

# Filing Procedure for Hearings

325 S Oak Street, Suite 204, Winchester, IN 47394 765-584-8610

*Randolph County BZA*

## **Step 1. Legal Description (Deed):**

A legal description of the property is required. This will be used to correctly identify the area for publication in the newspaper. This can be a copy of a deed which can be obtained from the Recorder of Randolph County. (The Area Planning Department will provide you with your deed record and page number which you will need to obtain a copy of your deed.)

## **Step 2. Notice of Public Hearing:**

A "Notice of Public Hearing" will be published in a newspaper, of County distribution, using the legal description furnished by the applicant in Step 1. The Area Planning Department will submit this information to the newspaper. The fee will be based on the following formula: \$0.60 per line, one line of type contains 4-5 words. The newspaper will furnish the applicant a "proof of publication and a publisher's claim". The appellant(s) or petitioner(s) shall assume the cost of said notice and shall submit proof of publication to Area Planning Department.

## **Step 3. Site Drawings:**

Two (2) site maps will be required.

- Drawing #1: A GIS Map will be provided of the property detailing the dimensions and outline of the tract of land or lot of record. This map will show existing buildings and structures as well as their uses. Indicate any new buildings or structures that are proposed to be erected and what their intended use will be. Indicate on this drawing the distance, measured in feet, from property lines to existing buildings and/or structures now on the premises. Indicate the distances, measured in feet, from property lines and existing buildings and structures to any newly proposed buildings or structures.
- Drawing #2: A GIS Map will be provided of the property detailing the dimensions and approximate outline of the tract of land or lot of record showing the abutting properties on all sides and their owners, current use and Zoning Classification. Roads and streets should also be shown on this drawing.

## **Step 4. Plan of Operation:**

A "Plan of Operation" shall be submitted with the application describing the details of how a use is operated. Depending on the use, the description may include such information as the gross floor areas devoted to various activities; percentage amounts of income derived from various activities; number of employees on various work shifts; anticipated or known amounts and hours of customer and delivery vehicular or pedestrian traffic; hours of operations, differentiating among general office hours, delivery hours and hours open to the general public, etc.; amount, type and location of outdoor activities, lighting and storage; and an indication and brief description or regulations imposed by other governmental agencies.

## **Step 5. Forms:**

Now the information on the forms which include Form BZA#210, 211 or 212 presented by the Area Planning Department should be filled out. If you need assistance or have questions, please call (765) 584-8610.

## **Step 6. Submittal Deadline:**

The site plans, applications, and other forms issued by the Area Planning Department must be completed and filed in the Area Planning Department Office by: \_\_\_\_\_ (day) of \_\_\_\_\_ (month), 20\_\_\_\_.

**Step 7. Hearing Date:**

When you file the information in Step 5, the date, and time of your hearing will be assigned.

**Step 8. Public Notice:**

The applicant(s) or their agent must then notify all abutting property owners by certified mail - return receipt requested. Property owners which abut your property across roads, streets, or alleys must also be notified. This notice must be a letter or a brief form note as supplied by the Area Planning Department Office. The letter or note must have the following information:

1. Date and time of hearing
2. What the hearing is about
3. A general location of the lot or tract of land such as a street address or county road(s)
4. The place and location of where the hearing will be held

The Area Planning Department will provide you with the mailing materials that you will need to send the letters certified with return receipt.

**Step 9. Deadline for Public Notice:**

The information furnished in Step 8 must be completed and mailed to owners ten (10) days prior to the scheduled hearing date of: \_\_\_\_\_ (day) of \_\_\_\_\_ (month), 20\_\_\_\_.

**Step 10. Proof of Public Notice:**

The white receipt, which is your receipt of mailing the letters, must be filed with the Area Planning Department the day the notices are sent or a reasonable time thereafter in order for the Area Planning Department to verify mailing notices for the Commission. Upon return with the white receipts the Affidavit of Notice (BZA#220) will be signed and notarized in the Area Plan Office. The "return receipt" (green copy) will be stamped with the Area Planning Commission's return address and the postal service will return it directly to the Area Planning Office.

**Step 11. Present at Hearing:**

The property owner(s) or their legal counsel shall appear on the day of the hearing by the officially scheduled time as published in the legal notice.