



**ANGOLA PLAN COMMISSION
PETITION FOR ZONING ORDINANCE AMENDMENT**

Case _____ Date of Hearing _____

Applicant _____

Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

Email _____

Address of Property to Be Rezoned (if different from above)

Request to Rezone from _____ to _____

Reason for Request _____

The information contained on this document and supporting documents, to my knowledge and belief, is true and correct.

(Signature of owner or authorized agent)

Date

Julie Johns-Cole, City Planner

Date

**** Receipt to Account 101-2101.00**

ANGOLA PLAN COMMISSION

REZONING APPLICATION PACKET

A. Purpose and Intent: It may become necessary to change the zoning of an area or a lot, thereby amending the Official Zoning Map. The Plan Commission has the authority to hear a proposal to amend the Official Zoning Map. This process is typically known as a "rezoning" of land. The Plan Commission shall make a recommendation to the Common Council concerning a proposal to amend the Official Zoning Map. The Common Council has the power to approve or deny a proposal to amend the Official Zoning Map.

B. Project Applicability:

1. *Jurisdiction:* Areas or lots shall be located within the jurisdictional area of the Plan Commission.
2. *Previously Denied Applications:* The Zoning Administrator shall refuse to accept an application for a Rezoning that has been denied by the Common Council within the last twelve (12) months. However, the Zoning Administrator shall have the authority and discretion to determine that an application for a Rezoning containing major changes may justify re-filing within the aforementioned (12) month period.

C. Prerequisites

1. *Eligible Applicants:*
 - a. The Plan Commission may act as an applicant and initiate a zoning map amendment.
 - b. Unless the Plan Commission has initiated a zoning map amendment, an application for a Rezoning shall be filed by the owner, his agent, or any person having a legal or equitable interest in the subject property, but the written authorization of any owner who is not an applicant shall be required.
2. *Pre-application Meeting:* Prior to submitting an application for a Rezoning the applicant shall meet with the Zoning Administrator to review the current zoning district, the proposed zoning district, adjacent zoning districts and land uses, applicable ordinance provisions, the application packet, and the procedure involved.

D. Filing Requirements.

1. *Application:* An application for a Rezoning shall be made on a form provided by the Zoning Administrator.
2. *Supporting Information:* An application for a Rezoning shall be accompanied by the following supporting information:
 - a. A list of names and mailing addresses of all known property owners within 300 feet of the boundary of the proposed site. The measurement shall include any property that is wholly or partially within the 300 foot boundary regardless if a street, river, railroad, or other physical barrier exists. This information may be obtained from the Steuben County Auditor's Office.
 - b. A Site Plan, drawn to scale, that includes the following items.
 - i. North arrow.
 - ii. Graphic scale.
 - iii. Address of the site.

- iv. Boundary lines of the site including all dimensions of the site.
- v. Names, center lines, and right-of-way widths of all adjacent streets, alleys, and easements.
- vi. Layout, number, dimension, and area of all lots.
- vii. Location and dimensions of all existing and proposed structures.
- viii. Location of all floodway, floodway fringe areas, and wetlands within the boundaries of the site.
- ix. Use of each structure by labeling.
- x. Distance of all structures from front, rear, and side lot lines.
- xi. Proposed landscaping buffers or landscaped areas.
- xii. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or the Zoning Administrator. This may include the supporting information listed in *Subsection 9.11(D)(2)(i)* for projects within the WH-O District.

3. *Deadline:* An application for a Rezoning shall be filed at least twenty-eight (28) days prior to the public meeting at which it is first to be considered by the Plan Commission.

4. *Fees:* The applicable fee from the City's fee schedule shall be paid at the time the application for a Rezoning is filed. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review a Rezoning that the City of Angola does not have adequate proficiency may constitute hiring a professional consultant to conduct the review or portions thereof at the expense of the applicant and as per the City's fee schedule.

E. Formal Procedure:

1. *Assignment:* An application for a Rezoning, which is determined to be complete and in proper form by the Zoning Administrator, shall be assigned a case number and placed on the first Plan Commission agenda that occurs twenty-eight (28) days after the application for a Rezoning was submitted in its entirety. The Zoning Administrator shall notify the applicant in writing of the date of the meeting and provide the applicant with a legal notice.

2. *Internal Review:* Upon assignment of a case number and hearing date, the Zoning Administrator shall review the application for a Rezoning and all supporting information. The Zoning Administrator may forward the application for a Rezoning and any other relevant information to the Technical Advisory Committee, Building Department, Engineering Department, Fire Department, Police Department, Department of Public Works, Steuben County Surveyor's Office, Utility Departments, or other applicable agencies. The Zoning Administrator may submit a written report to the Plan Commission stating facts concerning the physical characteristics of the area involved in the application for a Rezoning, adjacent zoning, the surrounding land use, facilities available to service the area, or other pertinent facts. The written report may also contain opinions of the Zoning Administrator concerning the application for a Rezoning and information from any other agency that reviewed the application for a Rezoning. A copy of such report shall be made available to the applicant and all remonstrators.

3. *Public Notice:* The following public notice standards apply to an application for a Rezoning. All costs associated with providing public notice shall be borne by the applicant.

a. The Zoning Administrator shall notify all interested parties of the public hearing by regular U.S. Mail a minimum of ten (10) days before the public hearing.

b. The Zoning Administrator shall publish legal notice in a newspaper of general circulation a minimum of ten (10) days before the public hearing.

c. The Zoning Administrator shall be responsible for providing proof of published notice to the Plan Commission and including proof in the case file.

4. *Attendance*: The applicant shall be present at the Plan Commission meeting to explain the application for a Rezoning and address and discuss comments and concerns posed by the Plan Commission. Failure to appear shall result in the dismissal of the application for a Rezoning.

5. *Public Hearing*: A public hearing shall be held in accordance with the Plan Commission Rules of Procedure.

6. *Review*: At their regularly scheduled public meeting, the Plan Commission shall review:

a. The application for Rezoning.

b. All supporting information.

c. Information presented in writing or verbally by the Zoning Administrator or other applicable department.

d. Input from the public during the public hearing.

e. Any applicable provisions of this Unified Development Ordinance;

f. Any other information as may be required by the Plan Commission to evaluate the application.

7. *Decision*:

a. The Plan Commission shall take final action or continue the application for a Rezoning to a defined future meeting date. The Plan Commission shall pay reasonable regard to the following factors before taking final action.

i. The Angola Comprehensive Plan.

ii. Current conditions and the character of current structures and uses in each district.

iii. The most desirable use for which the land in each district is adapted.

iv. The conservation of property values throughout the jurisdiction.

v. Responsible development and growth.

b. *Final Action*: The Plan Commission shall certify the amendment to the Official Zoning Map and forward the application to the Common Council with a favorable recommendation, an unfavorable recommendation, or no recommendation. The Plan Commission may also recommend commitments concerning the use and/or development of the land in connection with the application for Rezoning. The Common Council makes the final determination regarding an application for Rezoning and any recommended commitments by ordinance.

F. Duration: A rezoning shall be effective from the date of its final approval by the Common Council.

G. Modification: Modification to an approved Zoning Map Amendment shall not be permitted.

1. Fees:

- (1) Appeal \$100
- (2) **Change of Zoning \$100 + \$10 per acre**
- (3) Detailed Development Plan \$200 + \$10/lot over 2 lots
- (4) Plan Commission Variance (Waiver) \$450
- (5) Plat Vacation \$900
- (6) Primary Plat or Replat \$250 + \$20/lot over 2 lots
- (7) Secondary Plat or Replat \$175 + \$10/lot over 2 lots
- (8) Special Meeting \$400
- (9) In addition to the above fees, the applicant shall be charged \$50.00 for publication of the proposed action in the local media and for letters sent to interested property owners.