



DOCKET #: _____
To be assigned by planning
department. This spaced for office
use

Town of Utica, Indiana Application for Rezoning

In conformance with the Utica Zoning Ordinance this application must be completed and accompanied by the information required below and filed in the office of the Utica Planning Commission Utica Town Hall 107 4th Street, Utica, Indiana no later than the first Tuesday of the month, prior to the month of the public hearing.

- A. Date of application: _____
- B. Name of Applicant: _____
- C. Name of Owner: _____
- D. Address of applicant: _____
- E. Telephone # of applicant: _____ Fax #: _____
- F. Address and location of property to be rezoned: _____

- G. Present Zoning of Property: _____
- H. Proposed Zoning of Property: _____
- I. Proposed Use of Property: _____

J. Name of Attorney, if applicable: _____

K. Address Attorney, if applicable: _____

L. Telephone # of Attorney: _____ Email: _____

M. Name of Engineer/Architect, if applicable: _____

N. Address of Engineer/Architect: _____

O. Telephone # of Engineer/Architect: _____ Email: _____

P. Please attach all of the following:

1. Development plan, drawn to a scale appropriate for review, depicting the site, location of any structures and proposed structures and any additional information relevant to this request that the applicant believes necessary.

2. Attach a copy of the applicant's deed for the property.

3. Attach a copy of any restrictions or covenants relating to this property as recorded in the Clark County Recorder's office.

4. Provide any information, including pictures which the applicant would like the Plan Commission to consider in reviewing this request.

5. Address and comment on the following information the Plan Commission is required to consider in reviewing this petition for rezoning:

Use additional sheets if needed

a) Does the requested rezoning conform to the Comprehensive Plan?

b) What are the current conditions and the character of current structures and uses in each district?

- c) Is the proposed use the most desirable use for which the land is adapted?

- d) Does the proposed use of the property conserve property values in the neighborhood and throughout the jurisdiction?

- e) Why is the proposed rezoning and use of the property responsible development and growth?

Fee of \$200.00

Check should be payable to the Town of Utica and shall accompany this application

I certify that I have the authority to make this application, that the application is correct, and that any construction, reconstruction, enlargement, relocations, alterations or earth moving will not be commenced until all approval have been received. I further certify that all construction, reconstruction, enlargement, relocations, alterations, or earth moving will comply and conform to laws of the State of Indiana and ordinances of the town of Utica. Further, all information contained in this application and attachments accompanying this application are true and correct.

Signature of applicant

Printed name of applicant

State of Indiana)
)
County of Clark)

Subscribed and sworn to before me this _____ day of _____,
20_____.

Notary Public
Resident of Clark County

My commission expires: _____

NOTES:

1. The Plan Commission or the Technical Review Committee may request additional information.
2. The Plan Commission may request reasonable commitments to the recommendation of this rezoning so as to accomplish the purpose of the Zoning Ordinance and Comprehensive Plan.
3. The Technical Review Committee may suggest commitments to the Plan Commission
4. If additional pages are added, please reference response to the item numbers on this sheet.
5. Incomplete applications will not be reviewed.
6. IMPORTANT - the Plan Commission cannot grant a rezoning if it conflicts with any deed restriction or covenant.

Instruction Sheet for Rezoning

1. A pre-filing conference is encouraged for all Plan Commission petitions. Call 502 403-8046 to set an appointment to discuss a petition prior to filing for a hearing before the Plan Commission.
2. An application must be completed by the applicant.
3. If the applicant is not the property owner, the applicant shall demonstrate consent of the property owner in order to file a petition. The applicant shall provide an originally signed and dated document outlining the property owner's permission in representing their interest at the time of filing any petition.
4. All responses provided on the application, and other required and submitted materials shall be legible.
5. If the petitioner wishes to submit color pictures or graphics, the petitioners shall provide six (6) color copies 14 days prior to the hearing date in an 8 ½" X 11" or 11" X 17" format.

The applicant must attend and explain the petition and how it meets the requirements of the zoning ordinance at the public hearing when the Plan Commission considers the petition. Meetings are held the first Monday of each month at 6:00 PM on the first Tuesday Of the month following the submittal of the application at the Utica Town Hall 107 4th Street, Utica, Indiana conference room, unless otherwise noted.

6. Provide a proposed ordinance for the rezoning
7. If you have questions regarding these instructions, please contact the Sharon K. Wilson, AICP at 502 403-8046.

Procedural Steps

The following steps must be completed prior to any petition receiving a hearing before the Plan Commission. It is the sole responsibility of the petitioner to satisfy the procedural process as herein set forth.

Pre-filing Conference

A pre-filing conference is not required but is recommended. At the conference the applicant, instructions, and procedures can be discussed as well as other pertinent questions. Appointments can be made by calling 502 403-8046. Failure to comply with these procedural steps will delay the hearing process.

Application

The applicant must obtain and complete an application and pay the appropriate fee.

1. All instructions outlined on the application instruction form must be followed.

Filing

1. **Filing deadlines is the first Tuesday of the month prior to the hearing date.**
2. Applications must be complete. Incomplete applications will not be reviewed or placed on the Plan Commission agenda.
3. Docket numbers will be assigned, and all filing fees paid at the time of filing.

Public Notice

1. All public hearing before the Plan Commission require that legal notice and notice to all adjoining property owners be provided at least 10 days prior to the Plan Commission hearing.
2. The applicant is responsible for mailing notice to all adjoining property owners and posting the site at least 10 days prior to the Plan Commission hearing.
3. Signs must be posted along the frontage of the property and be easily seen, but not obscure vision clearances at driveways or corners.
4. The applicant is responsible for publishing the legal notice of the public hearing in a general circulation newspaper in Clark County, Indiana at least 10 days prior to the Plan Commission hearing. The Jeffersonville Evening News is the newspaper of general circulation in Clark County. The applicant should be aware and plan accordingly for newspaper publication because the newspaper has deadlines for submittal of notices.

Public Hearing

1. A public hearing is required for consideration of all petitions to the Plan Commission
2. Meetings are held the first Tuesday of each month at 6:30 PM at the Utica Town Hall conference room, 107 4th Street, Utica, Indiana unless otherwise noted.

Notice Requirements

The applicant is responsible for giving appropriate notice of his/her petition by:

1. Certified mailing of notice to adjoining landowners
2. Posting a notice sign on the property
3. Legal advertisement in the newspaper

Certified Mail

1. All adjoining property owners must be served notice of the public hearing via certified mail
2. Bring certified mail receipts shall be delivered to the Plan Commission public hearing. In the event the petitioner receives back any of the certified letters as undeliverable items, such unopened envelopes shall be submitted with the receipts to the Planning Department in lieu of the delivery receipt.
3. Adjoining property owners may be obtained at the Clark County Auditors office. If there are less than five adjoining property owners, a fifth Utica property owner must be notified.

Clark County Auditor
Clark County Office Building
501 East Court Avenue
Jeffersonville, Indiana, 47130

Posting Property

1. Public notice is required; the petitioner shall post a sign, which is available at the Building Commissioner, on the frontage street.
2. Signs must be easily seen, but shall not obscure vision clearance at any corner or driveway

Newspaper Publication

1. Legal notice must be published in a daily newspaper of general circulation, the News and Tribune, in Clark County at least 10 days prior to the date of the public hearing. The applicant should be aware that the newspaper may have deadlines for submittal of public notices. It is the sole responsibility of the applicant to meet these deadlines.
2. The publisher's affidavit and certified mail return receipts [green cards] shall be submitted at the public hearing.

Sample Legal Notice

Complete and publish the following legal notice in a daily newspaper of general circulation in Clark County at least 10 days prior to the date of the public hearing. The applicant should be aware that the newspaper has deadlines for submittal of public notices. It is the sole responsibility of the applicant to meet these deadlines.

**Public Notice
Town of Utica, Indiana
Plan Commission**

The Utica Plan Commission will meet on _____ day of _____, 20____ at 6:30 PM at the Utica Town Hall Conference Room 107 4th Street, Utica, Indiana for the purpose of holding a public hearing to consider a petition by _____

The applicant is requesting to rezone the property located at _____ from _____ to _____. The commonly known address is address: _____

The docket file is available for public review at the Town Hall 107 4th Street, Utica, Indiana by appointment by calling 502 403-8046.

Interested persons desiring to present comments either in writing or verbally will be given the opportunity to be heard at the aforementioned time and place.

Steve Long, President
Utica Plan Commission

**Affidavit of Notice of Public Hearing
Town of Utica, Indiana**

I [we] _____ certify that notice of public hearing to consider docket # _____ pertaining to the _____ was sent by certified first class mail the last known address, as determined by Clark County Auditors records, to each of the following persons.

Owners Name	Address

Attach additional sheets if needed

And that such notice was mailed on the _____ day of _____, 20____ being at least 10 days prior to the scheduled public hearing and that timely proof of such first certified first class mailing[s] are attached hereto.

Applicant, Attorney, or Authorized Signature

Date

Printed name.

State of Indiana)

)

County of Clark)

Subscribed and sworn to before me this _____ day of _____,
20____

Notary Public Resident of Clark County,
Indiana

My Commission Expires: _____