

ZONING WAIVER APPLICATION

Filing Fee: \$1,014.00 for first waiver, plus \$470.00 for each additional
(Fee is due after docket number is assigned.)

Contact Person: _____ Phone: _____

Fax: _____ Email: _____

Contact Person Address: _____

PROJECT NAME: _____

PROJECT ADDRESS: _____

APPLICANT NAME: _____

ADDRESS: _____

PHONE: _____ FAX: _____ EMAIL: _____

Section of Zoning Ordinance for which waiver is being requested:

State explanation of why waiver is being requested:

State reasons supporting waiver request:

Zoning Classification: _____ Overlay Zone: _____

Plan Commission Public Notice Sign Procedure:

The petitioner shall incur the cost of the purchasing, placing, and removing the sign. The sign must be placed in a highly visible and legible location from the road on the property that is involved with the public hearing.

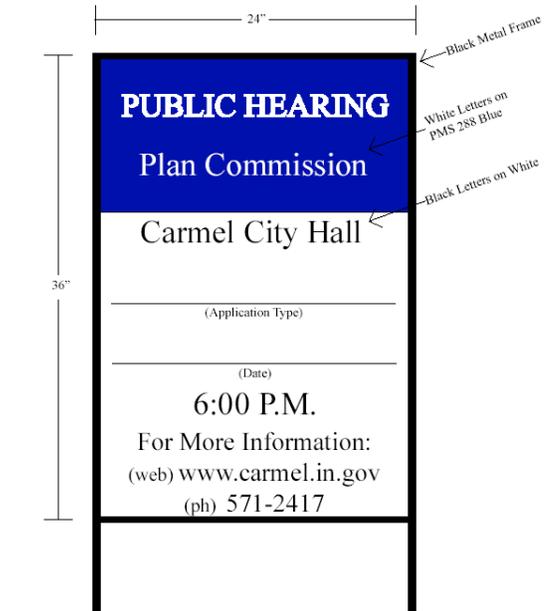
The public notice sign shall meet the following requirements:

1. Must be placed on the subject property no less than 25 days prior to the public hearing
2. The sign must follow the sign design requirements:

Sign must be 24" x 36" – vertical
 Sign must be double sided
 Sign must be composed of weather resistant material, such as corrugated plastic or laminated poster board
 The sign must be mounted in a heavy-duty metal frame

3. The sign must contain the following:
 - 12" x 24" PMS 288 Blue box with white text at the top.
 - White background with black text below.
 - Text used in example to the right, with Application type and Date* of subject public hearing
- * The Date should be written in day, month, and date format. *Example: Tuesday, January 17*

4. The sign must be removed within 72 hours of the Public Hearing conclusion



Public Notice Sign Placement Affidavit:

I (We) _____ do hereby certify that placement of the notice public hearing sign to consider Docket Number _____, was placed on the subject property at least twenty-five (25) days prior to the date of the public hearing at the address listed below.

STATE OF INDIANA, COUNTY OF _____, SS:

The undersigned, having been duly sworn, upon oath says that the above information is true and correct as he is informed and believes.

(Signature of Petitioner)

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

Notary Public

My Commission Expires: _____.

PETITIONER'S AFFIDAVIT OF NOTICE OF PUBLIC HEARING

I (We) _____ do hereby certify that notice of public hearing of the Carmel Plan Commission to consider Docket Number _____ was registered and mailed at least twenty-five (25) days prior to the date of the public hearing to the below listed adjacent property owners:

OWNER(S) NAME

ADDRESS

_____	_____
_____	_____
_____	_____
_____	_____

STATE OF INDIANA

SS:

The undersigned, having been duly sworn upon oath says that the above information is true and correct and he is informed and believes.

(Signature of Petitioner)

County of _____ Before me the undersigned, a Notary Public

(County in which notarization takes place)

for _____ County, State of Indiana, personally appeared
(Notary Public's county of residence)

_____ and acknowledge the execution of the foregoing instrument
this (Property Owner, Attorney, or Power of Attorney)

_____ day of _____, 20_____.
(day) (month) (year)



Notary Public--Signature

Notary Public--Please Print

My _____ commission expires:

(Tip: Actual signatures of adjacent property owners must be submitted on this affidavit if the public notice was hand delivered to an adjacent property owner. Otherwise the names can be typed/written in.)

**NOTICE OF PUBLIC HEARING
BEFORE THE
CARMEL PLAN COMMISSION**

Docket Number: _____

Notice is hereby given that the Carmel Plan Commission meeting on _____
(Date)

at _____ P.M. in the City Hall Council Chambers, 1 Civic
(Time)

Square, Carmel, Indiana 46032 will hold a Public Hearing upon a/an _____
(Application Type)

in order to:

The application is identified as Docket No. _____.

The property address is: _____.

The real estate affected by said application is described as follows:

(Insert Legal Description -or- Tax ID parcel number(s))

All interested persons desiring to present their views on the above application, either in writing or verbally, will be given an opportunity to be heard at the above mentioned time and place.

Petitioner name: _____

*(Note: When mailing out public notices to adjacent property owners, you must include a **location map**, too.)*

**ZONING WAIVER
FINDINGS OF FACT
CARMEL PLAN COMMISSION
Carmel, Indiana**

Docket No: _____

Petitioner: _____

Zoning Ordinance Section Varied From: _____

Brief Description of Waiver: _____

In deciding whether or not the applicant has presented sufficient proof to permit the granting of a waiver of quantitative standards of this Chapter (up to 35%), the Plan Commission should consider the following criteria:

- (1) The proposal shall be in harmony with the purposes and the land-use standards contained in the subject Chapter.
- (2) The proposal shall enhance the overall Development Plan, the adjoining streetscapes and neighborhoods.
- (3) The proposal shall not produce a Site Plan or street/circulation system that would be impractical or detract from the appearance of the Development Plan and the corridor, and shall not adversely affect emergency vehicle access or deprive adjoining properties of adequate light and air.
- (4) The proposal exhibits extraordinary site design characteristics, including, but not limited to: Increased landscape treatment, tree preservation, public art, provisions for bicycles, pedestrians, and/or mass transit, reduced surface parking coupled with provisions for above or below ground parking facilities.

_____ Based on all the evidence presented by the petitioner, I **approve** of the requested zoning waiver.

_____ In granting a waiver, the Commission may impose such **conditions** that will, in its judgment, secure the purposes of this Chapter. (*List Conditions on back.*)

_____ I hereby **disapprove** of the subdivision waiver request for the following reasons:

1. _____

2. _____

Dated this _____ day of _____, 20_____.

Commission Member

Zoning Waiver Review/Approval Process

The following is a chronological listing of the steps required for a zoning waiver request petition:

1. Initial discussion with staff regarding applicable zoning ordinances, design standards, condition/capacity of infrastructure, and availability of utilities.
2. Developer presents plat for review by staff. All documents must be legible and of the required size and scale, but no larger than 24" x 36".
3. Developer files required material to be placed on the Plan Commission docket.
4. Submit plans to TAC (Technical Advisory Committee members) for their review.
5. Administrative review by the Department of Community Services staff.
6. The Technical Advisory Committee reviews the plan and offers review comments and recommendations.
7. Petitioner obtains list of all property owners within a 660 foot radius of the subject property from the Hamilton County Transfer & Mapping Office (in Noblesville).
8. Petitioner prepares legal notices for property owner notification, for newspaper advertisement, and advises staff. (See Plan Commission Rules of Procedure Article VII, as well as the Plan Commission Calendar's Public Notice Requirements page 2.)
9. Petitioner submits newspaper advertisement to The Current (and/or Indianapolis Star) to be published at least 25 days prior to the public hearing. (See Plan Commission Rules of Procedure Article VII, as well as the Plan Commission Calendar's Public Notice Requirements page 2.)
Petitioner mails first class mail (with Certificate of Mailing) notice to all property owners within a lying within 660 feet of the subject property, or a depth of two property ownerships, whichever is less, at least 25 days prior to the public hearing. Petitioner also places notice of public hearing sign on his/her site.
10. Petitioner prepares information packets for the Plan Commission, to be submitted no later than 10 days prior to the first docketed hearing.
11. * Fee to be paid 10 days prior to meeting date.
12. Plan Commission Agenda is posted. Staff reports are released 5 days prior to meeting.
13. Plan Commission holds public hearing and gathers information from public.
14. The Plan Commission refers project to a Sub-Committee for further review, and voices suggestions and recommendations.
15. After their meeting, the Sub-Committee will forward the project back to the full Plan Commission with a recommendation. Upon return, the Plan Commission will either approve/deny at this time.
16. A Letter of Decision will be mailed to the Petitioner a week or so after the vote is made.