PLAN COMMISSION
PROCEDURES, POLICIES, AND FEES FOR REZONING PETITIONS

1. Thirteen (13) copies of the petition 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, City Hall, Council Chambers).

2. If the petition is appealing a decision, requirement, or determination made by the Plan Director, the petition must be filed within thirty (30) days of the Plan Director's decision.

3. The petition must be accompanied by a non-refundable fifty dollar ($50.00) filing fee.

4. The petition must include the following:

   (a) Subject of the petition.
   (b) Name, address, phone number, and email of the petitioner.
   (c) Name and address of the property owner.
   (d) A legal description of the property.
   (e) A common description of the property.
   (f) A statement as to the present zoning of the property (for rezoning).
   (g) A statement as to any covenants running with the property relative to the petition.

   (Forms are attached)

5. Once the petition has been set for public hearing, all property owners abutting the petitioned 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 petitioner. The petitioner 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 (see attached public notice requirements).

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

7. The petitioner shall allow a sign to be placed in a prominent position on the petitioned site by the Planning Department to inform the public of the zoning request.

**No exceptions to the above.**

**Note:** In the presentation of the case, the burden shall be upon the petitioner 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 petitioner has not provided sufficient evidence and information to make a determination.
PETITION FOR REZONING

1. SUBJECT OF THE PETITION:

   ____________________________________________
   ____________________________________________
   ____________________________________________

2. NAME, ADDRESS, PHONE NUMBER, AND EMAIL OF PETITIONER:

   ____________________________________________
   ____________________________________________
   ____________________________________________

3. NAME AND ADDRESS OF PROPERTY OWNER:

   ____________________________________________
   ____________________________________________
   ____________________________________________

4. LEGAL DESCRIPTION OF PROPERTY:

   ____________________________________________
   ____________________________________________
   ____________________________________________

5. COMMON DESCRIPTION OF PROPERTY:

   ____________________________________________
   ____________________________________________
   ____________________________________________

6. PRESENT ZONING OF PROPERTY:

   ____________________________________________
   ____________________________________________
   ____________________________________________

7. COVENANTS RUNNING WITH THE PROPERTY RELATIVE TO THE PETITION:

   ____________________________________________
   ____________________________________________
   ____________________________________________

8. REASON FOR PETITIONING:

   ____________________________________________
   ____________________________________________
   ____________________________________________
   ____________________________________________

Date:______________  (Signature of owner or party with substantial interest)
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.

   I, _________________________________, acknowledge receipt of this
   (name of Petitioner)
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, pre-paid 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)

________________________________________
(Published or Typed Name of Petitioner)

STATE OF INDIANA  )
County of Laporte  )
SS:

Subscribed and sworn to before me this ______ day of __________________________ 20____.

________________________________________
(My Commission Expires: __________________________)

________________________________________
(Printed Name)

________________________________________
(County of Residence)
PUBLIC HEARING
NOTICE REQUIREMENTS