

Exhibit D – Rezoning Application Requirements and Forms

A. FILING PROCEDURE

1. The application shall be filed in the office of the Department of Public Services, 4230 Elkhart Road, Goshen, IN 46526.
2. The application shall be accompanied by a fee of \$300.00.
3. The applicant shall be the property owner, a purchaser on land contract or a person specifically authorized in writing to make application.

B. INFORMATION ON THE APPLICATION

1. All information on the attached form shall be completed.
2. The application must have the name and address of the property owner and be signed by the owner. Names and addresses of option purchasers, land contract purchasers or prospective buyers may be included in addition.
3. A complete and proper legal description of the property must be submitted. The property's legal description may be found in the deed or deed abstract or from records on file in the County Recorder's Office.
4. The application shall include an accurate drawing or site plan of the property showing existing and proposed streets and drives, parking areas, existing and proposed buildings, property lines, etc.

C. POSTING OF PROPERTY

1. At the time of filing an application for a zone change, you will receive signs stating the date of the public hearing and the zone change request. You must post the signs in a conspicuous place on the property from not less than ten (10) calendar days prior to the public hearing to not more than five (5) calendar days following the public hearing.
2. These signs must be posted on the property in such a way as to be easily visible from the street while traveling in either direction. If the property has frontage on more than one street, signs will be required on each street.

D. PREPARING YOUR REZONING PRESENTATION

A petition to rezone property is a request to change the land use of that property. As such, you must be prepared to present your request to the Plan Commission and public at the public hearing.

1. You must do the following as part of your presentation:
 - a. Explain the proposed use.
 - b. Explain how the proposed use will fit onto the property, covering such points, where applicable, as:
 - 1) Topography
 - 2) Drainage
 - 3) Off-street parking and loading
 - 4) Access from street
 - 5) Sanitary facilities and water supply
 - 6) Yard setbacks
 - 7) Density of dwelling units
 - 8) Other

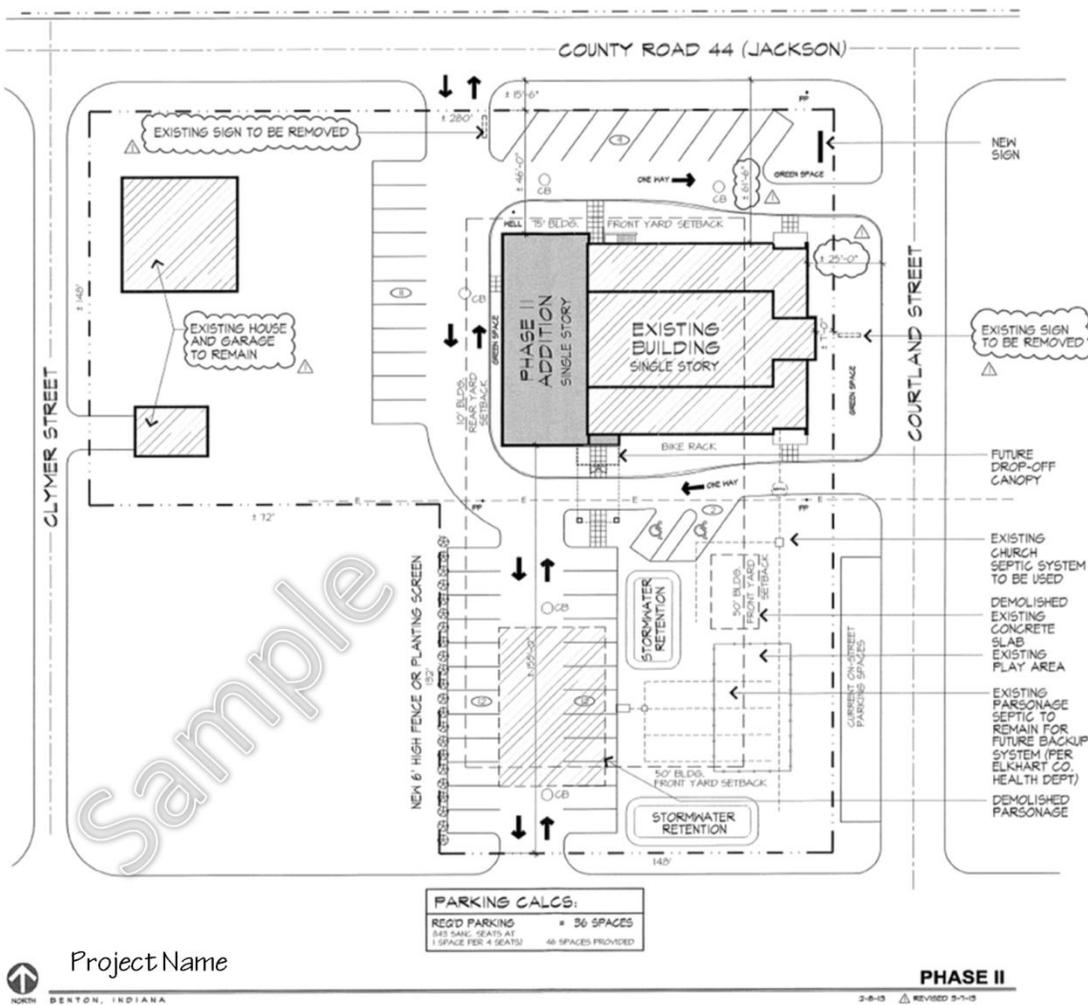
- c. Support the need for a change in use and zoning of the property by using one or more of the following arguments:
 - 1) **Wrong original district.** The Plan Commission and County Commissioners made an error in setting the original zoning on this property and the rezoning would bring the zoning and land use on the property into more compatibility with the neighborhood.
 - 2) **Significant neighborhood change.** Even though the original zoning was correct, there have been significant changes in the neighborhood so that rezoning this property would bring the property into more compatibility with the now-changed neighborhood.
 - 3) **Technological change.** The Zoning Ordinance did not anticipate a change in life styles or business operations or did not provide for life styles or businesses and industries, which have developed since the original zoning was determined and those changes should be reflected by a change in zoning on this property.
 - 4) **Other arguments.**
 - d. Evaluate the impact of the proposed use on the neighborhood, streets and public utilities.
2. The Plan Commission may consider any or all of the points presented together with other information or knowledge of the situation, in arriving at a recommendation. You may wish to present facts relating to the following, not otherwise presented, which the Plan Commission will consider in evaluating your zone change request.
 - a. location of property
 - b. need (is there a supply of suitably zoned land available?)
 - c. topography and drainage
 - d. increased demands on streets and utilities
 - e. effect on adjacent property
 - f. relationship to general land use pattern of neighborhood and community
 - g. relationship to the Comprehensive Plan
 3. Following your presentation opponents to your request will be given an opportunity to contest points made by you as well as presenting other points of their own. When they are finished you will be allowed to rebut their arguments and make final comments. It is important for you to remember that you must present arguments in favor of changing the zoning and land use on the property in question. Without adequate information and facts, it is extremely difficult to justify a zone change.
 4. After the Plan Commission votes on a recommendation at the public hearing, the Legislative Body (Board County Commissioners or specific Town Board, as applicable) will make a final decision on the request.

SITE PLAN

YOU MAY USE THE FOLLOWING BLANK PAGE FOR YOUR SITE PLAN. AT MINIMUM, USE A RULER AND SHOW DIMENSIONS OF ALL SETBACKS, LOT LINES AND BUILDINGS. ILLEGIBLE SITE PLANS ARE NOT ACCEPTABLE.

WHAT MUST BE SHOWN:

- 1. North Arrow
- 2. Property lines and dimensions of the property
- 3. All adjacent edge of rights-of-way, public rights-of-way and their names
- 4. Existing and proposed structures, their sizes and distances from property lines, and edge of right-of-ways
- 5. Existing and proposed signs, their sizes and distance from property lines and edge of right-of-ways
- 6. Existing and proposed parking areas and/or parking spaces, their sizes and distances from property lines and edge of right-of-ways
- 7. Existing and proposed outside storage and/or outside display areas, their sizes and distances from property lines and edge of right-of-ways
- 8. Existing and proposed buffering (ie: fences, trees, mounds) their sizes and distances from property lines and edge of right-of-ways
- 9. Structures, signs or screening (fences, trees, etc.) proposed to be demolished or removed



This site plan is a fair and accurate representation of my property and petition.

Name _____

Date _____

THIS SITE PLAN MUST ACCOMPANY YOUR APPLICATION. IF THE APPLICATION DOES NOT INCLUDE THE COMPLETED SITE PLAN, IT WILL BE CONSIDERED INCOMPLETE AND THE STAFF WILL NOT ACCEPT THE APPLICATION.

MORE DETAILED DRAWINGS WILL BE REQUIRED IN ORDER TO APPLY FOR AN IMPROVEMENT LOCATION OR BUILDING PERMIT.

