

AMENDMENT TO THE OFFICIAL ZONING MAP
HUNTINGTON COUNTY/TOWNS INFORMATION

The applicant is encouraged to review IC 36-7-4-600 series regarding the Zoning Ordinance; the Zoning Ordinance of the applicable jurisdiction, the Rules of Procedure adopted by the Plan Commission; and the following in order to properly prepare for the Plan Commission public hearing.

1. A proposal to amend the Official Zoning Map may be initiated by:
 - a. The Plan Commission; or
 - b. A petition sign by property owners who own at least 50 percent of the land involved; or
 - c. The legislative body having jurisdiction over the area.
2. Prior to the filing of an application, the applicant(s) shall schedule and attend a meeting with the Director or Assistant Director of the Department of Community Development, in order to review the application.
3. Every application for reclassification of zoning shall include a citizen participation plan, which must be implemented and completed prior to the Plan Commission public hearing.
 - a. Interested parties are defined as follows:
 - i. All persons with a legal interest in a property, or portion of property thereof, removing streets, alleys or other rights-of-way, location within two-hundred (200) feet of the property included in an application before the Plan Commission.
 - ii. The president of any homeowners or neighborhood association of which the property included in an application before the Plan Commission is included, or is adjacent to.
 - iii. Staff of the Plan Commission (Department of Community Development).
 - b. The purpose of the citizen participation plan is to:
 - i. Ensure the applicant pursues early and effective citizen participation in conjunction with their application, giving interested parties an opportunity to understand the request.
 - ii. Ensure the applicant has adequate opportunity to resolve and concerns early in the process.
 - iii. Facilitate communication bet the applicant and all interested parties.
 - iv. Provide detailed information to interested parties to allow for informed decision making.
 - c. The citizen participation plan is not intended to produce complete consensus on the application, but to encourage applicants to be good neighbors, to respect existing property owners and their interests in the neighborhood, and to allow for informed decision making.
 - d. At minimum, the citizen participation plan shall include the following:
 - i. A listing, including name and mailing address of the parties affected by the application.
 - ii. How the interested parties will be notified of the application.
 - iii. How those interested parties will be provided an opportunity to discuss the application and express any concerns, issues, or ideas to have regarding the application at a meeting.
 - e. The citizen participation plan shall be submitted to, and approved by, the staff prior to filing.
 - f. the applicant shall submit a report of the results of the citizen participation plan, including:
 - i. List of those interested parties who participated.
 - ii. Date and location of all meetings where interested parties were invited.
 - iii. Summary of concerns, issues, comments, suggestions, or ideas presented to the applicant.
 - iv. Summary of how the applicant will address the comments provided.
 - v. Summary of those comments that the applicant is unwilling or unable to address and why.

4. In considering an amendment to the Official Zoning Map, the Plan Commission and legislative body shall pay reasonable regard to:
 - a. The Comprehensive Plan;
 - b. Current conditions and the character of current structures and uses in each zoning district;
 - c. The most desirable use for which the land in each zoning district is adapted;
 - d. The conservation of property values throughout the jurisdiction; and
 - e. Responsible development and growth.
5. The Plan Commission shall also provide notice to interest parties, as defined by:
 - a. All persons with a legal interest in a property, which is included in a petition before the Commission when their signature is not obtained.
 - b. All persons with a legal interest in a property abutting, removing streets, alleys or other rights-of-way, property included in a petition before the Commission.
 - c. If the subject matter of the petition abuts or includes a county line (or a county line street or road, or a county line body of water), then all owners of real property to a depth of two (2) ownerships or one-eighth (1/8) of a mile into the abutting county, whichever is less, are interested parties.
6. The Plan Commission shall hold a public hearing on the application. The hearing will be held in accordance with the Rules of Procedure adopted by the Plan Commission.
7. Any change in the application, whether by the petitioner or by the Plan Commission, after legal notice is published, makes said notice inaccurate and therefore the notice must be re-advertised.
8. At the public hearing, the Plan Commission may take any of the following actions:
 - a. Continue the petition. (Reasons: failure of petitioner to appear to represent the application; for further review; to obtain additional information; to obtain a majority vote.)
 - b. Withdraw the petition (Reasons: failure of petitioner to appear to represent the application).
 - c. Pass a favorable, unfavorable or no recommendation to the legislative body.
9. The legislative body shall adopt, reject or take no action on the application (ordinance) within ninety (90) days of the date of certification by the Plan Commission. If no action is taken within ninety (90) days, the amendment takes effect as if it had been adopted.
10. If the Legislative body amends the application (ordinance), it shall be returned to the Plan Commission for its consideration. The Commission then has forty-five (45) days in which to accept or reject the amended application (ordinance). If the amendment is accepted, it stands as approved and becomes official.
11. If the legislative body rejects the application, (ordinance) no further rezoning petition may be filed for the property for one (1) year after the date, which it is defeated by Legislative body.

**APPLICATION TO AMEND THE OFFICIAL ZONING
MAP OF HUNTINGTON COUNTY/TOWNS**

Instructions

1. Application must contain the signature of all individuals listed on the deed for the property, and contract buyer.
 2. A copy of the deed must be submitted with the application (available in the County Recorder's Office).
 3. A copy of a survey of the property, if available, shall be submitted.
 4. If the application is to split the property into two (2) or more zoning districts, a map (drawn to scale) of the property showing each separate district shall be submitted.
 5. The required filing fee must be submitted with the application.
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APPLICANT:

NAME: _____

ADDRESS: _____

CITY: _____

PHONE: _____

PROPERTY OWNER: (If different from applicant)

NAME: _____

ADDRESS: _____

CITY: _____

PHONE: _____

LOCATION OF PROPERTY TO BE RECLASSIFIED:

ADDRESS: _____

REQUESTING TO:

Reclassify the property from _____ district to _____ district.

THE PURPOSE OF THIS APPLICATION IS TO PERMIT THE USE OF THE PROPERTY FOR:

APPLICANT SIGNATURE

DATE

OWNERS SIGNATURE

DATE

PRINTED NAME

DATE

TO BE COMPLETED BY THE DEPARTMENT

Date Filed: _____ *Receipt #:* _____ *Docket #:* _____

Hearing Date: _____ *Certification Date:* _____ *Legislative Meeting Date:* _____