



CITY OF HUNTINGTON

Community Development
& Redevelopment

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**REZONING
APPLICATION**

Docket No: PC-____ - ____ Receipt: _____
Hearing Date: _____ Filed: _____

1. APPLICANT

Name: _____
Address: _____
Phone: _____ Fax: _____

2. PROPERTY OWNER

Name: _____
Address: _____
Phone: _____ Fax: _____

3. PROPERTY

Address: _____
Subdivision: _____ Section: _____ Lot: _____
Current Use: _____

4. REQUEST

To reclassify the property from: _____ Zoning District to _____ Zoning District.
To Permit the Use of the Property as a: _____

I understand that this request can only be granted upon determining that all applicable criteria has been satisfied. I understand that it is my responsibility to provide the information and evidence necessary in support of this request. I have read and understand all application, submission, code and statutory information and requirements. The above information and any submitted evidence, to my knowledge, are true and accurate.

_____ Applicant Signature	_____ Printed Name	_____ Date
_____ Owner Signature	_____ Printed Name	_____ Date

FINAL DECISION

Plan Commission: Public Hearing & Recommendation
Date: _____ Favorable Unfavorable No Recommendation

Common Council:
1st Reading: Date: _____ Approved Denied
2nd Reading: Date: _____ Approved Denied

REZONING INFORMATION

What is a Rezoning?

An amendment to the Official Zoning Map to change the zoning district classification for particular property.

Application Submittal Requirements

- Application must contain the signature of all individuals listed on the deed for the property, including any contract buyer, if applicable.
- A copy of the deed, available in the County Recorder's Office, must be submitted with the application.
- A copy of a survey of the property, if available.
- If the application is to split the property into two (2) or more zoning districts, a map (drawn to scale) of the property showing each separate district shall be submitted.

General Information

The applicant is encouraged to review IC 36-7-4-600 series regarding Rezonings; the Zoning Code, the Rules of Procedure adopted by the Plan Commission and the following:

1. The Plan Commission shall make recommendations to the legislative body concerning zoning map amendments.
2. All actions of the Plan Commission are governed by IC 36-7-4-400 series and the Zoning Code.
3. The Rules of Procedure of the Plan Commission govern the actions of the Commission, including how notice is provided to interested parties, how the public hearing is conducted and when commitments are permitted.
4. The Plan Commission and legislative body shall pay reasonable regard to the criteria listed in IC 36-7-4-603.
5. The Plan Commission or legislative body may permit or require the owner of a parcel of property to make a written commitment concerning the use or development of that parcel. (See: IC 36-7-4-1015 and the Rules of Procedure concerning commitments.)
6. In the presentation of a case, the burden shall be upon the petitioner to supply all information, including site plans, documentation, evidence and other exhibits necessary for a clear understanding of the petition. The Plan Commission may continue the hearing or deny the petition when, in its judgment, the petitioner has not provided sufficient information or evidence to make a determination.
7. If the petitioner or the authorized agent for the petitioner fails to appear at the hearing to present and represent the application, the Plan Commission may continue or withdraw the application.
8. As authorized by IC 36-7-4-603(h) and in accordance with the Plan Commission Rules of Procedure 8.3(C), petitions for rezoning which are denied by the legislative body may not be reconsidered for a period of one (1) year.
9. In accordance with IC-36-7-4-1016, approval or denial of this type of petition is considered a legislative act and is not subject to judicial review.

REZONING INFORMATION

Consideration

In accordance with IC 36-7-4-603, the Plan Commission and legislative body are required to pay reasonable regard to the following:

1. The Comprehensive Plan;
2. Current conditions and the character of current structures and uses in each district;
3. The most desirable use for which the land in each district is adapted;
4. The conservation of property values throughout the jurisdiction and
5. Responsible development and growth.

Accordingly, applicants are encouraged to meet with staff of the Department and review the Comprehensive Plan prior to application as application fees are non-refundable.

Approval Process

1. An application for Rezoning is submitted to the Department and a public hearing is scheduled.
2. The Department issues legal notice of the public hearing and notifies property owners in accordance with the Rules of Procedure.
3. The Plan Commission holds a public hearing within sixty (60) days and issues a recommendation to the legislative body.
4. Within ten (10) days after the Plan Commission issues a recommendation, that recommendation is certified to the legislative body under IC 36-7-4-605.
5. The Department prepares an ordinance and that ordinance is voted on by the legislative body within ninety (90) days after the certification is issued.

The following additional steps are followed depending upon the Plan Commission Recommendation:

- A. If the Plan Commission gives the Rezoning a favorable recommendation:
 1. The legislative body may adopt or reject the rezoning proposal.
 2. If the legislative body adopts (as certified) the proposal, it takes effect.
 3. If the legislative body rejects the proposal, it is defeated.
 4. If the legislative body fails to act upon the proposal with ninety (90) days, the ordinance takes effect.
- B. If the Plan Commission gives the Rezoning an unfavorable or no recommendation:
 1. The legislative body may adopt or reject the rezoning proposal.
 2. If the legislative body adopts (as certified) the proposal, it takes effect.
 3. If the legislative body rejects the proposal, it is defeated.
 4. If the legislative body fails to act upon the proposal with ninety (90) days, the ordinance is defeated.