

DEARBORN COUNTY PLAN COMMISSION

County Administration Building, Suite 300, 165 Mary St., Lawrenceburg, IN 47025
Phone (812)537-8821 Fax (812)532-2029 Website: www.dearborncounty.org/planning

Zoning Map Amendment Instructions

◆ ZONING MAP AMENDMENT APPLICATION

All individuals requesting a Zoning Map Amendment must complete an application form which will be used to determine the location of the request, type of request and person(s) who are making the request. It is important that the application is completed accurately, and in its entirety. In addition, the applicant is required to submit a legal description and a copy of the Assessor's Map which clearly illustrates the area that is proposed for the zone change. The applicant is responsible for all the information that is given. The appropriate fee must be paid in full at the time that the application is submitted.

◆ REQUIRED INFORMATION

All Zoning Map Amendment requests must be submitted in their entirety, signed, and supplemented with any additional information found appropriate by the Plan Commission. All applications shall also be accompanied with all necessary fees, as established by the Plan Commission Fee Schedule. Please note that all Zone Map Amendment applications, as well as their accompanying Technical Review Committee applications, must be submitted in full to the Planning & Zoning Office no later than 2:00pm on the appropriate deadline date. *Applications that are received after this time will be moved to a future meeting agenda.*

◆ CONCEPT DEVELOPMENT PLAN

The Plan Commission highly recommends that the applicant submit a Concept Development Plan in addition to a completed application. Although it is not required by the county ordinance, such a plan will assist the applicant in explaining their request, in addition to assisting the Plan Commission in understanding the current situation of the subject site. Please use the following list to assist you in creating a Concept Development Plan that contains all of the suggested information.

- General Site Characteristics including ownership; topography with a maximum contour interval of ten (10) feet—two (2) foot intervals preferred; soils maps (and legends); drainage; vegetation; and other physical characteristics;
- Transportation Patterns including public and private roads and internal and external circulation patterns.
- Land Use Characteristics including existing and proposed land use maps as referenced in the Dearborn County Comprehensive Plan—including the location, description and size (acreage) of all proposed land uses—as well as maps and accompanying documentation illustrating the following amenities, where applicable: open spaces, neighborhood and / or community amenities, impervious surfaces including streets, parking areas, structures and buildings (general description of size area, intensities/densities), and proposed stormwater drainage facilities. The proposed land use map should also accurately depict average lot sizes and densities on the plan at a scale no larger than 1" = 200' and should be oriented with north, to the extent feasible, located near the top portion of the plan;

- Utilities and Infrastructure, including the general location(s) of existing sewer, water, electric, and gas utilities, if applicable, that will serve the proposed development must be shown or referenced on the concept plan. This information shall also be accompanied by written statements from the service providers that address capacity issues as well as affirm the capability of the applicant to have these services extended to the proposed development. A project within the territory of the Dearborn County Regional Sewer District requires written acknowledgement—in addition to acknowledgements of other service providers (where inter-local agreements may exist or be required), where applicable. *All written statement(s) shall be considered current—if less than 1 year old;
- Relationship of Proposed Zone Change with Comprehensive Plan and specifically how the proposed zone change would conflict, conform, compliment or otherwise affect the Comprehensive Plan as well as any special studies that are designed to further detail the Comprehensive Plan in a specific area.
- An 8½” by 11”, or 8½’ by 14” reduction of the plan so it can be copied on a standard photocopier.
- An area map showing the adjacent property owners and existing land uses within 500 feet of the subject site.

Optional Elements, (If Applicable)

The following information must be submitted in conjunction with a Concept Development Plan—where applicable to a specific project or site:

- If the site has unusual or unique natural features demonstrate how the proposed development preserves and utilizes its natural topography, geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural draining patterns. If appropriate, geotechnical studies should be submitted to indicate soil types, depth of bedrock and slope stability. *All geotechnical studies should reflect current land conditions;
- General description of the availability of community facilities such as schools, fire protection services, emergency services, and other types of facilities that would serve the development, if any, and how these facilities are affected by this proposal;
- Submit conceptual landscape plan that indicates the locations and sizes of landscape and buffering features. For applications involving PUD overlay (See Article 16), design guidelines that include landscaping standards shall be submitted for multi-phased projects;
- Calculation of approximate amount of open space both before and after construction. Indicate areas of expected open space and new landscaping. Include maintenance plans for these areas;
- Approximate location and size of all flood hazard areas. Where portions of the site are subject to flooding, the Concept Development Plan shall indicate extent and frequency;
- Approximate location and size of storm water detention and/or retention areas;
- Information describing proposed signage (types, sizes, materials, and locations on site). For applications involving the PUD overlay, design guidelines that include signage standards shall be submitted for multi-phased projects;
- Indicate the construction schedule of the project. For multi-phased projects, submit a phasing plan that describes the anticipated timing and geographical extent of each phase;
- Submit a detailed traffic study if the proposed development exceeds 1000 vehicle trips per day on average or if the project would significantly alter existing traffic patterns or volume (See Article 24, Section 2448) *All traffic studies shall be considered current—i.e. less than 1 year old;

- Submit a sketch or drawing of the proposed buildings to demonstrate the visual appearance or a type of architecture. For applications involving the PUD overlay, design guidelines that include architectural standards shall be submitted for multi-phased projects;
- For applications involving the PUD, a table of proposed dimensional standards for the proposed land uses or phases including lot sizes and frontages, building heights and intensities, and setbacks and a description of any requested exceptions to the requirements of the underlying zone;
- For applications involving the PUD a written narrative shall be submitted that describes how the applicable planned development requirements and standards in Article 16 have been satisfied.

◆ WRITTEN COMMITMENTS

A Concept Development Plan, once submitted, shall be strictly followed by the property owner and any another person such as the Applicant or an option holder on the property, and shall be binding as a minimum requirement of the Zone Map Amendment process. A written commitment, similarly to the one presented herein, is encouraged to be submitted *in conjunction with* all Zone Map Amendment applications to the Plan Commission involving Concept Development Plans. Any application involving the submittal of a Concept Development Plan without a written commitment shall be reviewed from the prospective of the “worst case scenario,” based upon the requirements and permitted uses of the zoning being requested. **Please note the following: The Plan Commission may also require (additional) written commitments to be executed by the Applicants / Owners in conjunction with a favorable recommendation of a Zone Map Amendment.** If an application with a Concept Development Plan receives an unfavorable or no recommendation, the application that proceeds to the legislative unit shall still include the written commitments submitted by the Applicants / Owners prior to the Plan Commission’s review / findings.

◆ ADJOINING PROPERTY OWNERS

The applicant is responsible for compiling a list of ALL property owners that are within 500 feet of the subject site, so they can be notified of the request and meeting date. Adjoining property owners include any person who owns land that shares a property line with the subject site, or adjoins along the centerline of any roadway. Incomplete notification of adjoining property owners and / or property owners within 500 feet of the subject site can result in delays, or **make any approval invalid.**

If you have any questions, please direct them to the Dearborn County Planning & Zoning Office. The responsibility for the accurate completion of the application is your own. Please do not expect the Planning and Zoning Office to complete the application, or draw a concept development plan for you. Special attention should be made to ensure that your site plan is complete, organized, accurate and neat, to prevent any delays in processing your application.

Information submitted shall be assumed to be complete and accurate. The applicant shall assume responsibility for errors, omissions, and/or inaccuracies resulting in an improper or incomplete application. All applicants should be prepared to answer questions concerning their application at the scheduled meeting.

◆ **CRITERIA FOR REVIEW BY THE PLAN COMMISSION**

When reviewing each specific request, members of the Plan Commission shall pay reasonable regard to the following:

- The Comprehensive Plan
- Current conditions and the character of current structures and uses in each district
- The most desirable use for which the land in each district is adapted
- The conservation of property values throughout the jurisdiction
- Responsible development and growth

◆ **SITE EVALUATION**

The property owner's signature on the application grants permission for staff to enter onto the premises to evaluate the site for the specific request. Without the signature of the property owner, this application will not be processed.



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PLAN COMMISSION APPLICATION

Note: Primary Plats are submitted to the Plan Commission via a Land Division Application

Applicant / Contractor Information

Name:		Phone No:	
Address:			
<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Owner Information *(if different from above)*

Name:		Phone No:	
Address:			
<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Site Information

Location:	Section:	Township (#): ()	Range:	Acreage:
Property Map #	Zoning:	Subdivision:	Lot:	

PLEASE NOTE: The Department of Planning & Zoning will need 14 copies of all site plan drawings, application forms, and other supporting information—as well as a list of all adjoining property owners.

PLAT VACATION Detail(s): _____

Date Received:	Fee, based on current Fee Schedule:	Receipt #
All Vacation Plats must conform to IC 36-7-3 and Art. 2, Sec. 280 of the Dearborn County Subdivision Control Ordinance.		

ZONE MAP AMENDMENT* Proposed Use(s): _____

(*Includes PUD Requests)

Date Received:	Fee, based on current Fee Schedule:	Receipt #
Have you had a pre-application meeting with the P.C. staff?	Y N	Legal Description Provided? Y N
Proposed Number of Lots:	_____ lots	Existing Buildings to Remain? Y N
Proposed Density for Non-Residential Uses:	_____ units / acre	Variance(s) Required? Y N
Proposed Density for Residential Uses:	_____ sq. ft. / acre	Conditional Use Required? Y N

All rezone requests must conform to Article 5 of the Dearborn County Zoning Ordinance. PUD applications must also meet the criteria and standards set forth in Article 16 of the Dearborn County Zoning Ordinance.

*Utilities / Services:	Sewage:	Water:	Electric:	Gas:	Fire / EMS:	Schools:
	D.C. Transportation & Engineering / INDOT:			Dearborn County Health Department Report:		

*The Department of Planning & Zoning will determine whether letters from these entities will be required at the time of submittal.

As Applicant, I understand that this application and site plan are being submitted in accordance with the Dearborn County Zoning Ordinance, and that I am responsible for the accuracy and completeness of this application and site plan. I understand that incomplete or inaccurate information may result in the delay or denial of this request. Furthermore, I understand that I may not, at any time or under any circumstance(s), have more than one (1) Zone Map Amendment application pending that involves any portion of the same property described herein.

X

Applicant's Signature *Date*

X

Planning Official's Signature *Date*

DEARBORN COUNTY ZONING MAP AMENDMENT APPLICATION

◆ **SECTION B** *(To be completed by the applicant)*

The applicant is responsible for compiling a list of ALL property owners that are adjacent to the subject property, so they can be notified of the request and meeting date. Incomplete notification of adjoining property owners can result in delays, or make any approval invalid.

Name:			
Address:			
Street Address	City	State	Zip Code

Name:			
Address:			
Street Address	City	State	Zip Code

Name:			
Address:			
Street Address	City	State	Zip Code

Name:			
Address:			
Street Address	City	State	Zip Code

Name:			
Address:			
Street Address	City	State	Zip Code

Name:			
Address:			
Street Address	City	State	Zip Code

If you have any questions, please direct them to the Dearborn County Planning & Zoning Office. The responsibility for the accurate completion of the application and site plan is your own. Special attention should be made to ensure that your site plan is complete, organized, accurate and neat, to prevent any delays in processing your application.

Information submitted shall be assumed to be complete and accurate. The applicant shall assume responsibility for errors, omissions, and/or inaccuracies resulting in an improper or incomplete application. All applicants should be prepared to answer questions concerning their application at the scheduled meeting.

◆ SECTION C (To be completed by the Dearborn County Plan Commission Staff)

1. Date Received: _____

2. Review Fee: \$ _____ Receipt # _____

3. Check All That Have Been Submitted.

- Application
- Fee
- Legal Description
- Assessor's Map
- Concept Development Plan
- List of Adjoining Property Owners

_____ Number of plan copies received [Thirteen (13) Copies of plan are required]

4. Is the Application Complete? Yes No

5. Scheduled Date of Public Hearing: _____

6. If the proposed zone change site is located within 2 miles of an incorporated area, please contact the appropriate community to inform them of the zone change request.

- CONTACTED
- HAVE NOT CONTACTED

7. Plan Commission Recommendation Staff Reviewer's Signature _____

- FAVORABLE
- UNFAVORABLE

8. Additional Comments _____

9. County Commissioner Action

- APPROVED
- APPROVED WITH CONDITIONS
- DENIED

Date of Commissioner Action: _____

Resolution # _____

DECLARATION OF COMMITMENT AND AGREEMENT

Comes now _____, the Dearborn County Commissioners and the
Applicant
Dearborn County Plan Commission, and agree as follows:

WHEREAS, _____ is the owner of the following described real
Owner
estate attached and marked Exhibit(s) “ _____ ”:
A-Z

AND WHEREAS, _____ has petitioned for an amendment to the
Applicant
zone map of Dearborn County on said real estate from _____ to _____-Development
Existing Zoning *Proposed Zoning*
Plan (___-DP);

THEREFORE, _____ agrees to and makes a written commitment
Applicant
as to the Concept Development Plan on said real estate only if it is developed in accordance with the
petition as heard by the Dearborn County Plan Commission on _____.
Date

COMMITMENT

_____ agrees to ensure the following will occur
Applicant

in conjunction with this Zone Map Amendment request from _____ to
Existing Zoning

_____-Development Plan (___-DP) for _____ acres of the
Proposed Zoning *Number*

_____ property in Section _____, Township _____,
Owner

Range _____, Map # (s) _____, Parcel(s)

_____ :
Property Parcel Map Number(s)

- 1) There will be no more than _____ units created for the proposed
Number
- subdivision, in accordance with the petition to be heard by the Dearborn County
Plan Commission on _____.
Date

ALL OF WHICH IS AGREED this ____ day of _____, 200__.

OWNERS / APPLICANTS:

Signature:

Signature:

Typed or printed name:

Typed or printed name:

Signature:

Signature:

Typed or printed name:

Typed or printed name:

NOTARY CERTIFICATE

STATE OF INDIANA, COUNTY OF DEARBORN, ss:

Before me the undersigned, a Notary Public, for said County and State, personally appeared _____, and acknowledged the execution of the foregoing certificate as his/her voluntary act the ____ day of _____, (year).

Notary Public (signature)

(Name Typed or Printed)

My Commission Expires: _____

Resident of _____ County, _____

This Instrument was prepared by Arnold L. McGill, Attorney.

ALL OF WHICH IS AGREED this ____ day of _____, 200__.

DEARBORN COUNTY
PLAN COMMISSION:

Signature:

Typed or printed name:

NOTARY CERTIFICATE

STATE OF INDIANA, COUNTY OF DEARBORN, ss:

Before me the undersigned, a Notary Public, for said County and State, personally appeared _____, and acknowledged the execution of the foregoing certificate as his/her voluntary act the ____ day of _____, (year).

Notary Public (signature)

(Name Typed or Printed)

My Commission Expires: _____

Resident of _____ County, _____

This Instrument was prepared by Arnold L. McGill, Attorney.

ALL OF WHICH IS AGREED this ____ day of _____, 200__.

DEARBORN COUNTY
BOARD OF COMMISSIONERS:

Signature:

Typed or printed name:

NOTARY CERTIFICATE

STATE OF INDIANA, COUNTY OF DEARBORN, ss:

Before me the undersigned, a Notary Public, for said County and State, personally appeared _____, and acknowledged the execution of the foregoing certificate as his/her voluntary act the ____ day of _____, (year).

Notary Public (signature)

(Name Typed or Printed)

My Commission Expires: _____

Resident of _____ County, _____

This Instrument was prepared by Arnold L. McGill, Attorney.



Dearborn County Plan Commission

FINDINGS OF FACT: REZONE

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PART I: To be completed by County staff only.

CASE TITLE:

CASE NUMBER:

PROPERTY ADDRESS:

CASE DESCRIPTION:

The Dearborn County Plan Commission conducted a hearing regarding this case / application on _____ (date). After testimony was given and evidence was presented to the Plan Commission, a motion was made to forward a **FAVORABLE or UNFAVORABLE or NO** recommendation to the County Commissioners for the Rezone Request and the motion was carried with a vote of ____ - ____ - ____.

In its deliberations, the Dearborn County Plan Commission weighed the evidence associated with the following criteria and made the following findings in their recommendation for the Rezone Request. IC 36-7-4-603 and Article 5, Section 540 of the Dearborn County Zoning Ordinance states that the Plan Commission and the legislative unit shall pay reasonable regard to:



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PART II: To be completed by the Applicant.

Please provide your proposed answers to the following questions—and be as thorough and detailed as possible.

1. Is the request consistent with the Comprehensive Plan and its goals, strategies, and principles?

If yes, please explain:

2. Will the requested zone map amendment be harmonious and appropriate to the existing conditions and the character of the current structures and uses in each district?

If yes, please explain:



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3. Will the proposal result in the most desirable use for which the land in each district is adapted?

If yes, please explain:

4. Will the request conserve property values throughout the jurisdiction?

If yes, please explain:



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5. Will the proposal result in responsible growth and development?

If yes, please explain:

Please provide any additional comments related to questions 1-5 here (below):