



Instructions for filing a petition before the CITY OF MICHIGAN CITY PLAN COMMISSION

The Petitioner is responsible for providing all documents and requested information with the petition on or before the deadline for the Commission meeting. The information and documents must contain accurate information and must be submitted to the Planning Department prior to the scheduled meeting. The decision of the Commission depends on a concise and clear understanding of the Petitioner's request. It is strongly recommended that the Petitioner begin collecting the documents prior to the date of the deadline. *If a petition is not complete it will not be accepted or if it is filed late, it will be placed on the Agenda for the following month.* The required filing fee as indicated below must be paid to the Planning Department upon filing a complete petition. **Please submit twelve (12) copies of your petition.** If you require assistance in completing this form or would like a copy of the application in an alternative format, please call the Planning Department at 219-873-1419 or email planning@emichigancity.com

STEP ONE: APPLICATION AND CHECKLIST

In order for a petition to be considered complete it shall include at a minimum the following (Check all Items provided):

1. Application Fee. Submitted to Planning Office by no later than 4:00 PM on the day of the posted Deadline for the desired Plan Commission meeting.
2. Complete petition and checklist. Petition is attached. **An electronic copy in PDF format is required** to be submitted via email, flash drive, or file transfer service.
3. **Vicinity Map.** A vicinity map for the purpose of locating the subject property within the City of Michigan City.
4. **Site Plan/Concept Plan.** The site plan must be to scale and include all present and proposed buildings and structures, parking areas, location and name of all adjacent streets and roads (whether public or private), and a north arrow. Easement information must also be provided if easements exist or are proposed on the property in question.
5. **Written Description of Project.** There should be a written description of the proposed project attached with the site plan. The written description allows the Plan Commission and the Planning Department to better understand the proposed project.
6. **Commitments/Restrictions/Covenants.** Proposed Commitments/Restrictions/Covenants for the property or subdivision must be provided for reference if the Petitioner intends to require them as a condition of sale or development of property.

7. **Legal Description.** A legal description for the property must be either written in the space provided or attached. The legal description can be found on the Deed for the property or potentially within a recorded mortgage. The abbreviated version of the legal description on the property tax bill is not sufficient. If necessary, the Petitioner can obtain a copy of the Deed from the La Porte County Recorder's Office located at 555 Michigan Ave #201, La Porte, IN 46350

8. **Surrounding Property Owner List + Map.** The Public Hearing requires the names and addresses of all the property owners within a 300-foot buffer from the subject parcel shall be provided. Information concerning the radius buffer owners of property can be obtained through a title company or the Petitioner may obtain such information from the beacon.schneidercorp.com which is maintained by the County of La Porte. All owners of radius buffer of the subject parcel must receive notice. All property owner information (including those owned by the City, State, etc.) must be submitted as part of the application. A Map indicating the subject property and the surrounding properties receiving notice is required. The Map must include a north arrow, road names, and property lines. Please be advised that it is the Petitioner's responsibility to obtain this information. Indiana law and the Rules and Procedures of the Michigan City Planning Commission require timely notice to all affected property owners. Should a property owner not receive timely notice, such could result in your request being denied, delayed, or potentially revoked at some later date.

How To (Owners List):

In Beacon, search the subject property using address or parcel number. Select "Spatial selection mode". Select options "Export"; Use: "Owner name and address"; Export Use "Address labels", Check "show parcelid on labels".

Provide a copy to Staff as a part of your completed application.

Select "Clear Selection" tool.

How To (Map):

In Beacon, search the subject property using address or parcel number. Select "Spatial selection mode". Select options "Buffer". Select the "Print" Tool to pdf to PDF. Map may need to be adjusted prior to selecting tool to ensure the entire **buffer is visible and centered**.

Provide a copy to Staff as a part of your completed application.

9. **Petitioner's Affidavit of Service and Newspaper Affidavit.** As part of the Plan Commission application process, the Petitioner is required to execute an affidavit indicating that notification of affected property owners has been completed in a timely manner. Letters of notification shall be mailed to property owners within a 300-foot radius buffer to the Petitioner's property, which is the subject of the requested Planning Commission action. The letter of notification shall be sent via certified mail, return receipt requested, and must be postmarked a minimum of ten (10) days prior to the Planning Commission hearing. A form letter for your use is attached to this application. The Petitioner will bring all the original certified receipt to the Planning office

the Monday before the Planning Commission hearing. It is highly recommended that the Petitioner retain a copy of these cards as proof that all property owners received notice. The Planning Commission will not hear a petition unless all pertinent notice documentation has been received and verified prior to the meeting.

Newspaper Affidavit will be provided by the LaPorte County Herald Dispatch.

10. **Consent of Property Owner.** If Petitioner is not the owner of the property. The petition must supply a power of attorney or an authorization letter signed by the owner.

11. **Annexation Documentation (If applicable).** If the petition is submitted for an annexation request, refer to the annexation application requirements sheet in addition to this information. Failure to provide all necessary information by the dates required will result in a delay in processing your request. Please contact the Planning Department to obtain a copy of this information.

STEP TWO: PUBLIC NOTIFICATION REQUIREMENTS

Notification by Newspaper – LaPorte County Herald Dispatch

The petitioner is responsible for all legal advertisements in Herald Dispatch and the timeliness of the required advertisements as follows.

The Herald Dispatch requires a four (4) day advance notice for all legals/public notices in the paper. Your notice by publication must be received by the Herald Dispatch fourteen (14) days before the date of the public hearing to get your first notice published ten (10) days before the hearing and no less than three (3) days for second notice publication before the public hearing as required by the Planning Department. If you have any questions, you may contact the legal advertising dept. at the Herald Dispatch by calling 219-214-4207

Surrounding Property Owner Notification

As outlined in checklist item #8 above, if a public hearing required for your requested action, it is the Petitioner's responsibility to mail proper notice to all affected surrounding property owners via certified mail return receipt requested that is postmarked no later than ten (10) days prior to the public hearing. This is defined by the City of Michigan City as all property owners within a 300-foot radius buffer of the subject property. The Petitioner shall present all received or returned green certified mail cards to the Planning department the Monday before the meeting allowing Planning Commission Staff or Attorney for inspection to verify compliance with notification requirements, and comparison with provided surrounding property owners list and map. The Affidavit of Notification of Surrounding Property Owners shall also be provided as outlined above in checklist item #9.

STEP THREE: APPLICATION PROCESS AND PUBLIC HEARING SCHEDULE

Application Review and Checklist Acceptance

Planning staff will review the application materials for completeness and clarity and schedule the request for the following Plan Commission meeting date. If it is determined that the application is incomplete, Planning staff will notify the owner of the missing or incomplete items and schedule the request for the next Plan Commission Meeting following receipt of a complete application packet.

Staff Report or Fiscal Plan if Necessary

If required, Staff will Complete a staff report, recommendation, or fiscal plan (annexations only) to be presented at the Plan Commission meeting. The Petitioner may request a copy of any report, recommendation, or fiscal plan from the Planning Director.

Public Hearing Attendance

The Petitioner or his/her representative needs to attend the Plan Commission meeting to present the project and answer questions. The Plan Commission meets on the fourth Tuesday of each month at 6 p.m. at City Hall. Meeting Dates are presented below for your reference.

CITY OF MICHIGAN CITY PLAN COMMISSION

2022 Petition Deadlines and Meeting Dates

**Note: All meetings take place in the Council Chambers,
City Hall, 100 E Michigan Blvd.**

**Commission meetings are on the 4th Tuesday of each month at 6:00 PM.
Petition deadlines are due on the 4th Monday of each month by 4:00 PM except when City Hall is closed for a Holiday. In which case the deadline is the following day.**

Plan Commission Deadline

**December 28, 2021
January 24, 2022
February 21, 2022
March 21, 2022
April 25, 2022
May 23, 2022
June 27, 2022
July 25, 2022
August 22, 2022
September 26, 2022
October 24, 2022
November 21, 2022
December 27, 2022**

Plan Commission Meeting Date

**January 25, 2022
February 22, 2022
March 22, 2022
April 26, 2022
May 24, 2022
June 28, 2022
July 26, 2022
August 23, 2022
September 27, 2022
October 25, 2022
November 22, 2022
December 27, 2022
January 24, 2023**

Dates Subject to Change

PETITION #: _____
(Staff use only)

MICHIGAN CITY PLAN COMMISSION PETITION FOR PUBLIC HEARING

The undersigned applicant respectfully petitions the City of Michigan City Plan Commission:

(CHECK ALL THAT APPLY)

PUBLIC HEARING REQUIRED – See Items #8 and #9 in Application Checklist

- To rezone said property from the _____ zoning district to _____ zoning district
- To approve a Primary Plat Major Subdivision
- To approve a Primary Plat Minor Subdivision
- To approve a Planned Unit Development (PUD)
- To approve a Major Planned Unit Development Amendment
- To annex property into the City of Michigan City, Indiana – Checklist item #11
- To appeal the decision of the Plat Committee.

NO PUBLIC HEARING REQUIRED

- To approve a Final Plat (Major or Minor)
- To approve a Minor Planned Unit Development Amendment
- To approve an Administrative Subdivision

Please provide the following information:
(Print or Type)

Applicant Name: _____	Owner Name: _____
Mailing Address: _____ _____	Mailing Address: _____ _____
Phone Number: _____	Phone Number: _____
Email: _____ _____	Email: _____ _____

Contact person (if not listed)	Phone	Email
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Applicant is (check one): ___Sole Owner ___Joint Owner ___Tenant ___ Agent ___ Other

Address or description of location of property: _____

Parcel/Tax Duplicate Number _____

Subdivision (if Applicable) _____

This property is located on the _____ side of _____ Street/Road
between (streets) _____ and _____

Current Zoning of Property _____ Proposed Zoning of Property _____

Zoning of Adjacent Properties: North _____ South _____
East _____ West _____ Other _____

Other information:

Dimensions of property: Frontage _____ Depth _____

Property Area (sq. ft./acres) _____

Present use of property:

Proposed use of property:

Proposed Waivers (PUD or Subdivision Plats)

Legal description for property: (Exhibit # _____)

THE OWNER OF RECORD OF THE PROPERTY MUST SIGN THE PETITION OR SUBMIT A LETTER OF AUTHORIZATION/POWER OF ATTORNEY. The owner, by signing this Petition for Public Hearing, represent to the City of Michigan City – Plan Commission, that he/she/it has the necessary legal authority to request action to be taken on the above-referenced property. If the name of the Petitioner is different from the property owner, the Plan Commission shall accept the requests and representations of the Petitioner and the property owner shall be bound by such requests and representations via the Attached Affidavit of Consent of Property Owner.

PETITION FEES (CHECK ALL THAT APPLY)

<input type="checkbox"/>	Rezoning	\$50		
<input type="checkbox"/>	Major Subdivision Primary Plat	\$250 + \$10 per lot	___ Lots X \$10	_____
<input type="checkbox"/>	Minor Subdivision Primary Plat	\$250 (No more than 2 lots)		
<input type="checkbox"/>	Subdivision Amendment	\$100 + \$5 per lot	___ Lots X \$5	_____
<input type="checkbox"/>	Planned Unit Development (PUD)	\$500 + \$10 per lot	___ Lots X \$10	_____
<input type="checkbox"/>	Major PUD Amendment	\$250 + \$5 per lot	___ Lots X \$5	_____
<input type="checkbox"/>	Subdivision Final Plat	\$100 + \$5 per lot	___ Lots X \$5	_____
<input type="checkbox"/>	Minor PUD Amendment	\$150		
<input type="checkbox"/>	Annexation	\$500 + Cost of Fiscal Plan***		
<input type="checkbox"/>	Special Meeting Fee	\$1500		
<input type="checkbox"/>	Text Amendment	\$250		
<input type="checkbox"/>	Plat Committee Appeal	\$200		
	TOTAL FEE			_____

***The Plan Commission requires that all fiscal plans be prepared by a municipal advisor firm approved by the Planning Department. The applicant is solely responsible for the cost of the preparation of the fiscal plan. The fiscal plan must be submitted together with the applicant's petition for public hearing. The fiscal plan must comply with the requirements of Ind. Code § 36-4-3-13(d).

Signature of owner/Petitioner Date

Printed name

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

Notary Public

My Commission Expires:

SURROUNDING PROPERTY OWNER LIST

List the name the address of all property owners who have received notification below (Use Additional Sheets if necessary):

(Please print)

Name

Address

MICHIGAN CITY PLAN COMMISSION PUBLIC HEARING NOTICE REQUIREMENTS

1. Your notice by publication must be published two (2) times, with the first publication appearing at least ten (10) days before the date of the hearing and the second date of publication being no less than three (3) days prior to the hearing date. Said publication shall be in a newspaper meeting the requirements of Indiana Code 5-3-1-4.
2. A form of notice describing the name of the petitioner, the address of the property, the nature of the petition, and the time, date, and place of the hearing must be sent via Certified Mail, Return Receipt Requested, to all 300-foot radius buffer property owners no less than ten (10) days prior to the date of public hearing
3. The Monday before (or Friday if Monday is a holiday) the Plan Commission meeting, the Petitioner shall submit the following to the Planning Department for review:
 - a. **The certified mail receipts, the green cards or the returned as undeliverable envelopes** for each 300-foot radius buffer property owner to which you mailed the required notice as set forth in paragraph 2 above.
 - b. A copy of the actual form of notice sent to each 300-foot radius buffer property owner as set forth in paragraph 2 above.
 - c. A signed and notarized Affidavit of Service attesting to delivery of notice to all 300-foot radius buffer property owners as set forth in paragraph 2 above.
 - d. A plat or sketch clearly indicating the location of the petitioner’s property site in relation to 300-foot radius buffer property owners as described in paragraph 2 above. Said plat or sketch must clearly indicate the name of each neighboring property owner and the location of their property.
4. At the public hearing, the Petitioner must present to the Board/Commission attorney the Publisher’s Affidavit of Publication of legal notice.

I, _____, acknowledge receipt
(Name of Petitioner)

of this document this _____ day of _____, 20 ____.

(signature)

**LAPORTE COUNTY HERALD-DISPATCH
NOTICE REQUIREMENTS**

The LaPorte County Herald Dispatch requires a four (4) day advance notice for all legals/public notices published in the newspaper. This requires that your notice for publication must be received by the newspaper **at least fourteen (14) days before the date of the hearing** to get your first publication ten (10) days before the hearing and the second publication no less than three (3) days before the hearing to meet requirements of Indiana Code 5-3-1-4.

The Petitioner, and not the newspaper, is responsible for meeting this deadline and must plan with this in mind.

Any questions can be directed to:

Isis Cains, Advertising Director
422 Franklin Street, Suite B
Michigan City, IN 46360
Phone: 219-214-4210
Email: icains@lpheralddispatch.com

NOTICE OF PUBLIC HEARING

Notice is hereby given that _____ has filed for a petition before
(Petitioner)

the Michigan City Plan Commission for: _____

(Detail Reason for Petitioning)

on the following described real estate in La Porte County, Indiana, to wit:

LEGAL DESCRIPTION: _____

The above described real estate is located at _____ Michigan City, Indiana 46360.

(Common Address)

Notice is further given that this petition will be heard and determined at 6:00 p.m. local time on the _____ day of _____, _____ in the Common Council Chambers, City Hall, 100 East Michigan Boulevard, Michigan City, IN 46360; also hosted by Zoom (see instructions below) and streaming live on My Michigan City Facebook. Interested persons may attend and remonstrate, or the written remonstrances may be filed prior to and up to the time of the hearing.

Topic: Michigan City Planning Commission

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/86752280923?pwd=UVcvbHJVUThOc0RGU3g1b3NpWFZOQT09>

Passcode: 463603

Or One tap mobile:

US: +16465588656,,86752280923#,,,,*463603# or
13017158592,,86752280923#,,,,*463603#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 9128 or
+1 253 215 8782 or +1 346 248 7799

Webinar ID: 867 5228 0923

Passcode: 463603

International numbers available: <https://us02web.zoom.us/j/86752280923?pwd=UVcvbHJVUThOc0RGU3g1b3NpWFZOQT09>

AFFIDAVIT OF SERVICE

I, _____, being first duly sworn upon my oath, do
(Name)

depose and say that notice of a application _____
(Type of and Nature of Application)

affecting property located at _____, Michigan City, Indiana, was
(Common Address)

mailed by Certified Mail, Return Receipt Requested, with sufficient, pre-paid postage thereon to all property owners who adjoin, abut or are across from the right-of-way of said property, advising said property owners of hearing on said petition before the Michigan City Plan Commission, on the _____ day of _____ 20____, at 6:00 p.m. local time; that said notice was
(Date) (Month) (Year)
mailed on or before a date ten (10) days prior to the date of said hearing.

(Signature of Applicant)

(Printed or Typed Name of Applicant)

STATE OF INDIANA)

SS:

COUNTY OF LAPORTE)

Subscribed and sworn to before me this _____ day of _____ 20____.

(Notary Public)

My Commission Expires: _____
(Printed Name)

(County of Residence)