

Instructions for filing a petition before the CITY OF VALPARAISO PLAN COMMISSION

The Petitioner is responsible for providing all documents and requested information with the petition on or before the deadline for the Commission meeting. The information and documents must contain accurate information and must be submitted to the Planning Department prior to the scheduled meeting. The decision of the Commission depends on a concise and clear understanding of the Petitioner's request. It is strongly recommended that the Petitioner begin collecting the documents prior to the date of the deadline. *If a petition is not complete or is filed late it will be placed on the Agenda for the following month.* The required filing fee as indicated below must be paid to the City Clerk-Treasurer upon filing a complete petition.

STEP ONE: APPLICATION AND CHECKLIST

In order for a petition to be considered complete it shall include at a minimum the following (Check all Items provided):

1. _____ Application Fee – Submitted to Clerk/Treasurer's Office by no later than 4:00 PM on the day of the posted Deadline for the desired Plan Commission meeting.
2. _____ Complete petition and checklist. Petition is attached.
3. _____ Vicinity Map. A vicinity map for the purpose of locating the subject property within the City of Valparaiso.
4. _____ Site Plan/Concept Plan. The site plan must be to scale and include all present and proposed buildings and structures, parking areas, location and name of all adjacent streets and roads (whether public or private), and a north arrow. Easement information must also be provided if easements exist or are proposed on the property in question.
5. _____ Written Description of Project. There should be a written description of the proposed project attached with the site plan. The written description allows the Plan Commission and the Planning Department to better understand the proposed project.
6. _____ Commitments/Restrictions/Covenants. Proposed Commitments/Restrictions/Covenants for the property or subdivision must be provided for reference if the Petitioner intends to require them as a condition of sale or development of property.
7. _____ Legal Description. A legal description for the property must be either written in the space provided or attached. The legal description can be found on the Deed for the property or potentially within a recorded mortgage. The abbreviated version of the legal description on the property tax bill is not sufficient. If necessary, the Petitioner can obtain a copy of the Deed from the Porter County Recorder's Office located in the Porter County Administration Building in Valparaiso.
8. _____ Surrounding Property Owner List. If a public hearing is required for

your requested action, The names and addresses of all the property owners within 300 feet in all directions from the subject parcel shall be provided. See application type on Petition form to determine if a public hearing is required. Information concerning the owners of property within 300 feet can be obtained through a title company or the Petitioner may obtain such information from the Porter County Auditor's Office. Owners of property within a 300-foot radius of the lot lines of the subject parcel must receive notice. All property owner information (including those owned by the City, State, etc.) must be submitted as part of the application. Please be advised that it is the Petitioner's responsibility to obtain this information. Indiana law and the Rules and Procedures of the Valparaiso Plan Commission require timely notice to all affected property owners. Should a property owner not receive timely notice, such could result in your request being denied, delayed, or potentially revoked at some later date.

9. _____ Petitioner's Affidavit of Notice and Consent of Property Owner. See the attached Form and Petition form to determine if a public hearing is required. As part of the Plan Commission application process, the Petitioner is required to execute an affidavit indicating that notification of affected property owners has been completed in a timely manner. Letters of notification shall be mailed to property owners within 300 feet of the Petitioner's property, which is the subject of the requested Plan Commission action. The letter of notification shall be sent via certified mail, return receipt requested, and must be postmarked a minimum of ten (10) days prior to the Plan Commission hearing. A form letter for your use is attached to this application. The Petitioner will bring all the original certified "green cards" to the Plan Commission hearing. Upon inspection by the Plan Commission and its attorney, the cards will be returned to the Petitioner. It is highly recommended that the Petitioner retain these cards as proof that all property owners received notice. Any objection as to failure to notify a property owner within 300 feet will be the responsibility of the Petitioner.

10. _____ Annexation Documentation (If applicable). If the petition is submitted for an annexation request, refer to the annexation application requirements sheet in addition to this information. Failure to provide all necessary information by the dates required will result in a delay in processing your request. Please contact the Planning Department to obtain a copy of this information.

STEP TWO: PUBLIC NOTIFICATION REQUIREMENTS

Notification by Newspaper – NWI Times

After it is determined that your application is complete, Planning staff will submit a public hearing notice in compliance with applicable State Statutes to the Northwest Indiana Times newspaper if your request requires a public hearing. The bill for publication and a proof of publication will be mailed to the Petitioner listed on the Petition. Payment of the bill is the responsibility of the Petitioner.

Onsite Notification Sign

Planning Staff will place one or more signs on the subject parcel in a conspicuous location at least ten (10) days prior to the scheduled public hearing for your requested action. Staff will collect the sign(s) immediately following the public hearing date listed on the sign. Do not remove the onsite notification sign for any reason without the permission of the Planning Director. If the sign is damaged or stolen, we will place a new sign on the property.

Surrounding Property Owner Notification

As outlined in checklist item #9 above, if a public hearing is required by State law for your requested action, it is the Petitioner's responsibility to mail proper notice to all affected surrounding property owners via certified mail return receipt requested that is postmarked no later than ten (10) days prior to the public hearing. This is defined by the City of Valparaiso as all property owners within a 300 foot radius of the property lines of the subject property. The Petitioner shall present all received or returned green certified mail cards to the Plan Commission Staff or Attorney for inspection to verify compliance with notification requirements, and comparison with provided surrounding property owners list. The Affidavit of Notification of Surrounding Property Owners shall also be provided as outlined above in checklist item #9.

STEP THREE: APPLICATION PROCESS AND PUBLIC HEARING SCHEDULE

Application Review and Checklist Acceptance

Planning staff will review the application materials for completeness and clarity and schedule the request for the following Plan Commission meeting date. If it is determined that the application is incomplete, Planning staff will notify the owner of the missing or incomplete items and schedule the request for the next Plan Commission Meeting following receipt of a complete application packet.

Staff Report or Fiscal Plan if Necessary

If required, Staff will Complete a staff report, recommendation, or fiscal plan (annexations only) to be presented at the Plan Commission meeting. The Petitioner may request a copy of any report, recommendation, or fiscal plan from the Planning Director.

Public Hearing Attendance

The Petitioner or his/her representative needs to attend the Plan Commission meeting to present the project and answer questions. The Plan Commission meets on the second Tuesday of each month at 7 p.m. at City Hall. The Petitioner will not be notified or reminded of the meeting. Meeting Dates are presented below for your reference.

CITY OF VALPARAISO PLAN COMMISSION
2010 Petition Deadlines and Meeting Dates

**Note: All meetings take place in the Council Chambers,
City Hall, 166 Lincolnway, Valparaiso**

Commission meetings are on the 2nd Tuesday of each month at 7:00 PM

<u>Plan Commission Deadline</u>	<u>Plan Commission Mtg. Date</u>
December 18, 2009	January 12, 2010
January 15	February 9
February 12	March 9
March 19	April 13
April 16	May 11
May 14	June 8
June 18	July 13
July 16	August 10
August 20	September 14
September 17	October 12
October 15	November 9
November 19	December 14
December 17, 2010	January 11, 2011

PETITION FEES (CHECK ALL THAT APPLY)

_____ Rezoning:	\$150	
_____ Subdivision Primary Plat:	\$150 + \$10 per lot	___ Lots X \$10 = _____
_____ Subdivision Amendment	\$100 + \$5 per lot	___ Lots X \$5 = _____
_____ Planned Unit Development (PUD):	\$500 + \$10 per lot	___ Lots X \$10 = _____
_____ Major PUD Amendment	\$250 + \$5 per lot	___ Lots X \$5 = _____
_____ Minor Subdivision (Lot Split)	\$150	
_____ Subdivision Final Plat	\$100 + \$5 per lot	___ Lots X \$5 = _____
_____ Minor PUD Amendment	\$150	
_____ Annexation:	\$500	
_____ Design/Architectural Approval	\$150	
_____ _____ Overlay District		
_____ Special Meeting Fee	\$1500	
_____ Text Amendment	\$250	
_____ Comprehensive Plan Amendment	\$250	

TOTAL FEE _____

Signature of owner/Petitioner _____ Date

Printed name

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

Notary Public

My Commission Expires:

STAFF USE ONLY

Date received: _____

- ___ Names and addresses of property owners within 300 feet provided
- ___ Plot Plan attached
- ___ Legal Description provided
- ___ Petition filled out completely

Date approved for public hearing: _____ Date of public hearing: _____
 Date legal notice mailed: _____ Date to be published: _____
 Date property owner notices mailed: _____
 Additional information: _____

Affidavit of Consent of Property Owner

(To be presented with application for Plan Commission Action)

_____, being dully sworn upon his/her oath, being of sound mind and legal age deposes and states:

1. That he/she is the authorized Petitioner _____ (agent, attorney, other – Please indicate) of the property described in the attached notice which an application for a Plan Commission action has been filed before the Plan Commission of the City of Valparaiso, Indiana.

Petitioner

Date

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

Notary Public

My Commission Expires:

**NOTICE OF PUBLIC HEARING
CITY OF VALPARAISO PLAN COMMISSION**

Dear Property Owner:

This letter is to notify you that the City of Valparaiso Plan Commission will contact a public hearing on Petition Number _____ on the ___ day of _____, 20__ at 7:00 pm at Valparaiso City Hall, 166 Lincolnway, City Council Chambers, to consider a request for Plan Commission action (insert requested action here) _____.

The Petitioner for the requested action is _____

of (address here) _____

The property is located in the _____ Zoning District. The subject parcel is located at (Address or Location) _____ and includes the following tract of land:

Legal Description

(Please type the street address and legal description here or attach to the letter)

You are sent this notice as a property owner within 300 feet of the parcel. Your view on this petition may be submitted in writing to the Planning Director, or you will be given an opportunity to be heard at the above-mentioned time of the Public Hearing. All interested property owners are invited to attend. To review the petition and detailed site plans contact the Planning Department between 8:30 a.m. and 4:30 p.m. Monday through Friday.

Correspondence to:

Craig A. Phillips, AICP, Planning Director

Valparaiso City Hall

166 Lincolnway

Valparaiso, IN 46383

Phone: (219) 462-1161 **Fax:** (219) 464-4273

e-mail: cphillips@valpo.us

(all electronic mail must include name, address, and telephone number)

Respectfully,

Petitioner

Petitioner

Petitioner

Petitioner

Affidavit of Proper Public Notice for Public Hearing

(To be presented to Plan Commission staff or attorney at Public Hearing)

_____, being dully sworn upon his/her oath, being of sound mind and legal age deposes and states:

1. That he/she is the _____(agent, attorney, owner) of the property described in the attached notice which an application for a variance has been filed before the Board of Zoning Appeals of the City of Valparaiso, Indiana

2. That on the ____ day of _____, _____, did mail at least ten (10) days prior to the scheduled Public Hearing, postage paid, by certified mail, returned receipt requested, a letter explaining the proposed change, time, date and place of hearing and attached hereto, to all of the property owners within three hundred (300) feet from the lot lines of described real estate, as follows.

(Please attach legal description)

List the name the address of all property owners who have received notification below:

(Please print)

Please Attach a copy of the Surrounding Property Owners List.

Petitioner

Date

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

Notary Public

My Commission Expires:
