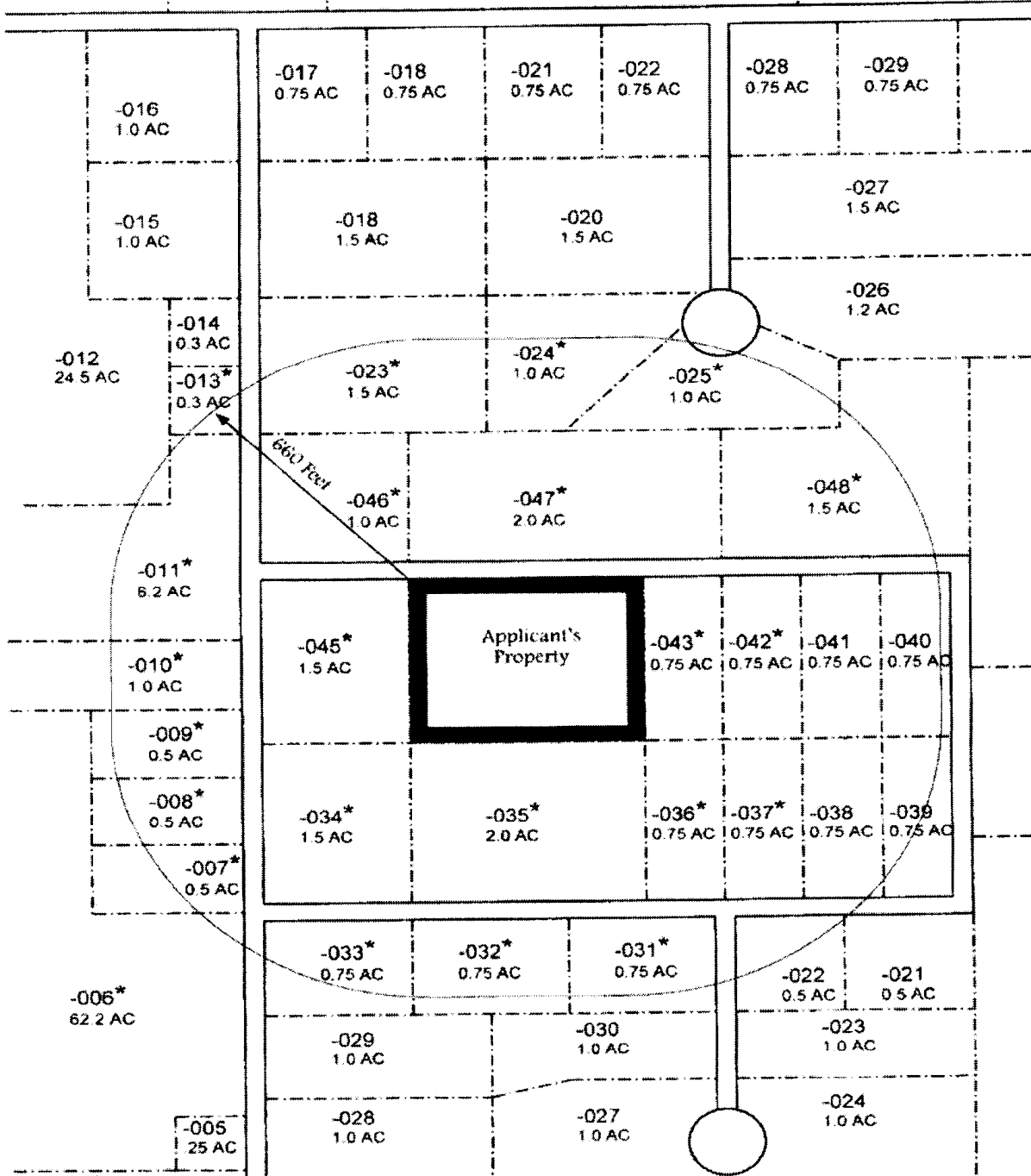
ATTENTION: PERMIT DEPARTMENT
Regulatory Department
Indiana Department of Transportation
41 W 300 N
Crawfordsville, Indiana 47933

5. **UTILITY COMPANIES, FIRE DEPARTMENTS, SCHOOL DISTRICTS, AND TOWNS:**

All affected utility companies, local fire departments, school superintendents of the affected incorporated school districts, and towns located within two (2) miles of the proposed development site must be notified, in writing, of the proposed development and a copy of the preliminary plans must be included. Proof of mailing must be submitted to the Planning & Building Department staff prior to the TAC meeting.

SAMPLE ILLUSTRATION

* DENOTES ADJACENT PROPERTY OWNERS THAT MUST BE MAILED WRITTEN NOTIFICATION



(This illustration is not drawn to scale)

SAMPLE NOTIFICATION LETTER

Date **(date letters mailed)**

Name **(Mailing address of adjacent property owner)**

Address

City, State Zip

Dear **(name of adjacent property owner)**

Please be advised that the undersigned property owner has made application to the Hendricks County Area Plan Commission for approval of a Zoning Amendment from the current **(Classification)** to **(Classification)** in **(Name of Township)** Township, Section **(Section #)**, Township **(Township #)**, Range **(Range #)**, Hendricks County, Indiana, on property known as **(Give Street address, if any, or common description, and location on Give description and location of subdivision in relationship to county roads, highways, and streets.**

A copy of this application, legal description, and all development plans pertaining thereto are on file and available for examination prior to the hearing in the office of the Planning and Building Department at the Hendricks County Government Center, 355 South Washington Street, Danville, Indiana 46122, between the hours of 8:00 AM and 4:00 PM, Monday through Friday. Written objections to a proposal may be filed with the Secretary of the Planning Commission at the above address and such objections will be considered.

A public hearing will be held at the Hendricks County Government Center in Meeting Rooms 4 and 5, 355 South Washington Street, Danville, Indiana on **(Date of hearing)**, at 6:30 P.M.

Yours Truly,
(name of applicant)

**HENDRICKS COUNTY AREA PLAN COMMISSION
AFFIDAVIT OF WRITTEN NOTIFICATION
FOR A ZONING AMENDMENT**

I (WE) _____
DO HEREBY CERTIFY THAT NOTICE OF PUBLIC HEARING OF THE HENDRICKS COUNTY AREA
PLAN COMMISSION WAS GIVEN IN ACCORDANCE WITH SECTIONS A, B, AND C LISTED BELOW.

A. THE PUBLIC HEARING WILL CONSIDER THE APPLICATION OF _____ TO
REZONE _____ ACRES FROM THE “____,” _____
ZONING CLASSIFICATION _____ TOWNSHIP, SECTION _____, TOWNSHIP _____
RANGE _____, HENDRICKS COUNTY, INDIANA LOCATED ON _____

B. THE NOTICES WERE SENT BY (circle one that applies) CERTIFIED, REGISTERED, OR FIRST-CLASS
MAIL WITH CERTIFICATE OF MAILING TO THE CURRENT ADDRESS OF THE PROPERTY OWNERS
LISTED BELOW. THE ADDRESS OF EACH PROPERTY OWNER WAS OBTAINED FROM THE
HENDRICKS COUNTY AUDITOR’S (DEEDS & CARTOGRAPHY) OFFICE.

PROPERTY OWNER’S NAME	ADDRESS
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____

C. THE NOTICES WERE MAILED ON THE DAY OF _____ 20____, WHICH IS AT LEAST
TEN (10) DAYS PRIOR TO _____ 20____,
THE DATE OF THE PUBLIC HEARING AT THE HENDRICKS COUNTY GOVERNMENT CENTER, 355
SOUTH WASHINGTON STREET, DANVILLE, INDIANA, IN ROOMS 4 AND 5, AT 6:30 P.M.

APPLICANT OR AGENT

SUBSCRIBED AND SWORN TO BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND
STATE, THIS _____ DAY OF _____ 20____.

NOTARY PUBLIC

COUNTY OF _____
MY COMMISSION EXPIRES _____

**Electronic alteration of this form is prohibited.*