



## REZONE/PUD APPLICATION

*\* Required sections to fill out*

### Application type\*:

- ☐ Rezone (Change of Zoning)  
☐ PUD (Planned Unit Development)  
☐ PUD Ordinance Amendment  
☐ Modification to Commitments

### For office use only:

App No: \_\_\_\_\_  
Date received: \_\_\_\_\_  
App fee: \_\_\_\_\_  
Fee paid by: ☐ Cash ☐ Check  
Check #: \_\_\_\_\_

### PROPERTY INFORMATION\*

Address/Location: \_\_\_\_\_  
Parcel(s)' ID(s): \_\_\_\_\_  
Current use: \_\_\_\_\_ Current zoning: \_\_\_\_\_  
Proposed use: \_\_\_\_\_ Proposed zoning: \_\_\_\_\_  
Current improvements on site: \_\_\_\_\_ Proposed use for the site in Comprehensive Plan: \_\_\_\_\_  
Project total size: \_\_\_\_\_ Acres (include the area of all parcels)

### PROPERTY OWNER INFORMATION\*

Name: \_\_\_\_\_  
Mailing address: \_\_\_\_\_  
City/Town: \_\_\_\_\_ Zip code: \_\_\_\_\_  
Email: \_\_\_\_\_ Phone #: \_\_\_\_\_

### APPLICANT INFORMATION\* ☐ Same as owner

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Company name: \_\_\_\_\_  
Mailing address: \_\_\_\_\_  
City/Town: \_\_\_\_\_ Zip code: \_\_\_\_\_  
Email: \_\_\_\_\_ Phone #: \_\_\_\_\_

**NOTE:** The person listed as **applicant** will be contacted regarding all applications steps and payments, including being contacted by the newspaper publisher for Legal Notice payment.

## PROJECT DESCRIPTION\*

Proposed project name: \_\_\_\_\_

### Project description

*(Briefly describe the project: what would be built, how the property would be used, and how the project would be integrated into the surrounding area.)*

## COMPLIANCE WITH REZONE (and PUD) CRITERIA\*

*(Briefly describe how the proposed project follows the rezone/PUD criteria listed below.)*

1. **The Comprehensive Plan ([online copy here](#)):** This proposed change of zoning supports the comprehensive plan because:
  
  
  
  
  
  
  
  
  
  
2. **Characteristics & Current Conditions:** This proposed change of zoning supports the current conditions and the character of current structures and uses in each district because:
  
  
  
  
  
  
  
  
  
  
3. **Desired Use:** This proposed change of zoning supports the most desirable use for which the land in each district is adapted because:
  
  
  
  
  
  
  
  
  
  
4. **Property Values:** This proposed change of zoning supports the conservation of property values throughout the jurisdiction because:
  
  
  
  
  
  
  
  
  
  
5. **Growth Management:** This proposed change of zoning supports responsible development and growth because:

Additional criteria for PUDs (V12.2.3 Preliminary Plan & Rezoning):

- **Requirements and Intent.** This proposed change of zoning to Planned Unit Development fulfills the requirements and intent of this Article (The Zoning Ordinance) and the Subdivision Control Ordinance because:
- **Overlay Requirements.** This proposed change of zoning to Planned Unit Development is Consistent with the requirements of all applicable overlay districts because:

## APPLICANT AFFIDAVIT

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_ S.S.

The undersigned, having been duly sworn on oath, states that the information in the Application is true and correct as they are informed and believe.

Applicant printed name: \_\_\_\_\_

Applicant signature: \_\_\_\_\_

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

Notary printed name: \_\_\_\_\_

Notary signature: \_\_\_\_\_

My commission expires: \_\_\_\_\_

## OWNER AFFIDAVIT

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_ S.S.

The undersigned, having been duly sworn on oath, states that they are the Owner of the Property involved in this application and that they hereby acknowledge and consent to the forgoing Application.

Owner printed name\*\*: \_\_\_\_\_

Owner signature\*\*: \_\_\_\_\_

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the Property Owner, who having been duly sworn acknowledged and consents to the execution of the foregoing Application.

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

Notary printed name: \_\_\_\_\_

Notary signature: \_\_\_\_\_

My commission expires: \_\_\_\_\_

*\*\* A signature from each party having interest in the property involved in this application is required. If the Property Owner's signature cannot be obtained on the application, then a notarized statement by each Property Owner acknowledging and consenting to the filing of this application is required with the application.*



## REZONE/PUD APPLICATION INFORMATION

### REQUIRED DOCUMENTS AT FILING

Submit a complete application packet that includes the following:

- ☐ **Application.** A completely filled out application including the pages with notarized signatures of the applicant.
- ☐ **Property Owner Consent.** If the applicant is different than the owner of the property, then property owner's consent is required found on page 5 of the application form.
- ☐ **Legal description of the property.** If the project site includes several parcels, the legal description of every parcel shall be included.
- ☐ **Copy of the Deed.** A copy of the latest recorded deed for every parcel within the project shall be provided.
- ☐ **Location (Vicinity) Map.** One (1) copy of a general location or area map indicating (in a reproducible manner) the location of the property and the surrounding area. Maps created using internet mapping sites are acceptable.
- ☐ **Site Plan.** A concept site plan showing proposed improvements shall be provided. Plan must be legible and drawn to a scale of 1"= 10', 1"=20', 1"=30', or 1"=40'.
- ☐ **Septic/Sewer verification.** A letter verifying that proper waste disposal will be available to the property shall be provided.
- ☐ **Other documents.** Depending on the type of the application, other documents may be required to be submitted.  
**For PUD applications only: Preliminary Plan Data.** The Preliminary Plan shall include the information required by the Lapel UDO (Volume 12.2.3). Examples: PUD ordinance, concept plan, architectural drawings, etc.
- ☐ **Filing fee payment.** A non-refundable fee shall be paid according to the [Fee Schedule](#). Acceptable methods of payment include cash, check, or MasterCard, VISA, Discover or American Express credit card. Checks must be made payable to "Town of Lapel." Credit cards are accepted; however, the credit card processing agency assesses a fee ~3% of the transaction amount.
- ☐ **On-site hearing notice sign fee.** The On-Site Notice must be posted in a conspicuous location along each street frontage of the affected property. There is a non-refundable fee of \$10 per sign required.
- ☐ **Surrounding property owners address list.** The petitioner must obtain a list of surrounding property owners from the Madison (or Hamilton) County Assessor's Office's map *not earlier* than 30 days before the public hearing. If the applicant would like the Town of Lapel to prepare the list instead, please submit a \$25 payment with the application fee. The list shall contain names and last known mailing address of the property owners of property adjacent to the subject property to a depth of two parcels or 660 feet, whichever is smaller.

### REQUIRED DOCUMENTS DURING REVIEW PROCESS

- ☐ **Revisions.** Any documents revised during the review process shall be submitted electronically at least two (2) weeks before the public hearing date.
- ☐ **A list of surrounding property owners.** If the applicant prepares the list themselves, they shall submit this list to the Planning Administrator or his/her designee at least two (2) weeks before the public hearing.
- ☐ **Affidavit of mailed notices.** The applicant shall submit a notarized affidavit of mailing the notices to the surrounding property owners at least three (3) days before the public hearing.
- ☐ **Certificates of Mailing.** The applicant shall provide copies of the certificates of mailing together with the affidavit mentioned above at least three (3) days before the public hearing.
- ☐ **Proof of newspaper publication.** The applicant shall provide a copy of the proof of publication from Ellwood Call Leader before the public hearing.

## PROCEDURE

### A. Pre-Filing

Prior to applying, the petitioner shall meet with the Planning Administrator to review information about the project, development standards, and procedures for the correct type of application. The Planning Administrator will advise the petitioner regarding the preparation of the application and supportive documents as necessary.

### B. Filing

Submit a filled out application, application packet and payment to the Plan Commission's office in Lapel Town Hall. Please, find the filing deadlines in the *Filing Deadlines Schedule*. Also, email the application packet to [planadmin@lapelindiana.org](mailto:planadmin@lapelindiana.org). When emailing the packet, please send scanned files of the documents that are signed and notarized. A list of the required documents can be found in this document under the "Required Documents at Filing" section.

### C. Review

The Planning Administrator and other applicable town and county staff will review the application and communicate with the applicant regarding the completeness of the application, revisions, the date of the public hearing (if applicable) and any other matters related to the submittal.

### D. Public Hearing Notice

#### Newspaper Notice

Once the Planning Administrator sets a public hearing date, (s)he will write and send a notice to the Ellwood Call Leader newspaper. Applicant's contact information will be provided to the newspaper, so that the latter can contact the applicant regarding the payment. The applicant is responsible for the payment of the published notice.

#### Mailed Notice

Once the Planning Administrator sets a public hearing date, (s)he will provide a notice template for the applicant to fill out and mail to the adjoining property owners. The notice must be mailed at least 10 days prior to the public hearing date via Certificate of Mailing.

### E. Public Hearing

#### Plan Commission review

Plan Commission shall review the submittal at a public hearing meeting and make a recommendation to the Town Council. After Plan Commission's certified recommendation (and any suggested commitments and/or conditions) is sent to the Town Council, the application will be posted on the next available Town Council's meeting according to the "Filing Deadline Calendar". If there is a need for revisions to the submittal before going to the Town Council, the applicant shall accomplish them in a timely manner.

#### Town Council review

The Town Council will review the application and make a final decision of whether to approve, approve with conditions, or deny the application at one of its meetings. The Town Council may send the application back to Plan Commission for a second review.

### F. Recording

Once the ordinance is approved by the Town Council, the town staff shall record it at Madison County Recorder's Office. A copy of the recorded ordinance shall be provided to the applicant.