

Zoning Amendment

Town of Pittsboro, Indiana Advisory Plan Commission

This application is to be used when changing the zoning of a parcel (or parcels) of land.

Attachments Required: A, B, G, H, K (Note: Not all forms may be applicable to each application)

STEP ONE: PRE-APPLICATION

Before filing an application, it is recommended that the applicant meet with the Administrator at least one week prior to the anticipated application submission to discuss the proposed request, and to become more familiar with the applicable requirements. The anticipated agenda date will be used in all public notice requirements. Call (317) 892 - 3326 to schedule a meeting. Applicants will be responsible for all fees associated with the review of the application by the Town's Consultants.

STEP TWO: APPLICATION

Applications must be received at least 28 days before the desired hearing of the Plan Commission. Staff will notify the petitioner when an application is considered complete and is accepted. Any deficiencies will be explained to the applicant. Applications submitted or completed after the posted deadline date will be placed on the next month's application cycle.

Applications, fees, and all required documentation must be submitted by 4:00 pm on the deadline date. These documents are to be submitted to the Town Administration Building, 33 East Main Street, Pittsboro, Indiana 46167.

The items below are required to complete your application and shall be submitted when your application is filed.

D Application Form

- All items must be completed fully and either typewritten or printed in ink.
- The application must be signed by the applicants and notarized.

D Application Fee

- Please refer to the fee schedule on the Town's website.
- Checks are to be made payable to the Town of Pittsboro and submitted to the Clerk-Treasurer.

D Attachment A: Ownership Affidavit

D Attachment E: Neighbor Notice (*Plan Commission*)

D Attachment G: Use Variance (*if applicable*)

D Attachment H: Development Standards Variance (*if applicable*)

D Written Commitments (*if required by the Town*)

D Memorandum of Understanding (*if required by the Town*)

D Application Fee

D Aerial Location Map

- Aerial maps can be obtained from the Hendricks County Surveyor's Office, 355 South Washington Street, Danville, Indiana, 46122. (317) 745-9237 or an internet mapping source.
- Draw property lines of the site plan on the map.

D Legal Description

D Electronic Files

- The above documentation should be submitted in hard copy as well as electronically (as both PDF and DWG) for the Town's files. If electronic copies are not possible, Town Staff can scan paper copies.

D Plan Sets

- If this application is part of a larger development plan, include those documents (e.g. plat plan, site plan review) so these can be reviewed as an entire application package. Documents are to be submitted in accordance with the requirements established by the Town of Pittsboro Zoning Ordinance.

STEP THREE: STATUTORY GUIDELINES FOR ZONING AMENDMENTS

In accordance with IC 36-7-4-603 and with Section 11.4 of the Town of Pittsboro Unified Development Ordinance, when considering a proposal for rezoning, the Plan Commission must pay reasonable regard to the following:

1. Whether the proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan, as adopted and amended from time to time by the Town Council;
2. Whether the proposed amendment is compatible with current conditions and the overall character of existing development in the immediate vicinity of the subject property;
3. Whether the proposed amendment is the most desirable use for which the land in the subject property is adapted;
4. Whether the proposed amendment will have an adverse effect on the value of properties throughout the jurisdiction; and
5. Whether the proposed amendment reflects responsible standards for development and growth.

STEP FOUR: TECHNICAL REVIEW COMMITTEE

The Technical Review Committee (TRC) has the review authority; if necessary, for the technical aspects of the application submittal. The TRC or Plan Commission staff will meet to discuss your proposal in the Town Hall before the desired hearing date. Plan Commission Staff will contact you with an appointment time. The TRC generally includes Plan Commission Staff; Engineer; Public Utility; Town Manager; Street Department, applicable School Superintendent; and applicable Safety Services. You or a designated representative with technical information regarding your submittal should attend. In some instances, additional information may be required by the TRC in order to complete a technical review of your application. This information must be submitted by the last day to submit information for the Staff Report.

STEP FIVE: STAFF REPORT AND AGENDA

After a thorough examination of information in the public record and findings from additional research, staff shall release the Staff Report and Agenda providing an analysis of each agenda item. Such report shall be released along with the agenda a minimum of three (3) days prior to the hearing. All documents, including revisions, to be studied and considered by staff for use in the Staff Report should be submitted no less than ten (10) days prior to the hearing. Any interested party may provide support documentation to be delivered to the Plan Commission members along with the Staff Report. To do so, the party must provide ten (10) copies of each document, which should be submitted no less than ten (10) days prior to the hearing.

STEP SIX: PUBLIC NOTICE PROCEDURES

Notice of public hearing is to be published in the newspaper and sent to surrounding property owners in accordance with the Plan Commission's Rules of Procedure. This is done by the Town.

STEP SEVEN: BOARD OF ZONING APPEALS HEARING FOR VARIANCE *(if applicable)*

The BZA shall follow their adopted Rules of Procedure for the hearing, a copy of which is available at the Administration Building. Public hearings of the BZA are held at the Administration Building as needed. Always check with the Administration Building to verify the exact meeting date, place, and time should a conflict occur.

When your request comes up on the agenda, the following procedure is followed:

You are asked to present your request to the Board. You may employ an attorney for this purpose or do it yourself. You may use any maps or graphics that will assist you in the presentation. You are encouraged to address the statutory guidelines presented in step three of this application in your presentation. If the Board members need additional information, they will ask questions regarding your request.

Per the Pittsboro Zoning Ordinance and Indiana Code 36-7-4-921(a)(5), the BZA may require the owner of the parcel to make written commitments concerning the use or development of that parcel. These commitments must be recorded with the Town of Pittsboro Recorder prior to the issuance of a building permit.

Per Indiana Code 36-7-4-912, the BZA shall make written Findings of Fact, which is the BZA's decision based upon their interpretation of the Conditions for Evaluating Variances listed in your Application. Within 10 business days of the BZA hearing, Staff will send you a copy of the written Findings of Fact.

STEP EIGHT: PLAN COMMISSION HEARING

The Plan Commission shall follow their adopted Rules of Procedure for the hearing, a copy of which is available at the Administration Building. Public hearings of the Plan Commission are generally held the fourth Tuesday of each month at 6:00 p.m. at the Pittsboro Administration Building. Always check with the Administration Building or Town Staff to verify the exact meeting date, place, and time should a conflict occur.

When your request comes up on the agenda, you will be asked to present your request to the Commission. You may employ a representative for this purpose or do it yourself. You may use any maps or graphics that will assist in the presentation. If the Commission members need additional information, they will ask questions regarding your request. Following any questions, the Commission will take action on your application. They may recommend to approve, approve with conditions, or deny the application. The recommendation of the Plan Commission is then sent to the Town Council for a final hearing.

STEP NINE: LEGISLATIVE BODY HEARING

After the Plan Commission Hearing, the petitioner must contact the President of the Town Council to place their petition on the agenda of the appropriate Legislative Body. The applicant or a representative is required to attend the hearing of the Legislative Body.

The Town Council shall either adopt or reject the recommendation of the Plan Commission or adopt some modification of the recommendation of the Plan Commission. Failure of the legislative body to pass the proposed amendment within ninety (90) days after its rejection by the Plan Commission constitutes rejection of the proposed amendment; and the proposed amendment may not be reconsidered by the Plan Commission or legislative body until the expiration of one (1) year after the date of its original rejection by the Plan Commission.