1. Thirteen (13) copies of the application and thirteen (13) copies of an acceptable plat of the property must be submitted at least thirty (30) days prior to the Michigan City Plan Commission meeting. The Board meets the fourth Tuesday of the month at 6:30 p.m. local time at City Hall in the Council Chambers.

2. The application must be accompanied by a non-refundable filing fee as follows:

   Minor Subdivision (no more than 2 lots): $250.00
   Major Subdivision (3 or more lots): $250.00 + $10.00 for each additional lot

3. Attached are procedures/requirements. Use attached forms.

4. Once the petition has been set for public hearing, all property owners abutting the application site and across the right-of-way shall be notified of the time and place of the public hearing. This shall be done by certified letter at the expense of the applicant. The applicant shall submit their Affidavit of Service and proof of mailing to the Planning Department the Monday (or Friday if Monday is a holiday) before the Plan Commission meeting for review (attached public notice requirements).

5. Per state statute, the applicant shall provide at their expense, legal advertisement in the local newspaper and show proof of same at the hearing (attached public notice requirements).

No exceptions to the above

Note: In the presentation of the case, the burden shall be upon the applicant to supply all information including charts, plats, diagrams, architectural and/or engineering drawings, and other exhibits necessary for a greater understanding of the problem. The Board may continue the hearing when, in its judgment, the applicant has not provided sufficient evidence and information to make a determination.
APPLICATION FOR MINOR SUBDIVISION
WITHIN THE CORPORATE LIMITS OF MICHIGAN CITY

1. Name of identifying title: ________________________________________________________

2. Subdivider: (If owner, so state; if agent or other type of relationship, state details on separate sheet)
   Name: _________________________________________________________________
   Address: ________________________________________________________________
   Telephone: ______________________________________________________________

3. Licensed land surveyor or engineer:
   Name: _________________________________________________________________
   Address: ________________________________________________________________
   Telephone: ______________________________________________________________

4. Location of proposed subdivision: (Block and lot or other identification. Use additional sheet if necessary)
   ________________________________________________________________
   ________________________________________________________________
   ________________________________________________________________

5. Easements or other restrictions on property: (Describe generally. Use additional sheet if necessary)
   ________________________________________________________________

6. Names of abutting owners and owners directly across adjoining street. Include those in adjacent municipalities and other unincorporated areas. (Attach list of owners)

7. Requested exceptions. The Plan Commission is hereby requested to authorize the following exceptions or waivers of its regulations governing subdivisions. (Attach list of such exceptions with the reason for each exception set forth)

8. The undersigned hereby states that the appropriate application fees are submitted herewith.

9. The undersigned hereby requests approval by the Plan Commission of the above identified subdivision plat

(Signature)

>Title)

(Date)
Article 03
Minor Subdivision Review and Approval Procedures

Section 03.01 Purpose
The purpose of a minor subdivision is to permit a simplified procedure for certain subdivisions of land, as determined in section 01.08(a)(2). Any resubdivision or replat that meets the conditions of minor subdivisions shall also be considered under the terms of this article.

Section 03.02 Concept Plan Review
Prior to submitting any of the materials required by this ordinance, the subdivider or their representative is encouraged to discuss the nature of the proposed land division with the enforcement official. The enforcement official may provide the subdivider a preliminary opinion as to the classification of the subdivision and shall inform the subdivider as to the application and review procedure.

Section 03.03 Primary Plat
(a) Application and Fees. The application and supporting material, as listed in section 03.08, shall be filed with the enforcement official. The fee, as set under the provisions of this ordinance, shall be paid at the time of the filing.

(b) Administrative Review. The enforcement official will review the application for technical conformity with the standards specified in this ordinance. The enforcement official shall request a review of the plat by any departments deemed necessary under the circumstances to review the plat including, as applicable, but not limited to, the county highway engineer, or city engineer, county surveyor, fire department, health department, water department, and sewer department. Prior to the plat being considered by the plan commission, all technical requirements required of the departments must be addressed. The enforcement official will send a copy of its written analysis of the proposal, along with the recommendations from other departments, based upon compliance with the requirements of this ordinance, to the plan commission and subdivider.

(c) County Plat Committee Review. For a minor subdivision located in an unincorporated area of the county outside of a city, the subdivision shall be reviewed by the county plat committee. Prior to the plat being considered by the plan commission, all technical requirements required by the plat committee must be addressed. After the plat committee is satisfied that all technical requirements of the plat have been met, the plat committee shall make a recommendation to the county plan commission, based upon compliance with the requirements of this ordinance. For a minor subdivision located in the cities of La Porte or Michigan City, the subdivision shall be submitted directly to the city plan commission.

(d) Plan Commission Review. The plan commission shall conduct a public hearing, upon due public notice, and review the primary plat. The plan commission shall review the plat for compliance with this ordinance, and may, by majority vote of the membership, take one of the following actions:

(1) Approve the application upon a determination that the application complies with this ordinance; or

(2) Approve the application subject to certain modifications that would bring the application into compliance; or

(3) Deny the application on the grounds that the application does not comply with this ordinance.
(e) Compliance with Standards of Ordinance. The plan commission shall determine if the subdivision plat qualifies for primary approval under the standards prescribed by this ordinance, including standards for:

(1) Minimum width, depth, and area of lots in the subdivision;
(2) Adequacy of existing public way widths, grades, and curves; and
(3) The availability of any necessary water, sewer, and municipal services.

(f) Conditions of Approval. As a condition of primary approval of a plat, the commission may specify:

(1) Provision for water, sewage, and other utility services;
(2) Provision for lot size, number, and location;
(3) Provision for drainage design; and
(4) Provision for other services as specified in this ordinance.

(g) Action. The action taken by the plan commission and the reasons for that action shall then be transmitted by the enforcement official to the subdivider.

Section 03.04 Status and Length of Primary Approval
Primary approval shall be valid for 120 days. The approval shall become null and void if the plat does not meet all the requirements for and receive secondary approval within that time.

Section 03.05 Secondary Plat

(a) Application. An application for secondary review may be filed with the enforcement official on forms provided, together with any supporting documents to demonstrate that all conditions of primary approval have been satisfied.

(b) Determination of Conformance. The enforcement official will review the application to determine if the subdivision complies with the primary approval and all conditions. If the enforcement official finds that the subdivision does not comply, his decision can be appealed to the plan commission.

(c) Signature and Seal. Secondary approval shall be given by the enforcement official after the enforcement official has determined that the subdivision complies with the conditions of approval of the plan commission and all county or city departments.

Section 03.06 Secondary Plat—Length of Approval
Secondary approval of a minor subdivision shall be valid for a period of one (1) year from the date of approval.

Section 03.07 Recording of Secondary Plat
If the secondary plat is not recorded in the county recorder's office prior to the expiration date it shall be null and void.

Section 03.08 Minor Subdivision Composition
Minor Subdivision Review and Approval Procedures

(a) The plat shall be a reproducible drawing, no larger than 36” x 24” at a scale of 50 feet to the inch or larger (1” = 50’). The subdivider shall submit the number of prints of the plat specified by the enforcement official, including the following information, prepared by a land surveyor licensed to practice in Indiana.

<table>
<thead>
<tr>
<th>General</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal description of the minor subdivision</td>
</tr>
<tr>
<td>Graphic scale, north point and date</td>
</tr>
<tr>
<td>Tax certificate</td>
</tr>
<tr>
<td>Vicinity map</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot numbers, dimensions, location of monuments, and area for each lot. A general notation shall be provided on the plat stating that the plat complies with zoning ordinance requirements for minimum lot area, width and frontage</td>
</tr>
<tr>
<td>Existing and proposed block and lot lines</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location(s) of any existing building(s) street(s), driveway(s), sidewalk(s) or utility structure(s) on or adjoining the site</td>
</tr>
<tr>
<td>Right-of-way widths as established by the master thoroughfare plan</td>
</tr>
<tr>
<td>Available community facilities and utilities</td>
</tr>
<tr>
<td>Easements (existing or proposed, including but not limited to utility easements, drainage easements, access easements, etc.), legal drain, and easements to be vacated by the subdivision with notations regarding the vacation</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Natural features</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regulated drains</td>
</tr>
<tr>
<td>Subsurface conditions on the tract, location and results of soil percolation tests if individual sewerage disposal systems are proposed</td>
</tr>
<tr>
<td>Boundary lines of floodway and floodway fringe areas on each lot as scaled from the flood insurance rate map</td>
</tr>
<tr>
<td>Wetland boundaries as delineated by a professional scientist.</td>
</tr>
<tr>
<td>For subdivisions containing land with a slope of 10% or greater, as determined by the soil survey of La Porte County, the topography as shown on the USGS quad sheets. Topography may be shown on a separate print, provided it is shown at a scale no larger than 1” = 300’</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Certifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land surveyor’s certificate</td>
</tr>
<tr>
<td>Owner’s certificate</td>
</tr>
<tr>
<td>Notary seal</td>
</tr>
<tr>
<td>Approval certificate</td>
</tr>
<tr>
<td>Public works department certificate when required</td>
</tr>
</tbody>
</table>

(b) Required certifications, as noted, are described in Appendix A.

(c) If there is a parent tract remainder that qualifies as an administrative subdivision under the terms of this ordinance, the land shall be shown on the drawing.

Section 03.09 Minor Subdivision—Supporting Data Required

In addition to the plat, the subdivider shall submit the following:

(a) One executed application, as provided by the enforcement official;

(b) The names and address of all interested parties;

(c) Evidence that a sewerage permit can be obtained from the county health department or evidence that other acceptable sewer and/or water service is available to all building lots in the subdivision;
(d) Erosion control plan to comply with the design standards of section 6.08 of this ordinance and the laws of the State of Indiana;

(e) Drainage report, to comply with the design standards of section 6.07 of this ordinance and the laws of the State of Indiana;

(f) If there is a parent tract remainder, a drawing showing the property involved in the petition and the remainder. The drawing should include average and percentage dimensions on the remainder;

(g) Any covenants or other restrictions applying to the subdivision that will run with the land;

(h) Evidence that a driveway permit can be issued by the Indiana Department of Transportation for any lot in a minor subdivision that has its access from a state highway.

Section 03.10 Minor Subdivision–Subdivision Design Principles and Standards

All minor subdivisions and associated improvement shall conform to the requirements and specifications of article 06.
MICHIGAN CITY PLAN COMMISSION
PUBLIC HEARING NOTICE REQUIREMENTS

1. Your notice by publication must be published two (2) times, with the first publication
appearing at least ten (10) days before the date of the hearing and the second date
of publication being no less than three (3) days prior to the hearing date. Said
publication shall be in a newspaper meeting the requirements of Indiana Code 5-3-
1-4.

2. A form of notice describing the name of the petitioner, the address of the property,
the nature of the petition, and the time, date, and place of the hearing must be sent
via Certified Mail, Return Receipt Requested, to all adjoining and abutting property
owners. This includes property owners whose parcels are diagonally across lot line
or street intersection points as well as across public right-of-ways, streams, or
bodies of water.

3. The Monday before (or Friday if Monday is a holiday) the Plan Commission
meeting, the Petitioner shall submit the following to the Planning Department for
review:

   a. The green return receipt cards or the returned as undeliverable envelope and
green card for each neighboring property owner to which you mailed the
required notice as set forth in paragraph 2 above.

   b. A copy of the actual form of notice sent to each neighboring property owner
as set forth in paragraph 2 above.

   c. A signed and notarized Affidavit of Service attesting to delivery of notice to all
neighboring property owners as set forth in paragraph 2 above.

   d. A plat or sketch clearly indicating the location of the petitioner’s property site
in relation to all neighboring property owners as described in paragraph 2
above. Said plat or sketch must clearly indicate the name of each
neighboring property owner.

4. At the public hearing, the Petitioner must present to the Board/Commission attorney
the Publisher’s Affidavit of Publication of legal notice.

   ________________________________
   (name of Petitioner)

I, ________________________________, acknowledge receipt of this
document this ______ day of ______________________, 20 ___.

____________________________________
(signature)
EXAMPLE OF PLAT OF NEIGHBORING PROPERTY OWNERS

A. John Doe  
   102 North Oak Street  
   Michigan City, IN 46360

B. Robert Black  
   103 North Oak Street  
   Michigan City, IN 46360

C. Jim Smith  
   103 East Walnut Street  
   Michigan City, IN 46360

D. Bob Jones  
   100 North Oak Street  
   Michigan City, IN 46360

E. Fred White  
   102 East Maple Street  
   Michigan City, IN 46360

F. George Adams  
   100 South Oak Street  
   Michigan City, IN 46360

G. Betty Moore  
   101 East Maple Street  
   Michigan City, IN 46360

H. Richard Harrison  
   103 East Maple Street  
   Michigan City, IN 46360
NOTICE OF
PUBLIC HEARING

Notice is hereby given that _______________(name)________________ has filed for a petition before the Michigan City Plan Commission for ____________(type of petition)__________________ on the following described real estate in LaPorte County, Indiana, to wit:

DESCRIPTION: __________________________________________________________

_____________________________________________________________________

_____________________________________________________________________

_____________________________________________________________________

The above described real estate is located at ___________(address)________________
Michigan City, Indiana 46360.

Notice is further given that this petition will be heard and determined at 6:30 p.m. local time on the _______ day of ________________________, 20___, in the Common Council Chambers, City Hall, 100 East Michigan Boulevard, Michigan City, IN 46360, and that interested persons may attend and remonstrate, or the written remonstrances may be filed prior to and up to the time of the hearing.
AFFIDAVIT OF SERVICE

I, _______________ (NAME) _______________, being first duly sworn upon my oath, do depose and say that notice of a petition _______________ (TYPE AND NATURE OF PETITION) _______________ affecting property located at _______________ (ADDRESS) _______________, Michigan City, Indiana, was mailed by Certified Mail, Return Receipt Requested, with sufficient, prepaid postage thereon to all property owners who adjoin, abut or are across from the right-of-way of said property, advising said property owners of hearing on said petition before the Michigan City Plan Commission, on the __________ day of _______________ 20___, at 6:30 p.m. local time; that said notice was mailed on or before a date ten (10) days prior to the date of said hearing.

______________________________
(Signature of Petitioner)

______________________________
(Printed or Typed Name of Petitioner)

STATE OF INDIANA   )
COUNTY OF LAPIORTE )

SS:

Subscribed and sworn to before me this _____ day of _______________ 20___.

______________________________
(Notary Public)

My Commission Expires: __________________________

______________________________
(Printed Name)

______________________________
(County of Residence)
PUBLIC HEARING
NOTICE REQUIREMENTS