**SUBDIVISION REGULATION WAIVER**
**REQUEST APPLICATION**

Fee: **$928** for first waiver, plus **$431.50** for each additional.

Docket No:_____ Date Received: _____

Contact Person: _____ Telephone No. _____

Fax No. _____ Email: _____

Address: _____

PROJECT NAME: _____

PROJECT ADDRESS: _____

APPLICANT NAME: _____

ADDRESS: _____

TELEPHONE: _____FAX:_____

Section (Section Number, Page, Item) of Subdivision Control Ordinance for which waiver is being requested:

_____

_____

State explanation of why waiver is being requested:

_____

_____

State reasons supporting waiver request:

_____

_____

Present zoning: _____ _____

*Signature of Property Owner*

**NOTE:** THIS APPLICATION MUST BE SUBMITTED AT THE TIME OF THE PRIMARY PLAT APPLICATION. WAIVER REQUEST MUST BE INCLUDED WITH THE PUBLIC NOTICE FOR THE PRIMARY PLAT.

$ _____

*APPLICATION FEE*

**SUBDIVISION WAIVER**

# FINDINGS OF FACT

**CARMEL PLAN COMMISSION**
**Carmel, Indiana**

Docket No: _____

Petitioner: _____

Subdivision Control Ordinance Section Varied from: _____

Brief Description of Waiver: _____

In deciding whether or not the applicant has presented sufficient proof to permit the granting of a waiver, the Plan Commission should consider the following:

- The grant of a waiver will not be injurious to the public health, safety, morals and general welfare of the community.
- The use and value of area adjacent to the property included in the proposed plat will not be affected in a substantially adverse manner.
- The need for the waiver arises from some condition peculiar to the property and such condition is not due to the general conditions of the neighborhood.
- The strict application of terms of the ordinance to the property will constitute an unusual and unnecessary hardship if applied to the property for which the waiver is sought.
- The grant of the waiver does not interfere substantially with the Comprehensive Plan.

_____ Based on all the evidence presented by the petitioner, I approve of the requested subdivision waiver.

_____ I hereby disapprove of the subdivision waiver request for the following reasons:

1. _____

_____

2. _____

_____

3. _____

_____

Dated this _____ day of _____, 20___.

_____
Commission Member

# OPEN SPACE MODIFICATION - FINDINGS OF FACT

**CARMEL PLAN COMMISSION**

**Carmel, Indiana**

Docket No: _____

Petitioner: _____

Ordinance Section Varied from: _____

Brief Description of Waiver: _____

The Commission may, after a public hearing, permit the modification of the provisions of Chapter 7 of the Subdivision Control Ordinance.

Any approval to permit such a modification shall be subject to the following criteria:

- The design and modifications shall be in harmony with the purposes and the land-use standards contained in this Chapter;
- The design and modifications shall enhance the subdivision plan, the central core area, the streetscapes, and the neighborhoods, or at least not be any less desirable than the plan that could be created in conformance with this Chapter;
- The design and modifications shall not produce lots or street systems that would be impractical or detract from the appearance of the subdivision plan, and shall not adversely affect emergency vehicle access or deprive adjoining noncommercial properties of adequate light and air; and,
- The applicant shall demonstrate that the proposed modifications will produce equal or better results, from the Commission's perspective, and represent the minimum modification necessary.

If the Commission determines that the applicant has met his/her burden, it may grant a modification of the requirements of this article. In granting modifications, the Commission may impose such Conditions that will, in its judgment, secure the objectives and purposes of Chapter 7.

_____ Based on all the evidence presented by the petitioner, I vote to Approve of the requested subdivision waiver.

_____ I hereby vote to Disapprove of the subdivision waiver request for the following reasons:

1. _____

_____

2. _____

_____

3. _____

_____

Dated this _____ day of _____, 20____.

_____

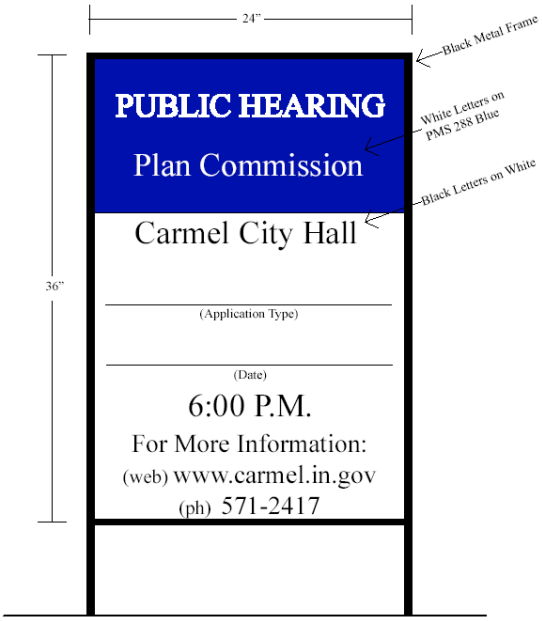
Commission Member

## Plan Commission Public Notice Sign Procedure:

The petitioner shall incur the cost of the purchasing, placing, and removing the sign. The sign must be placed in a highly visible and legible location from the road on the property that is involved with the public hearing.

The public notice sign shall meet the following requirements:

1. Must be placed on the subject property no less than 25 days prior to the public hearing
2. The sign must follow the sign design requirements:
   - Sign must be 24" x 36" – vertical
   - Sign must be double sided
   - Sign must be composed of weather resistant material, such as corrugated plastic or laminated poster board
   - The sign must be mounted in a heavy-duty metal frame
3. The sign must contain the following:
   - 12" x 24" PMS 288 Blue box with white text at the top.
   - White background with black text below.
   - Text used in example to the right, with Application type and Date* of subject public hearing
   - The Date should be written in day, month, and date format. *Example: Tuesday, January 17*
4. The sign must be removed within 72 hours of the Public Hearing conclusion

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## Public Notice Sign Placement Affidavit:

I (We) _____ do hereby certify that placement of the notice public sign to consider Docket Number _____, was placed on the subject property at least twenty-five (25) days prior to the date of the public hearing at the address listed below.

**********

STATE OF INDIANA, COUNTY OF_____, SS:

The undersigned, having been duly sworn, upon oath says that the above information is true and correct as he is informed and believes.

_____
(Signature of Petitioner)

Subscribed and sworn to before me this_____day of _____, 20_____.

_____
Notary Public

My Commission Expires: _____.

**********

**PETITIONER'S AFFIDAVIT OF NOTICE OF PUBLIC HEARING**

I (We) _____ do hereby certify that notice of public hearing of the Carmel Plan Commission to consider Docket Number _____ was registered and mailed at least twenty-five (25) days prior to the date of the public hearing to the below listed adjacent property owners:

| OWNER(S) NAME | ADDRESS |
|---|---|
| _____ | _____ _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

STATE OF INDIANA
SS:

The undersigned, having been duly sworn upon oath says that the above information is true and correct and he is informed and believes.

_____
(Signature of Petitioner)

County of _____Before me the undersigned, a Notary Public
(County in which notarization takes place)

for _____ County, State of Indiana, personally appeared
(Notary Public's county of residence)

_____ and acknowledge the execution of the foregoing instrument this
(Property Owner, Attorney, or Power of Attorney)

_____ day of _____, 20_____.
(day) (month) (year)

_____
Notary Public--Signature

(SEAL)

_____
Notary Public--Please Print

My commission expires: _____

*(Tip: Actual signatures of adjacent property owners must be submitted on this affidavit if the public notice was hand delivered to an adjacent property owner. Otherwise the names can be typed/written in.)*

**ADJOINING PROPERTY OWNER LIST**

I, _____, Auditor of Hamilton County, Indiana, certify that the attached affidavit is a true and complete listing of the property owners within 660 feet or two (2) property depths, whichever is less, as relating to Docket No. _____.

| OWNER | ADDRESS |
|---|---|
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EXAMPLE ONLY:
Formal list request sheet & official list may be acquired from the Hamilton County Auditor's Office (776-8401).

_____
Hamilton County Auditor

_____
Date

**NOTICE OF PUBLIC HEARING**
BEFORE THE
CARMEL PLAN COMMISSION

Docket Number: _____

Notice is hereby given that the Carmel Plan Commission meeting on _____
(Date)
at _____PM__ in the City Hall Council Chambers, 1 Civic
(Time)
Square, Carmel, Indiana 46032 will hold a Public Hearing upon a/an _____
(Application Type)
in order to:

_____
_____
_____

The application is identified as Docket No. _____.

The property address is: _____.

The real estate affected by said application is described as follows:

(Insert Legal Description or Tax ID parcel number(s))

All interested persons desiring to present their views on the above application, either in writing or verbally, will be given an opportunity to be heard at the above mentioned time and place.

Petitioner Name: _____

(Note: When mailing out public notices to adjacent property owners, you must include a location map, as well.)