



White County Building & Planning

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REZONING PROCEDURE

The White County Area Plan Commission meets the second Monday of each month, unless otherwise scheduled due to holidays, special circumstances, etc. (see below).

All meetings are open to the public, held in the Commissioners' Room on the Second Floor of the White County Building, 110 N. Main Street, Monticello, and begin precisely at 6:00 pm. The north doors will open at 5:30 pm and close at 6:30 pm.

The following is the procedure to follow to apply for a Rezoning of a parcel.

APPLICANT'S RESPONSIBILITIES:

1. Provide a **site plan** showing all structures and any features relevant to the application.
2. Provide a **letter of intent** stating the reasons for the rezoning, including a detailed description of any proposed development and any written commitments being made by the applicant.
3. Provide a current **deed** of the property to be rezoned.
4. **Applications for rezoning** must be filed with the Area Plan Department by the established cutoff date. ***The application, or a letter of authorization, must be signed, before a notary, by the legal owner of the property (notarization is provided free of charge by the Area Plan Office).*** A **filing fee** as published in the official Fee Schedule and copy of the **deed** must accompany the application.
5. **Post a "Request for Rezoning" sign** (provided by the Area Plan Office) on the property where it can easily be seen and read from the road, a minimum of 11 full days prior to the hearing and continually until the date of the hearing. **A "Sign Posting Affidavit"** (pg. 1 of the Rezone Application) verifying the posting date is required.
6. **Be present at the hearing or send a representative to answer any questions the board may have regarding your request.** The board will hear your request whether or not a representative is present. If your request is denied, you may not reapply for one year. If you or your representative can not attend, you may contact the Area Plan office prior to the hearing date to request a continuance.

Area Plan Commission

Filing Date Deadline

Meeting Dates

12/14/22

01/09/23

02/15/23

03/13/23

03/15/23

04/10/23

04/12/23

05/08/23

05/17/23

06/12/23

06/14/23

07/10/23

07/19/23

08/14/23

08/16/23

09/11/23

09/14/23

10/10/2023*

10/18/23

11/13/23

Points To Consider Regarding A Request To Rezone

1. Is the proposed rezoning consistent with the goals, objectives and policies of the White County Comprehensive Plan and any other applicable planning studies and reports, as adopted and amended from time to time?
2. Is the proposed rezoning compatible with current conditions and the overall character of existing development in the immediate vicinity?
3. Is the proposed rezoning the most desirable use for the land in the subject property?
4. Will the proposed rezoning have an adverse effect on the value of properties throughout the jurisdiction?
5. Does the proposed rezoning reflect responsible standards for growth and development?

Rezoning Procedure Continued

It is your responsibility, as applicant, to provide all supporting documents to the Area Plan office that you would like the board to consider regarding your request. If you have neighbors in favor of your request, ask them to write a supporting letter and/or to attend the hearing and voice their support. Your letter of intent should be clear and concise as to your intentions now and in the future. It is in your best interests to give as much detail as possible so the board can make an informed decision. The Points to Consider are those the Area Plan Commission will consider regarding your request to rezone. At the hearing the board will vote. A minimum of six votes is required for a decision from the APC. The result will be a favorable recommendation, an unfavorable recommendation, no recommendation, or the board may choose to continue your request to an upcoming meeting. If the board continues your request, you should arrange to be present at that meeting also to support your request. The board may or may not attach conditions to their recommendation of the rezone petition. The board's recommendation (favorable or otherwise) will be taken to the appropriate legislative body within ten days. The legislative body shall adopt, adopt with modifications, or reject the rezone recommendation. (Should the legislative body neglect to act on the petition within 90 days, the recommendation from the APC board will stand as final zoning determination.) You will be notified by the Area Plan office as to the outcome.

If adopted without conditions: Upon receipt of the Zoning Map Amendment Ordinance by the Staff, the Staff will record the Zoning Map Amendment Ordinance in the White County Recorder's Office. The Ordinance takes effect upon passage. If adopted with conditions and/or commitments, it is your responsibility to record the Zoning Map Amendment and the conditions and/or commitment document.

You will have ninety days to have the approved rezone and commitments/conditions recorded in the White County Recorder's Office. The rezone will not take effect until it and the commitments/conditions are recorded. **Should you fail to record the document within the ninety day time period, the rezone will be void and you will have to wait a period of one year before you may reapply.** Once recorded, the rezone and commitments will be binding on the owner of the subject property, any subsequent owners of the subject property, and any person or entity that acquires an interest in the subject property, or portion thereof.

WHITE COUNTY AREA PLAN COMMISSION PETITION TO AMEND THE ZONING ORDINANCE

Application # _____ Receipt # _____ Date of Application _____

Owner _____ Phone _____

Address of Owner _____

Applicant (if not owner*) _____ Phone _____

Address of Applicant _____

Petition involves change in Zoning from: _____ to _____

For the Purpose of _____

Real Estate described completely as follows: _____

Street Address of Subject Property _____

Parcel Identification Number _____

Sign Posting Affidavit:

It is the responsibility of the applicant or applicant's representative to properly post the Rezone Notification Sign as follows:

1. Sign must be posted on the subject property so that it can be clearly seen and read from the primary road front.
2. Sign must be posted a minimum of eleven (11) **full days prior** to the scheduled hearing date. *The hearing date is not included in the 11 day minimum.* Post sign no later than midnight on: _____
3. Sign must remain continuously posted until the time of the hearing.
4. Sign must be removed and properly disposed of within three (3) days following the initial hearing date and time. Sign is composed of recyclable plastic. It may be returned to the Area Plan Office for disposal.

Signature: _____ Date: _____

(Applicant or Representative)

Meeting Date: _____, 20____ 6:00 p.m. on the 2nd Floor, Commissioners Room, White County Building. A representative of the owner/applicant should be present at the hearing to answer any questions regarding the request.

*A notarized letter of authorization, signed by the property owner of record, **must accompany this application** if the applicant is not the owner of the subject property.

The information submitted, including this document and all exhibits, to my knowledge and belief, are true and correct. By signing below I give Area Plan the right to access the site for the purpose of taking photos to aid the board in their decision making process. Said photos will become a part of the permanent public file for this request.

Applicant

Owner

State of _____)

County of _____) SS:

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

Notary Public Signature: _____

Printed Name: _____

County of Residence: _____

My Commission Expires: _____

