

APC Application Packet

Boone County Area Plan Commission



This application packet is for petitions under the jurisdiction of the Boone County Area Plan Commission and includes:

- **Development Plan** – a review of any new construction, exterior alteration, relocation, demolition, occupancy, or change or expansion in use of a commercial, industrial, or certain residential uses (condominiums, multi-family, etc.)
- **Zone Map Change** – a change from one zoning district to another
- **Planned Unit Development (PUD)** - a customized zoning district that includes a detailed PUD District Ordinance.
- **Subdivisions** – division of a lot into two or more lots.
 - **Minor Residential Subdivision** (*since 1999, the creation of 4 lots or less, including the parent parcel*)
 - **Major Subdivision** (*Commercial, Industrial, or Residential - 5 lots or more, including the parent parcel*)
 - Concept Plan – internal review of a subdivision before applying for Primary Plat
 - Primary Plat – preliminary approval of a subdivision layout.
 - Secondary Plat & Construction Drawings – final approval of a subdivision layout including detailed construction drawings and the plat for recording.
- **Modification or Termination of Commitments** – applies to commitments made as part of a decision made by the APC.

Step 1: Pre-Application.

At least one week prior to the intended filing of the petition, the applicant must discuss the potential application with the Administrator for the purpose of becoming familiar with requirements, submittals, procedures, deadlines, and hearings. Contact the Administrator by calling (765) 482-3821 or emailing AreaPlanDirector@co.boone.in.us.

Step 2: Making Application.

The applicant must make an appointment to file an application by calling (765) 482-3821 or emailing AreaPlanDirector@co.boone.in.us. The deadline for application submittals is noon on the filing deadline. At this appointment, the applicant will pay the application fee and receive the public notification materials. A complete application and all required attachments are to be submitted by the date shown on the Application Schedule. If the application is not complete, it will be returned to the applicant with the deficiencies identified. Applications submitted or completed after the posted submittal deadline may be placed on the application cycle for the next regular meeting.

Step 3: APC Submittal Checklist

	Development Plan	Zone Map Change	Planned Unit Development	Concept Plan	Major Subdivision - Primary Plat	Major Subdivision - Secondary Plat	Minor Residential Subdivision	Modification/Termination of Commitments
1. Application Fee <i>(additional fees may apply for specialty uses and districts)</i>	\$425	\$500 +\$50 per acre	\$1,000 +\$20 per acre	\$200	Res: \$650 +\$120/lot Other: \$700 +\$20/lot		\$350	\$275
2. Application Form	✓	✓	✓	✓	✓	✓	✓	✓
3. County Location Map	✓	✓	✓	✓	✓	✓	✓	✓
4. Aerial Map of Site	✓	✓	✓	✓	✓	✓	✓	✓
5. Site Plan	✓	✓	✓	✓	✓	✓	✓	
6. Narrative	✓	✓	✓	✓	✓	✓	✓	✓
7. Drainage Calculations	✓				✓	✓		
8. Plat Plans	✓				✓	✓	✓	
9. Construction Plans	✓					✓		
10. Legal Description with Drawing		✓	✓	✓	✓	✓	✓	✓
11. Proof of Sewer/Water Service	✓				✓	✓		
12. PUD District Ordinance			✓					
13. Detailed District Comparison Chart			✓					
14. Existing and Proposed Commitments								✓
Attachment A: Consent of Property Owner	✓	✓		✓	✓	✓	✓	
Attachment B: Detail Data Sheet	✓				✓	✓		
Attachment C: Certificate of Sufficiency	✓					✓		
Attachment D: Obligation to Observe	✓					✓		
Attachment E: Standards for Evaluating a Zone Map Change		✓	✓					
Attachment F: Request for Waiver from Subdivision Standards					✓	✓		

Explanation of Application Submittal Materials

NOTE that an appointment is required to file your petition. It is preferred that all materials be submitted electronically. Each item on the checklist should be a separate PDF with a file name that corresponds to the checklist item. (For examples: *Application.pdf*; *SitePlan.pdf*; *Narrative.pdf*; etc.). Paper applications are acceptable if necessary.

1. Application Fee. Make checks payable to "Boone County."
2. Application Form. All items must be fully completed and signed by the applicant(s) and notarized.
3. County Location Map. Using the map at the end of this packet, indicate where the property is generally located with a star.
4. Aerial Map of the Site. Provide an aerial map of the subject parcel formatted for 8 ½" x 11" in size, showing all adjacent properties. The map can be obtained from Google Maps, Boone County GIS, or other similar aerial mapping programs. Be sure to outline the subject parcel.
5. Site Plan. Provide a basic site plan formatted for 8 ½" x 11" in size, showing the basic layout of the proposed development.
6. Narrative. Provide a detailed narrative describing the nature of the application, the desired land use, and the details of the proposed development including information such as number of lots, hours of operation, number of employees, anticipated traffic generation, and the dates/details of previous construction/permits if applicable. Also include a bulleted statement of the history of the project (rezoning, platting, amendments, other approvals, etc.)
7. Drainage Calculations. Provide preliminary drainage narrative for primary plats and a full drainage plan and calculations for all other applications.
8. Plat Plans. Submit a set of plans that are formatted for 11"x17". Plans **MUST** be prepared in accordance with the county's ordinances and current Document and Drawing Specifications.
9. Construction Plans. Submit a full-size set of plans as well as a full set of plans that are formatted for 11"x17". Plans **MUST** be prepared in accordance with the county's ordinances and current Document and Drawing Specifications.
10. Legal Description and Drawing. A land description of the written words delineating the property and a corresponding drawing with dimensions and bearings. For the electronic version, the legal description should be a PDF generated directly from a Word document so that the text is crisp and clear.
11. Proof of Sewer/Water Service. Provide written verification that sewer and water service are available for the site and that the utility is willing to serve the site under current/future capacity.
12. PUD District Ordinance. The PUD District Ordinance language shall be drafted to independently and exclusively regulate the PUD. This comprehensive ordinance shall be organized into the following chapters: 1) Introduction and Administration; 2) PUD Districts with uses and development standards; 3) Standards for Specific Uses; 4) Site Development Standards; 5) PUD Procedures; 6) Definitions.
13. Detailed District Comparison Chart. Provide a chart that compares all of the permitted uses and development standards of the most similar Boone County zoning district(s) with the proposed PUD district(s) so that the character of the PUD can be understood for review.
14. Existing and Proposed Commitments. Provide a copy of the existing commitments and a mark-up copy of requested modifications.

Attachments A - F. Complete necessary attachments per the respective instructions contained on each form.

Step 4: Notifying the Public

State Law and the Rules and Procedures for the Boone County APC and BZA require you to notify the public of the hearing in two separate ways: by newspaper and by notifying property owners that surround the subject property. The Administrator or Staff will prepare the notices, and the applicant is responsible for publishing/mailing as well as the associated costs.

Notification by Newspaper

Publish the newspaper notification prepared by the Administrator/Staff one time in each of the newspapers listed below per the Public Notice Deadline on the Application Schedule. Failure to meet the publishing deadline will delay the hearing of your petition. Be certain to obtain a "Proof-of-Publication" affidavit from the newspaper for your advertisement. This affidavit and *Form 1: Affidavit of Notification* must be turned in to the Administrator prior to the hearing.

- Lebanon Reporter – 117 E Washington Street, Lebanon, IN 46052, (765) 482-4650.

Surrounding Property Owner Notification

The Petitioner must notify all property owners within 660 feet of the subject property. The Administrator/Staff will prepare the notification materials and property owner list for you.

The surrounding property owner notification prepared by the Administrator must be mailed by First Class Certificate of Mailing (NOT certified mail). Certificate of Mailing provides evidence that mail has been presented to the post office for mailing. Use *Form 2: Adjacent Property Owners Notified by Mail* for listing those notified. All letters must be postmarked by the Public Notice Deadline on the Application Schedule. A copy of Form 2 with the Post Office stamp along with *Form 1: Affidavit of Notification* must be turned in to the Administrator prior to the hearing.

2025 Application Schedule

The following table depicts the deadlines for petitions before the Boone County Area Plan Commission. Deviations from this schedule are not permitted.

Pre-App Meeting Deadline	Application Submittal	TAC Meeting	Deadline for Submitting Additional Info/Revisions to the File	Public Notice Deadline	Staff Report Published	PC Hearing or Meeting
Nov 15, 2024	Nov 22, 2024	Dec 4, 2024	Dec 13, 2024	Dec 25, 2024	Jan 1	Jan 8
Dec 20, 2023	Dec 27, 2024	Jan 8	Jan 17	Jan 22	Jan 29	Feb 5
Jan 17	Jan 24	Feb 5	Feb 14	Feb 19	Feb 26	Mar 5
Feb 14	Feb 21	Mar 5	Mar 14	Mar 19	Mar 26	Apr 2
Mar 14	Mar 21	Apr 2	Apr 11	Apr 23	Apr 30	May 7
Apr 18	Apr 25	May 7	May 16	May 21	May 28	Jun 4
May 16	May 23	Jun 4	Jun 13	Jun 18	Jun 25	Jul 2
Jun 13	Jun 20	Jul 2	Jul 11	Jul 23	Jul 30	Aug 6
Jul 18	Jul 25	Aug 6	Aug 15	Aug 20	Aug 27	Sep 3
Aug 15	Aug 22	Sep 3	Sep 12	Sep 17	Sep 24	Oct 1
Sept 12	Sept 19	Oct 1	Oct 10	Oct 22	Oct 29	Nov 5
Oct 17	Oct 24	Nov 5	Nov 14	Nov 19	Nov 26	Dec 3

- Application Submittal: **An appointment is required to file your petition.** The filing deadline is 12:00pm noon on the date indicated. Call (765) 482-3821 or email AreaPlanDirector@co.boone.in.us to make an appointment to file your application. Application meetings are generally done by phone and email so that the Administrator can ensure you have a complete application.
- TAC Meeting: When required and conducted in person, the Technical Advisory Committee (TAC) Meetings are held at the APC Office, 116 W Washington Street, Room 101, Lebanon, IN 46052, (765) 482-3821. After receiving a complete application, Staff will contact you with an appointment time and date for the TAC meeting.
- Deadline for Submitting Additional Info/Revisions to the File: After a complete application has been received and given a file number, revisions or additions to the plans and/or file must be submitted by 12:00pm noon on the date indicated in order to remain on the current application schedule. Revisions shall be submitted electronically with a cover letter noting the file number and explanation to the attention of the Administrator at AreaPlanDirector@co.boone.in.us.
- Public Notice Deadline: Deadline to publish public notice in the newspapers and postmark mailings to surrounding property owners.
- Staff Report Published: On the date indicated, Staff Reports will be emailed directly to the BZA members and the Applicant/Owner.
- Submit Proof of Public Notice: Prior to the hearing date, submit Forms 1 and 2 as proof of adequate public notice of the hearing. Forms shall be submitted electronically with a cover letter to the attention of the Administrator at AreaPlanDirector@co.boone.in.us.
- APC Hearing: Unless otherwise noticed, APC Hearings are held at 7:00pm in the Connie Lamar Room at the Boone County Office Building, 116 W Washington Street, Lebanon, IN 46052.

APC Application

This application is being submitted for:

- | | |
|---|--|
| ☐ Development Plan | ☐ Zone Map Change |
| ☐ Concept Plan | ☐ Minor Res Subdivision |
| ☐ Major Subdivision Primary Plat | ☐ PUD |
| ☐ Major Subdivision Secondary Plat & Construction Drawings | |
| ☐ Waiver from subdivision standards included | |

Applicant Info

Name	
Street Address	
City, State, Zip	
Primary Contact Person regarding this petition	
Phone	E-Mail
Engineer Preparing Plans	E-Mail
Others to be Notified	E-Mail

Property Owner

Name	
Street Address	
City, State, Zip	
Phone	E-Mail
Applicant is (circle one): Sole owner Joint Owner Tenant Agent Other (specify)	

Premises Affected

10-digit Parcel Number				
Actual/approximate address or location from major streets				
Subdivision			Lot Number(s)	
Total Acreage		Flood Zone on Site?		
Zoning of Subject Property		Use of Subject Property		
Proposed Zoning		Proposed Land Use		
Zoning of Adjacent Properties	North:	South:	East:	West:
Land Use of Adjacent Properties	North:	South:	East:	West:

Notarization

The above information and attached exhibits, to my knowledge and belief, are true and correct.

Signature of Applicant	
Notary Public's Name (printed)	Signature of Notary
My Commission Expires State County	Subscribed and sworn to before me this ____ day of _____, 20____.

For Office Use Only		
File #	Fee	
Filing	TAC	
Hearing/Meeting		
__ Approved	__ Denied	__ w/ conditions
__ Favorable	__ Unfavorable	
__ No Recommendation		

Attachment A: Consent of Property Owner

Complete and submit ONLY if the applicant is different from property owner.

I (we)

NAME(S)

After being first duly sworn, depose and say:

- That I/we are the owner(s) of the real estate located at I (we)

ADDRESS

- That I/we have read and examined the Application and are familiar with its contents.
- That I/we have no objection to, and consent to such request as set forth in the application.
- That such request being made by the applicant (____is) (____is not) a condition to the sale or lease of the above referenced property.

(AFFIANT)

STATE OF INDIANA)
) SS:
COUNTY OF _____)

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

, Notary Public

My Commission expires: _____ County of Residence: _____

Attachment B: Detail Data Sheet

1. Acreage

Total Acreage _____

Proposed Private Acreage _____

Proposed Public Acreage _____

2. Densities

Number of Lots/Units _____

Units per Acre _____

Estimated Population _____

3. Utilities to Serve the Development

- ☐ Sanitation _____
- ☐ Water _____
- ☐ Electric _____
- ☐ Other _____
- ☐ Other _____
- ☐ Other _____

4. Private Ownership: List any improvements that are to be owned and maintained privately (and by whom):

5. Performance Guarantees: For which of the following improvements do you anticipate submitting performance guarantee?

- ☐ Streets
- ☐ Signs and Monuments
- ☐ Sanitary Sewers
- ☐ Off-Site Sewers
- ☐ Storm Sewers
- ☐ Off-Site Drainage
- ☐ Sidewalks
- ☐ Other _____
- ☐ Other _____

Attachment C: Certificate of Sufficiency

This is a sample letter to be submitted on Engineer's letterhead at the time of application. This actual attachment should not be submitted.

RE: Certificate of Sufficiency

DATE: _____

FILE #: _____

ADDRESS WHERE LAND ALTERATION IS OCCURRING: _____

DATE OF PLANS: _____

I hereby certify that to the best of my knowledge and belief:

The drainage plan for this project is in compliance with drainage requirements as set forth in the applicable ordinances pertaining to this class of work.

The calculations, designs, reproducible drawings, master, and original ideas reproduced in this drainage plan are under my dominion and control and they were prepared by me and my employees.

Signature _____ Date _____

Typed or Printed Name _____ Phone _____

Business Address _____

____ Surveyor ____ Engineer ____ Architect Indiana Registration Number _____

Attachment D: Obligation to Observe

This is a sample letter to be submitted on Engineer's letterhead at the time of application. This actual attachment should not be submitted.

RE: Obligation to Observe

DATE: _____

FILE #: _____

ADDRESS WHERE LAND ALTERATION IS OCCURRING: _____

DATE OF PLANS: _____

I will perform periodic observations of this project during construction to determine that such land alteration is in accordance with both the applicable drainage requirements and the drainage plan for the project submitted for a drainage permit to the Delphi Plan Commission and/or the Carroll County Surveyor's Office.

Signature _____ Date _____

Typed or Printed Name _____ Phone _____

Business Address _____

____ Surveyor ____ Engineer ____ Architect Indiana Registration Number _____

Attachment E: Standards for Evaluating a Zone Map Change

The APC's recommendation and the County Commissioners or Town Council's decision shall be based upon how each of the following statutory requirements is justified in the request. Use this form or attach a separate sheet that thoroughly itemizes, explains, and justifies each of the following criteria:

1. The Comprehensive Plan identifies this area for future land use as _____.

The requested zoning change is consistent with the Comprehensive Plan because...

2. The requested zoning change will not have a negative impact on the current conditions and the character of current structures and uses in each district. *(Explain in detail how changing the zoning will not have a negative effect on surrounding properties or the character of the area.)*

3. The requested zoning change will result in the most desirable use for which the land is adapted. *(Explain in detail how changing the zoning will complement the other land uses in the area.)*

4. The requested zoning change will not affect the property values throughout the Boone County community. *(Explain in detail how changing the zoning will not have a negative impact on property values in the county.)*

5. The requested zoning change promotes responsible development and growth. *(Explain in detail how changing the zoning will logically fit in with the current and future land use patterns, provide proper access, and connect to utilities where appropriate.)*

Attachment F: Request for Waiver from Subdivision Standards

Where the APC finds that extraordinary hardships or practical difficulties may result from strict compliance with the subdivision regulations of the ordinance and/or the purpose and intent of these regulations may be served to a greater extent by an alternative proposal, it may approve waivers so that substantial justice may be done, and the public interest secured. Waivers shall not have the effect of nullifying the intent and purpose of the subdivision regulations. Note that a waiver request from the standards for public infrastructure should require a favorable recommendation from the TAC Committee before being considered by the APC.

Use the form below for each waiver requested. Attach a separate sheet if necessary.

Ordinance Citation:
Subdivision standard(s) to be waived:
Alternative/Substitute to be offered:
1. The approval of the waiver request will not be detrimental to the public safety/health/welfare or injurious to property within a reasonable proximity to the subject property involved in the waiver request because...
2. The strict application of the applicable ordinance standard will result in practical difficulties in the development due to the particular physical surroundings, unique constraints, or topographical conditions of the subject property. These conditions will not substantially alter the character of the subject district or neighborhood because...
3. The practical difficulties were not self-imposed and cannot be overcome by reasonable design alternatives because... (Note: financial hardship does not constitute grounds for a waiver)
4. The waiver request is necessary and represents a minimal deviation from explicit ordinance standards because...

Form 1: Affidavit of Notification

Submit this Form prior to the hearing along with proof of publication and proof of mailing.

I (we) _____

After being first duly sworn, depose and say:

- That I have notified in person or by First Class U.S. Mail all owners of property located within a 600-foot radius of my property located at _____.
- That the said property owners were informed by me of the filing of the petition and of the nature of said application, as directed in the application packet "Notifying the Public," which is part of the Rules and Procedures of the APC as described;
- That the said property owners were notified that the APC will hold a public hearing regarding this application on _____ (DATE), at _____ (TIME); and
- That the names and addresses of said property owners so notified are listed on a separate paper which is a part of this Affidavit.

And further the Affiant sayeth not.

(AFFIANT)

STATE OF INDIANA)
) SS:
COUNTY OF _____)

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

 , Notary Public

My Commission expires: _____ County of Residence: _____

