



**AREA PLAN COMMISSION  
EVANSVILLE | VANDERBURGH COUNTY, INDIANA**

**REZONING COUNTY  
INFORMATION PACKET AND FORMS**

**REZONING FEE SCHEDULE:**

Downzoning legal non-conforming to residential	\$100.00
Proposed change to Agricultural, R-1, R-2, R-3, R-4, R-5, CON, Residential P.U.D.	\$425.00 + \$15.00 per acre
Proposed change to any CO-1, CO-2, C-1, C-2, C-3, C-4, M-1, M-2, M-3, AIR, F-1, W-1, W-R, Commercial or Mixed-Use P.U.D.	\$650.00 + \$20.00 per acre
Amendment(s) and/or Continuance(s)	Half of original filing fee per occurrence

**CONTAINED IN THIS PACKET**

Filing Procedure Summary Checklist	Page 2
Procedure for Filing Petition for County Rezoning	Page 4
Instructions for List of Abutting Property Owners & USPS Certificate of Mailing	Page 7
Residential Site Plan Checklist	Page 8
Commercial Site Plan Checklist	Page 9
Application Deadline and Meeting Schedule	Page 10

**Required Forms**

1. Petition for County Rezoning	Form 2101REZ	Page 11
2. County Rezoning Ordinance	Form 2201REZ	Page 13
3. List of Abutting Property Owners/Neighborhood Associations	Form 2301REZ	Page 15
4. Request for Location Map	Form 2401REZ	Page 16
5. Notice of Public Hearing	Form 2501REZ	Page 17
6. County Rezoning Affidavit of Notice	Form 2601REZ	Page 18
7. USPS Certificate of Mailing	PS Form 3665	Page 19

**OPTIONAL Forms**

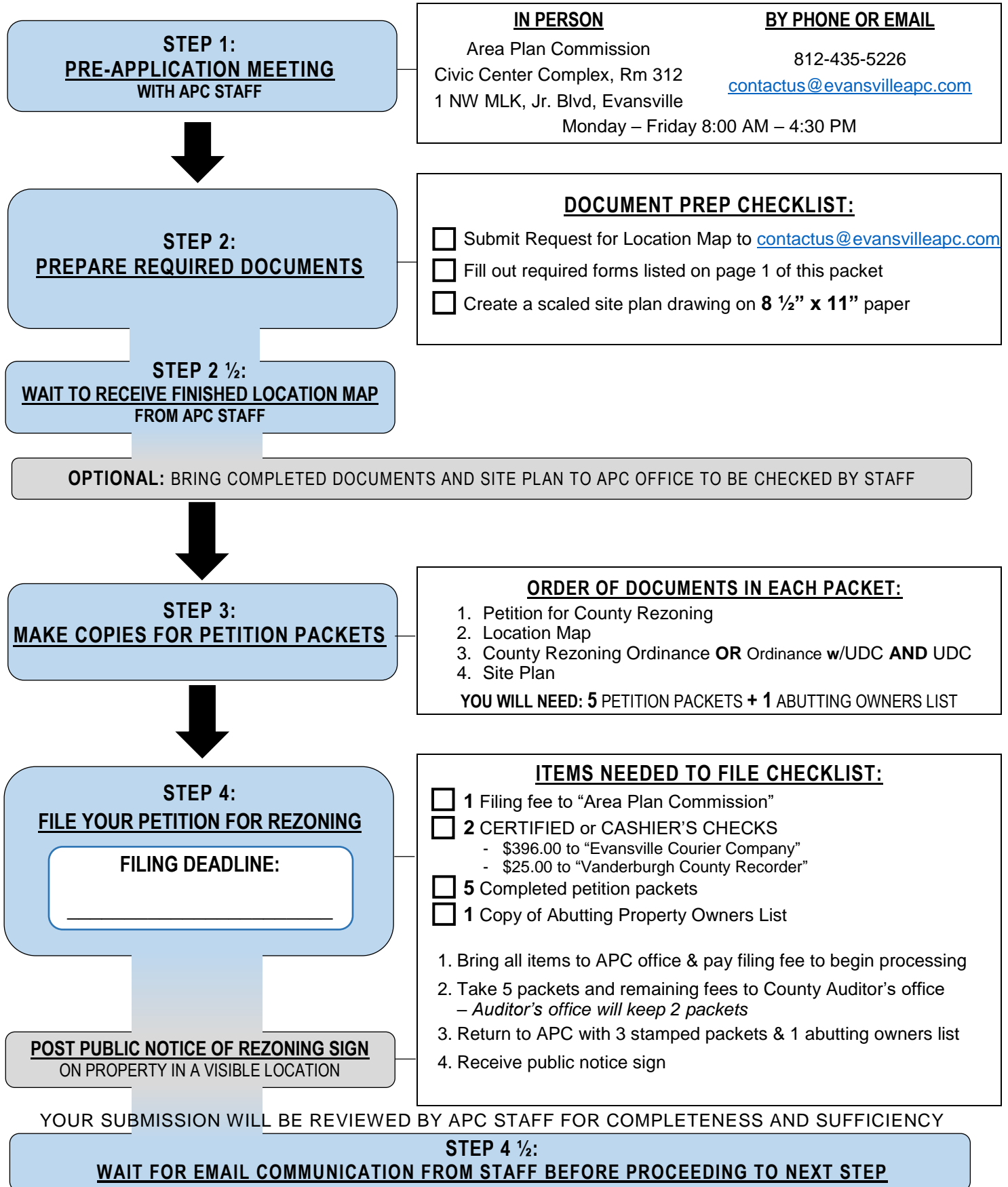
8. County Rezoning Ordinance with Use & Development Commitment	Form 2202REZ	Page 20
9. Use and Development Commitment	Form 2212REZ	Page 22

A PDF version of this packet is available on our website at [www.evansvilleapc.com](http://www.evansvilleapc.com) (link titled "Zoning")

The Vanderburgh County Code in its entirety can be viewed at [www.codepublishing.com/IN/VanderburghCounty](http://www.codepublishing.com/IN/VanderburghCounty) (Title 17 Land Use Zoning)

# PETITION FOR COUNTY REZONING – FILING PROCEDURE SUMMARY CHECKLIST

(PAGE 1 OF 2)



Documents that are incomplete or inaccurate may result in delay of processing and/or additional fees for continuance or amendment.  
Please review the complete detailed instructions included in this packet before submission.

# PETITION FOR COUNTY REZONING – FILING PROCEDURE SUMMARY CHECKLIST

(PAGE 2 OF 2)

EMAIL FROM APC STAFF WILL INDICATE:

## APPLICATION IS SUFFICIENT

Confirm APC meeting date

This will be your notification to proceed to the next step and send out your notice letters

## APPLICATION IS NOT SUFFICIENT

Respond to email communication

(May be additional questions or directions to amend)

AMENDMENT DEADLINE:

ALL CHANGES OR UPDATES MUST BE ADDRESSED BEFORE THIS DATE

### STEP 5: SEND NOTICE LETTERS

DEADLINE TO MAIL NOTICE:

\*\*\*THIS STEP IS VERY IMPORTANT\*\*\*  
PLEASE READ THE FULL INSTRUCTIONS  
INCLUDED IN THIS PACKET

### SENDING NOTICE LETTERS CHECKLIST:

- ☐ Fill out all required information on NOTICE OF PUBLIC HEARING (2501REZ)
- ☐ Mail a Notice of Public Hearing to each address on LIST OF ABUTTING PROPERTY OWNERS... (2301REZ)
- ☐ Completely fill out and have post office sign & stamp each USPS CERTIFICATE OF MAILING (PS FORM 3665)
- ☐ After mailing, complete, sign, and notarize AFFIDAVIT OF NOTICE (2601REZ)

ALL LETTERS SENT MUST BE RECORDED ON CERTIFICATE OF MAILING  
EACH SHEET USED MUST BE NUMBERED, FILLED OUT COMPLETELY,  
SIGNED BY POSTMASTER, & STAMPED AT TIME OF MAILING

### STEP 6: SUBMIT PROOF OF NOTICE

DEADLINE TO SUBMIT NOTICE:

BY 12:00 PM (NOON)  
MONDAY PRIOR TO THE APC MEETING

### SUBMITTING PROOF OF NOTICE CHECKLIST:

DELIVER THE FOLLOWING TO APC OFFICE:

- ☐ Completed, signed, and notarized affidavit AFFIDAVIT OF NOTICE (2601REZ)
- ☐ A copy of the letter sent NOTICE OF PUBLIC HEARING (2501REZ)
- ☐ Completed, signed, and stamped USPS CERTIFICATE OF MAILING (PS FORM 3665)

### STEPS 7 & 8: ATTEND MEETINGS

APC MEETING:

AT 3:00 PM – ROOM 301

COUNTY COMMISSION MEETING:

AT 9:30 AM – ROOM 301

YOU AND/OR YOUR DESIGNATED REPRESENTATIVE  
MUST ATTEND **BOTH**  
THE APC MEETING & COUNTY COMMISSION MEETING  
FOR YOUR PETITION TO BE HEARD.

BE PREPARED TO ANSWER QUESTIONS  
REGARDING YOUR PETITION.

IF NO REPRESENTATIVE IS PRESENT AT THE MEETING WHEN  
YOUR PETITION IS CALLED, IT WILL BE CONTINUED TO THE  
NEXT REGULAR MEETING & CONTINUANCE FEES WILL APPLY

This document is a summary of instructions, provided as a “check off” list only. If you have any questions, please refer to the complete detailed instructions included in this packet, beginning on the next page or contact APC staff.

## PROCEDURE FOR FILING PETITION FOR COUNTY REZONING

1. Have a pre-application consult with the Area Plan Commission (APC) staff in person, by phone, or e-mail:
  - Speak with APC staff to determine which zoning classification is appropriate for the intended use of the property.
  - The inclusion of a Use and Development Commitment with your petition is OPTIONAL and can be discussed during your consultation ([APC Forms 2202REZ](#) and [2212REZ](#)).
2. Prepare required documents for filing a Petition for County Rezoning.  
*Submit all information on the forms provided with this packet on 8 1/2" x 11" paper.*
  - Complete forms listed **#1 & #2** (or **#7**): Petition for County Rezoning ([2101REZ](#)) and County Rezoning Ordinance ([2201REZ](#) or [2202REZ](#))
    - If an authorized agent or representative will be filing the petition on behalf of the property owner, both the **OWNER OF RECORD AND** the petitioner must sign the petition. If submitting a Use and Development Commitment, it must be signed by the **CURRENT OWNER OF RECORD**. All signatures must be notarized as indicated on the document.
    - If the owner of the property is a corporation or similar entity, provide proof that the petitioner has the authority to sign legal documents on behalf of the corporation or entity, and proof that the corporation is registered with the Indiana Secretary of State Business Services Division.
    - PLEASE NOTE: The County Ordinance (or County Ordinance with Use and Development Commitment) must be completed in the format as presented in this packet. If the space provided for the property's legal description is not adequate, please print the full description on a separate, blank sheet of paper and put "See Attached" in the space on the form.
  - Complete form listed **#3**: List of Abutting Property Owners/Neighborhood Associations ([2301REZ](#)). See **Page 7** of this packet for further guidance on completing this form.
  - Complete form listed **#4**: Request for Location Map ([2401REZ](#)) and submit via email to [contactus@evansvilleapc.com](mailto:contactus@evansvilleapc.com). Once the location map is completed, a copy will be sent to you to proceed to **Step 3**.
  - Create a site plan drawing on 8 1/2" x 11" paper, detailing all existing and/or proposed conditions on the subject property, drawn to scale (see example provided with this packet). This can be done by hand or computer program/website. Graph paper is recommended for hand drawn site plans.

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*You may bring finished documents to the Area Plan Commission office to have staff check the application before making copies in the next step.*

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3. Make copies of documents for submission.
  - Make five (**5**) copies each of the Petition for County Rezoning ([2101REZ](#)), finished location map, County Rezoning Ordinance ([2201REZ](#)) [or County Ordinance with Use and Development Commitment ([2202REZ](#)) and Use and Development Commitment ([2212REZ](#)), if applicable], and site plan. Create five (**5**) packets by putting the copies in that exact order and stapling together.
  - Make one (**1**) copy of the completed List of Abutting Property Owners ([2301REZ](#)).
4. Bring all documents to the APC office, located in the Civic Center, Room 312, and pay the filing fee as indicated above. APC staff will then assign an APC docket number to your PETITION, which will need to be written on all documents where indicated.
  - After receiving the APC docket number, proceed to the County Auditor's office and submit the following:
    - Five (**5**) completed packets (It is recommended that an additional copy should be held by the owner/petitioner for their own records, and have this copy file stamped by the Auditor's office).
    - Two (**2**) CERTIFIED or CASHIER'S CHECKS:
      1. Cost of Publication – Made out to the "Evansville Courier Company" in the amount of **\$396.00**.
      2. Recording Fee – Made out to the "Vanderburgh County Recorder" in the amount of **\$25.00**.  
\*\*\*These fees will be held by the County Auditor's office pending the approval of your petition. \*\*\*
    - The County Auditor will assign an ORDINANCE number to your petition and file-stamp all copies.

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*All subsequent documentation & communication regarding your project will reference your assigned APC docket number & Ordinance number.*

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- The petition will then be placed on the County Commission's agenda for first reading, and assigned a projected meeting date for final decision. (The first reading by the County Commission is a required step before the petition can be heard by the Area Plan Commission. However, it is not necessary for you to appear at first reading).
- Return to the APC office with three (**3**) file-stamped copies to complete the filing process and submit for review by APC staff.
  - Area Plan Commission staff will review all documents to determine if the submission is sufficient to proceed to public hearing. After the evaluation has been completed, the petitioner and/or designated representative will be contacted via email regarding application sufficiency. The result of the sufficiency review will be one of the following:

- The application is determined to be **sufficient**, an APC meeting date will be confirmed, and completion of the next steps is required for the petition to proceed to the APC rezoning meeting.

**OR**

- The application is determined to be **insufficient** requiring more information/documentation to be submitted before the petition can proceed to public hearing. The email will list what is required for the petition to move forward, which may involve answering questions, filing an amended petition, or submitting a new application. It is the responsibility of the applicant to respond and provide the required information in a timely manner, otherwise the petition will be delayed from proceeding through the rezoning process as scheduled.
- PLEASE NOTE: You must receive communication that your application is sufficient BEFORE moving on to the next step. Staff will not provide the sufficiency determination immediately upon filing of the petition. The sufficiency e-mail from Staff will be sent before the deadline to mail out the Notice of Public Hearing (2501REZ) in **Step 5**.

### **BEFORE THE AREA PLAN COMMISSION MEETING, COMPLETE THE FOLLOWING:**

Post the rezoning sign provided by Staff in a place on the site that is visible to the public at least **12 DAYS BEFORE** the APC meeting.

5. Mail out copies of form listed **#5: Notice of Public Hearing (2501REZ)** to abutting property owners & neighborhood association(s).
  - You should now have collected all of the information required to complete the Notice of Public Hearing (2501REZ). **DOUBLE CHECK THIS FORM FOR ACCURACY BEFORE SENDING.** You must mail a completed copy of this form to each address on your abutting property owners list (**2301REZ**) and collect proof of mailing.
  - If the list on **2301REZ** submitted with your filing documents is not sufficient (i.e. property owners/neighborhood associations are missing or have incorrect information) you will be notified during the evaluation process before **Step 5**.
  - **IMPORTANT:** Proof of mailing will be required for every Notice of Public Hearing via a **CERTIFICATE OF MAILING**. This is done by using U.S. Postal Service CERTIFICATE OF MAILING-FIRM (PS Form 3665). This form must be filled out completely, signed by the Postmaster, and postmark stamped by the Post Office at the time you mail the notice(s). See **Page 7** of this packet for additional guidance.
  - All letters must be postmarked on or before the deadline date shown on the Application Deadline and Meeting Schedule included on **Page 10** of this packet.
6. Submit the following to the APC office **BEFORE 12:00 noon on the Monday before the Area Plan Commission meeting:**
  - County Rezoning Affidavit of Notice (2601REZ) **completed, signed, and notarized.**
  - A copy of the completed Notice of Public Hearing (2501REZ) that was mailed out
  - Certificate of Mailing (PS Form 3665) **completed, signed, and stamped** showing all notice letters sent.

**IMPORTANT:** Petitions cannot be heard by the APC if all documents are not submitted correctly before the specified deadline. Failure to submit a complete and accurate list and proof of legal notice before the deadline will result in your petition being postponed until the next regularly scheduled meeting. Continuance fees will apply and the notification process must be repeated.
7. If all requirements are satisfied, attend the APC meeting at which the petition is scheduled to be heard.
  - All meeting dates are listed on the Application Deadline and Meeting Schedule on **Page 10** of this packet.
  - The petitioner and/or a designated representative must appear at the APC meeting. The person(s) attending the meeting should have the knowledge necessary to answer any questions from the APC members or the public regarding the petition.

**IF THERE IS NO REPRESENTATIVE PRESENT AT THE APC MEETING, THE PETITION WILL BE CONTINUED, NOTICE REQUIREMENTS MUST BE REPEATED, AND CONTINUANCE FEES AS LISTED ON PAGE 1 WILL APPLY.**

**IF ALL OF THE ABOVE STEPS ARE NOT COMPLETED AS DETAILED IN THESE INSTRUCTIONS, A PETITION FOR COUNTY REZONING CANNOT BE CONSIDERED BY THE AREA PLAN COMMISSION.**

#### **At the APC meeting:**

- The board will consider the following with regards to your petition:
  - If the request conforms to the comprehensive plan (the current *Comprehensive Plan* is available on our website at [www.evansvilleapc.com](http://www.evansvilleapc.com) 2015 – 2035 Comprehensive Plan)
  - Current conditions and the character of current structures and uses in each district
  - The most desirable use for which the land in each district is adapted
  - The conservation of property values throughout the jurisdiction
  - Responsible development and growth
- The possible voting options for the board are:
  - Recommend Approval – proceeds to County Commission with recommendation for approval (7+ Yes votes).
  - Recommend Approval with Conditions – proceeds to County Commission with recommendation for approval (7+ Yes votes) contingent upon the satisfaction of conditions placed upon the approval by APC, and added to the petition through the amendment process (see the next section, "Procedure for Amendment of the Original Petition").
  - Recommend Disapproval – proceeds to County Commission with a recommendation for denial (7+ No votes).

- No Action – proceeds to County Commission without a recommendation (less than 7 Yes and No votes).
- Continuance – allows petitioner additional time to amend their petition and/or Use and Development Commitment with the recommended provisions; if APC approves continuance (7+ Yes votes), the petition comes back to be heard again by the APC at a subsequent regularly scheduled meeting.

8. Attend the County Commission meeting at which the petition is scheduled to be heard.

- If the petition is sent forward with or without a recommendation by the APC, the petitioner and/or a designated representative must appear at the County Commission meeting in which the petition will be heard. All meeting dates are listed on the Application Deadline and Meeting Schedule on **Page 10** of this packet.
- The County Commission will make the final decision on the petition as it was certified by the APC, including any conditions if applicable.
- If the petition is approved at the County Commission meeting, the Auditor will publish the ordinance in the newspaper, and record it with the County Recorder's office. At that point, the rezoning is officially in effect.

**NOTE:** If the petition is withdrawn or denied by County Commission, the parcel will not be eligible for rezoning consideration for a period of 1 year from the original filing date of the rezoning. If this occurs, the rezoning fees submitted to the County Auditor will be returned, and checks for ordinance publication and recording costs may be picked up at the Auditor's office.

## PROCEDURE FOR AMENDMENT OF THE ORIGINAL PETITION

To amend a Petition for County Rezoning, petitioners shall adhere to the following amendment procedures, which may VARY depending on the type of amendment and when it is filed. Amending the original petition includes adding, modifying or deleting a Use and Development Commitment and/or change(s) to integral information on the petition or site plan.

- Amendment(s) filed **PRIOR** to the APC Meeting:
  - Repeat filing process beginning from **Step 2**. Make required number of copies of all documents and assemble new packets in **Step 3**. Submit to APC and County Auditor.
  - Amendment fee (half of original filing fee) will be due in **Step 4** instead of filing fee. Omit fees paid to the County Auditor in **Step 4**.
  - Repeat **Steps 5 & 6**.
  - "Amendment Deadline" and "Deadline to Mail Notice Letters" will apply and determine date of APC hearing.
- Amendment(s) to a UDC filed **FOLLOWING** the Area Plan Commission Meeting and Prior to County Commission:
  - Repeat filing process beginning from **Step 2**. Make required number of copies of all documents and assemble new packets in **Step 3**. Submit to County Auditor and deliver copy to APC.
  - If resulting Use and Development Commitment is MORE restrictive:
    - No fees will be charged.
    - **Steps 5 – 7** are not required to be repeated.
    - "Amend UDC After APC Deadline – County" will apply and determine date of County Commission hearing.
  - If resulting Use and Development Commitment is LESS restrictive:
    - Repeat filing process beginning from **Step 2**. Make required number of copies of all documents and assemble new packets in **Step 3**. Submit to APC and County Auditor.
    - Amendment fee (half of original filing fee) will be due in **Step 4** instead of filing fee. Omit fees paid to the County Auditor in **Step 4**.
    - Repeat **Steps 5 – 7**.
    - "Amendment Deadline" and "Deadline to Mail Notice Letters" will apply and determine date of hearing(s).

**IF YOU HAVE ANY FURTHER QUESTIONS, PLEASE FEEL FREE TO CONTACT THE AREA PLAN COMMISSION OFFICE (812) 435-5226.**

## DUTY TO DISCLOSE

The APC may rely on the truth of all representations in the application. If any condition exists or arises or if any event occurs after filing the application which makes any representation false, inaccurate, misleading or incomplete, and such fact is known by the applicant, his attorney or other representative, if any (collectively, the "applicant"), it is the responsibility of the applicant to disclose such fact promptly to the APC at or before the public hearing on the application. Failure to make such disclosure shall result in denial of or delay in acting on the application.

## INSTRUCTIONS FOR COMPLETING APC FORM 2301REZ

### LIST OF ABUTTING PROPERTY OWNERS/NEIGHBORHOOD ASSOCIATIONS

An "Abutting property owner" is defined as the official owner of record whose property is contiguous to the subject property; any property which would touch at any point the subject property ignoring all rights-of-way, easements, alleys, and the like. This means notification must be sent to every owner of record whose property touches any boundary line, in whole or in part, of the property to be rezoned, including properties that would touch across any separation that is not another parcel of land (i.e. streets, highways, alleys, etc.). Notice must also be sent to any registered neighborhood association that includes the rezoning site or any of the abutting properties.

The information required to complete **APC Form 2301REZ**, listing all abutting property owners and neighborhood association(s), can be obtained online or in person from the Vanderburgh County Assessor's and Treasurer's records. Neighborhood association information can be confirmed by contacting the County Commissioner's office.

- **ONLINE:** Utilize the City of Evansville Ward and Neighborhood Lookup map at <https://arcg.is/0b1fXP>
  - Locate the subject property by entering the address into the search box.
  - Click on the property and use the arrows at the top of the pop-up window to view the neighborhood association information.
  - Click on all abutting properties to view the owner's name, owner's address, and state tax code ("State Pin") displayed in the pop-up window.
  - Neighborhood associations of abutting properties must also be included.
- **IN PERSON:** Visit the Vanderburgh County Assessor's office and Treasurer's office
  - Request the tax code and official owner of record for each abutting property from the Assessor's office.
  - Take the information to the Treasurer's office and request the **MOST CURRENT** mailing address for each owner of record.

**PLEASE NOTE:** Occasionally the owner's name received from the Assessor's office will not match the records held by the Treasurer. If this situation occurs, obtain information for both parties. Please report any irregularities or problems to APC staff. The petitioner is responsible for ensuring that all submission documents are **COMPLETE** and **ACCURATE**.

## REQUIRED PROOF OF MAILING

The petitioner is responsible for submitting proof that notice was sent to each entity listed on the List of Abutting Property Owners/Neighborhood Associations (APC Form 2301REZ) pursuant to Vanderburgh County Code, Chapter 17.36.040, via USPS Certificate of Mailing.

You will find a blank copy of the form for USPS Certificate of Mailing (PS Form 3665) on **Page 19** of this packet. *This form must be filled out completely, signed, and stamped by the Post Office at the time of mailing.* The information below is intended to assist you with completing this form.

1. Fill out the box labeled "Name and Address of Sender" and list the total number of pieces being mailed in the box labeled "TOTAL NO. of Pieces Listed by Sender".
2. For each numbered line on the form, fill in the information for every piece of mail being sent. You must completely fill out the name(s) and address including number, street, city, state, and zip code for each piece.
3. Mark the amount of postage attached to each and any other associated fees.
4. When the number of pieces to be mailed exceeds the allotted number of spaces on the form, multiple sheets may be used with the space at the bottom left of the sheet marked appropriately, showing the consecutive sheet number and number of total sheets (**Page \_\_\_ of \_\_\_**).
5. When using multiple sheets, lightly mark on each mail piece both the sheet number and line number. This will assist the Post Office agent who will finalize your certificate.

The Post Office will verify that all of the information listed on each sheet matches the items to be mailed. If everything is correct and accounted for, each sheet should then be **postmark stamped and signed by the Post Office agent**. The Certificate of Mailing is not valid proof of notice without both the signature and stamp.

**PLEASE NOTE:** Electronic records obtained through [www.usps.com](http://www.usps.com) will **NOT** be accepted as proof of mailing.

## RESIDENTIAL SITE PLAN CHECKLIST

- ☐ All site drawings must be drawn to engineer's scale. (i.e. 1:10, 20, 30, 40, 50, 60)
- ☐ All site drawings must be submitted on 8½" x 11" paper.
- ☐ Name, address, phone number and company name (if applicable) of person certifying site plan accuracy.
- ☐ Show scale; north arrow; subdivision name, section, block and lot number(s) or attach a legal description; and address as assigned by the Area Plan Comm.
- ☐ Indicate accurate lot dimensions and overall size of lot.
- ☐ Show all street and/or alley right-of-way widths from centerline and physical center of pavement.
- ☐ Indicate all required setbacks for front, rear, and side yards including thoroughfare, if applicable.
- ☐ Indicate existing and proposed easements and their widths located within or adjacent to lot.
- ☐ Include dimensions and location from property lines on all existing structures.
- ☐ Include dimensions and location from property lines on all proposed additions or structures.
- ☐ Indicate distances between all structures including existing/proposed unattached accessory structure(s).
- ☐ Show sidewalk and street pavement width and location.
- ☐ Include size and location of existing/proposed curb cuts or driveways.
- ☐ Show location, type, and height of existing and proposed fences including dimensions to lot lines from the edge of fence.
- ☐ Indicate height of all existing/proposed structures measured from ground level to peak of roof.
- ☐ Indicate square footage for all floors separately, attached garage, and any covered porches.
- ☐ Show the flood protection grade (FPG) established by the Building Commission, if the property is in a floodplain.

**PLEASE NOTE:** Review this list carefully to ensure all of the necessary information is included on the face of the site plan. Submission of an inaccurate or incomplete site plan may delay the review process, resulting in continuance of the petition to a subsequent meeting and associated fees.



## COMMERCIAL SITE PLAN CHECKLIST

- ☐ All site drawings must be drawn to engineer's scale. (i.e. 1:10, 20, 30, 40, 50, 60)
- ☐ All site drawings must be submitted on 8½" x 11", 8½" x 14", or 11"x 17" paper.
- ☐ Name, address, phone number and company name (if applicable) of person certifying site plan accuracy.
- ☐ Show scale; north arrow; subdivision name, section, block and lot number(s) or attach a legal description; and address as assigned by the Area Plan Commission.
- ☐ Indicate accurate lot dimensions and overall size of lot.
- ☐ Show all street and/or alley right-of-way widths from centerline and physical center of pavement.
- ☐ Indicate all required setbacks for front, rear, and side yards including thoroughfare, if applicable.
- ☐ Indicate existing and proposed easements and their widths located within or adjacent to lot, including legal drains if applicable.
- ☐ Include dimensions and location from property lines on all existing structures.
- ☐ Include dimensions and location from property lines on all proposed additions or structures.
- ☐ Indicate distances between all structures including existing/proposed unattached structure(s).
- ☐ Show sidewalk and street pavement width and location.
- ☐ The exact location and dimension of access drives to the property, service drives, existing and proposed curb cuts, and proposed directions of traffic flow on the property and into and from public rights-of-way and ingress and egress easements.
- ☐ Show size and location of existing drives within 50 feet of the property (same or opposite side of street) and nearest intersecting street(s).
- ☐ Show parking and location of dumpster.
- ☐ Include aisle widths, typical parking stall dimensions, angle of parking proposed, bumper blocks, if required, and landscaped island dimensions including sq. ft. of each.
- ☐ Show location and identify common name of trees to be planted in landscaped islands-include tree size, i.e. small, medium, large.
- ☐ Indicate proposed and existing areas of pavement, curb, gravel and/or green space with corresponding square footage indicated; Include table showing existing impervious, proposed impervious, and net impervious on the site plan.
- ☐ Show loading areas. Include location of overhead doors and loading patterns for size of loading vehicles expected.
- ☐ Show location, type, and size of existing and proposed signs including dimensions to lot lines from the edge of sign.
- ☐ Show location, type, and height of existing and proposed fences including dimensions to lot lines from the edge of fence.
- ☐ Indicate height of all existing/proposed structures measured from ground level to peak of roof.
- ☐ For apartments, indicate number of bedrooms per unit and number of units per building.
- ☐ Show size and location of existing or proposed sanitary sewers, storm sewers, water mains, septic systems, and/or wells.
- ☐ Show the flood protection grade (FPG) established by the Building Commission, if the property is in a floodplain.

**PLEASE NOTE:** All of the necessary information must be included on the face of the site plan. Submission of an inaccurate or incomplete site plan may delay the review process, resulting in continuance of the petition to a subsequent meeting and associated fees.

# 2025 APPLICATION DEADLINE & MEETING SCHEDULE

## AREA PLAN COMMISSION

### REZONINGS

Filing Deadline @ 12:00 PM Noon	Amendment Deadline @ 12:00 PM Noon	Deadline to Mail Notice Letters/Legal Ads Out	Staff Field Reports	APC Meeting Date Thursday Room 301 @ 3:00 PM	Amend UDC After APC Deadline City - <b>by Noon</b>	Amend UDC After APC Deadline County	Final Hearing City Council Monday Room 301 @ 5:30 PM	Final Hearing County Commission Tuesday Room 301 @ 9:30 AM	Final Hearing Darmstadt Town Board Tuesday 559 Hoing Road @ 6:30 PM
12/2/2024	12/11/2024	12/30/2024	1/2/2025	1/9/2025	1/17/2025	1/21/2025	1/27/2025	1/28/2025	2/18/2025
1/6/2025	1/15/2025	1/27/2025	1/30/2025	2/6/2025	2/14/2025	2/18/2025	2/24/2025	2/25/2025	3/18/2025
2/3/2025	2/11/2025	2/24/2025	2/27/2025	3/6/2025	3/24/2025	3/11/2025	3/31/2025	3/18/2025	4/15/2025
3/3/2025	3/12/2025	3/24/2025	3/27/2025	4/3/2025	4/21/2025	4/15/2025	4/28/2025	4/22/2025	5/20/2025
3/31/2025	4/9/2025	4/21/2025	4/24/2025	5/1/2025	5/12/2025	5/13/2025	5/19/2025	5/20/2025	6/17/2025
5/5/2025	5/14/2025	5/26/2025	5/29/2025	6/5/2025	6/16/2025	6/17/2025	6/23/2025	6/24/2025	7/15/2025
6/2/2025	6/11/2025	6/23/2025	6/26/2025	7/3/2025	7/21/2025	7/22/2025	7/28/2025	7/29/2025	8/19/2025
7/7/2025	7/16/2025	7/28/2025	7/31/2025	8/7/2025	8/18/2025	8/19/2025	8/25/2025	8/26/2025	9/16/2025
8/4/2025	8/13/2025	8/25/2025	8/28/2025	9/4/2025	9/15/2025	9/16/2025	9/22/2025	9/23/2025	10/21/2025
9/2/2025	9/10/2025	9/22/2025	9/25/2025	10/2/2025	10/20/2025	10/14/2025	10/27/2025	10/21/2025	11/18/2025
9/29/2025	10/15/2025	10/27/2025	10/30/2025	11/6/2025	11/10/2025	11/10/2025	11/17/2025	11/18/2025	12/16/2025
11/3/2025	11/12/2025	11/24/2025	11/27/2025	12/4/2025	12/8/2025	12/9/2025	12/15/2025	12/16/2025	1/20/2026

\*Note: Due to the Christmas/New Years Holiday the APC Meeting has been moved to Thursday January 9, 2025 at 5:00 PM Room 301

### MAJOR SUBDIVISIONS

Filing Deadline @ 12:00 PM Noon	Amendment Deadline @ 12:00 PM Noon	Subdivision Review Monday @ 10:00 AM	Deadline to Mail Notice Letters/Legal Ads Out	Staff Field Reports	APC Meeting Date Thursday Room 301 @ 3:00 PM
12/3/2024	12/9/2024	12/16/2024	12/30/2024	1/2/2025	1/9/2025
1/7/2025	1/14/2025	1/21/2025	1/27/2025	1/30/2025	2/6/2025
2/4/2025	2/11/2025	2/18/2025	2/24/2025	2/27/2025	3/6/2025
3/4/2025	3/10/2025	3/17/2025	3/24/2025	3/27/2025	4/3/2025
4/1/2025	4/7/2025	4/14/2025	4/21/2025	4/24/2025	5/1/2025
5/6/2025	5/12/2025	5/19/2025	5/26/2025	5/29/2025	6/5/2025
6/3/2025	6/9/2025	6/16/2025	6/23/2025	6/26/2025	7/3/2025
7/8/2025	7/14/2025	7/21/2025	7/28/2025	7/31/2025	8/7/2025
8/5/2025	8/11/2025	8/18/2025	8/25/2025	8/28/2025	9/4/2025
9/2/2025	9/8/2025	9/15/2025	9/22/2025	9/25/2025	10/2/2025
10/7/2025	10/13/2025	10/20/2025	10/27/2025	10/30/2025	11/6/2025
11/4/2025	11/10/2025	11/17/2025	11/24/2025	11/27/2025	12/4/2025

\*Note: Minor Subdivision and Parcelization applications that are deemed to be complete and submitted on a Monday by 4:30 p.m. will be placed on the agenda and heard the following Monday morning at 10:00 a.m.

### BOARD OF ZONING APPEALS: VARIANCES - SPECIAL USES - APPEALS

Filing Deadline @ 12:00 PM Noon	Amendment Deadline @ 12:00 PM Noon	Deadline to Mail Notice Letters/Legal Ads Out	Staff Field Reports	BZA Meeting Date Thursday Room 301 @ 3:00 PM
12/4/2024	12/18/2024	1/6/2025	1/9/2025	1/16/2025
1/8/2025	1/27/2025	2/10/2025	2/13/2025	2/20/2025
2/5/2025	2/24/2025	3/10/2025	3/13/2025	3/20/2025
3/5/2025	3/24/2025	4/7/2025	4/10/2025	4/17/2025
4/2/2025	4/21/2025	5/5/2025	5/8/2025	5/15/2025
5/7/2025	5/23/2025	6/7/2025	6/11/2025	6/18/2025
6/4/2025	6/23/2025	7/7/2025	7/10/2025	7/17/2025
7/9/2025	7/28/2025	8/11/2025	8/14/2025	8/21/2025
8/6/2025	8/25/2025	9/8/2025	9/11/2025	9/18/2025
9/3/2025	9/22/2025	10/6/2025	10/9/2025	10/16/2025
10/8/2025	10/27/2025	11/10/2025	11/13/2025	11/20/2025
11/5/2025	11/24/2025	12/8/2025	12/11/2025	12/18/2025

\* If Site Review is required for permitting purposes for the proposed property use or development, no variance application may be filed without first applying for Site Review approval and completing the Site Review meeting.

\*Note: Due to the Juneteenth Holiday the BZA Meeting has been moved to Wednesday June 18, 2025 at 3:00 PM Room 301

**Note: Meetings highlighted show when the petitioner or a representative MUST ATTEND if the petition is to be heard; Failure to attend the scheduled meeting shall result in a continuance to the next scheduled meeting and an amendment fee (1/2 the original fee) will be required.**

Deadline dates shown above are final deadlines. All completed applications/petitions in their entirety must be turned in **no later than 12:00 PM (Noon)** on the deadline date shown above, or they will be placed on the next available meeting date after submittal of a complete application.

## PETITION FOR COUNTY REZONING

(Page 1 of 2)

For office use only	Filing Date: _____
APC Docket No.: _____	Ordinance No.: _____
APC Meeting Date: _____	County Commission Meeting Date: _____

\_\_\_\_\_  
(Printed Name of Owner of Record)  
(Or Entity and Registered Agent)

\_\_\_\_\_  
(Phone Number)

\_\_\_\_\_  
(E-mail Address)

\_\_\_\_\_  
(Mailing Address of Owner of Record)

\_\_\_\_\_  
(City)

\_\_\_\_\_  
(State)

\_\_\_\_\_  
(Zip Code)

### **PREMISES AFFECTED:**

Address of Property to be Rezoned: \_\_\_\_\_

Parcel Identification Number(s): \_\_\_\_\_

Legal Description:

(If not located in a subdivision, attach a copy of the FULL legal description on a separate sheet)

Subdivision: \_\_\_\_\_ Block No.: \_\_\_\_\_ Lot No.: \_\_\_\_\_

Current Land Use: \_\_\_\_\_  
(Write brief description of current use of property)

Proposed Land Use: \_\_\_\_\_  
(Write brief description of proposed use of property)

Current Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_ Lot Size (acres): \_\_\_\_\_  
(Include if current UDC) (Include if proposed UDC)

Registered Neighborhood Associations: \_\_\_\_\_  
(Located in or adjacent to)

### **AVAILABLE UTILITIES:**

EWSU Water: \_\_\_\_\_ EWSU Sewer: \_\_\_\_\_ Gas: \_\_\_\_\_ Electric: \_\_\_\_\_ Private Water: \_\_\_\_\_ Private Sewer: \_\_\_\_\_

German Township Water: \_\_\_\_\_

### **ADDITIONAL INFORMATION FOR COMMERCIAL OR MULTI-FAMILY RESIDENTIAL PROJECTS:**

No. of Employees: \_\_\_\_\_ No. of Company Vehicles: \_\_\_\_\_ No. of Seats: \_\_\_\_\_  
(On largest working shift) (For restaurant/bar/tavern)

No. of Units & Bedrooms per Unit: \_\_\_\_\_  
(For multi-family dwelling)

## PETITION FOR COUNTY REZONING

(Continued Page 2 of 2)

STATE OF INDIANA                     )  
  )   SS:  
COUNTY OF VANDERBURGH        )

### Owner's Certificate:

I, the undersigned owner, hereby certify that I own 50% or more of the real estate described hereon, and do hereby make application to rezone said described land.

Petition is hereby made for the amendment of the "Zoning Maps" of the Area Plan Commission of Evansville and Vanderburgh County, pursuant to the **Indiana Administrative Code** and the **Evansville Municipal Code**.

I hereby affirm, under penalty of perjury, that the information and representations within this application are true and correct. All attachments are adopted by reference as part of this petition for rezoning.

\_\_\_\_\_  
(Signature of Owner of Record)

\_\_\_\_\_  
(Date Signed)

\_\_\_\_\_  
(Printed Name of Owner of Record/Registered Agent)

### Owner's Acknowledge of Authorized Representative or Petitioner: (optional)

I do hereby further acknowledge that by signing this affidavit below, that the following named person will be my legal counsel or professional representative and has been authorized to act and engage with this petition on my behalf.

\_\_\_\_\_  
(Signature of Owner of Record)

\_\_\_\_\_  
(Printed Name of Representative or Petitioner)

\_\_\_\_\_  
(Name of Company/Business if applicable)

\_\_\_\_\_  
(Email Address of Representative or Petitioner)

\_\_\_\_\_  
(Phone Number)

\_\_\_\_\_  
(Mailing Address of Representative or Petitioner)

\_\_\_\_\_  
(City)

\_\_\_\_\_  
(State)

\_\_\_\_\_  
(Zip Code)

**Notary Certificate:** Subscribed and sworn to before me, a Notary Public in and for said County and State this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(Signature of Notary)

\_\_\_\_\_  
(Printed Name of Notary)

My Commission Expires: \_\_\_\_\_ Notary Resides In \_\_\_\_\_ County, State of \_\_\_\_\_.

(Notary Seal)

**DUTY TO DISCLOSE:** The Area Plan Commission may rely on the truth of all representations in the petition. If any condition exists or arises or if any event occurs after filing the petition which makes any representation false, inaccurate, misleading or incomplete, and such fact is known by the owner, petitioner, his attorney or other representative, if any (collectively, the "petitioner"), it is the responsibility of the petitioner to disclose such fact promptly to the Area Plan Commission or its staff at or before the public hearing on the petition. Failure to make such disclosure shall result in denial of or delay in acting on the petition in addition to other consequences, and shall subject the petitioner to legal (including civil and criminal) remedies, penalties, and fines which the Area Plan Commission or other governmental agencies may pursue against the petitioner as provided by law.

## COUNTY REZONING ORDINANCE

(Page 1 of 2)

Ordinance No.: \_\_\_\_\_ Tax Code ID No.: \_\_\_\_\_  
(Parcel Identification Number: State PIN Only)

PROPERTY OWNER: \_\_\_\_\_  
(Printed Name Of Property Owner)

AN ORDINANCE TO REZONE CERTAIN REAL ESTATE IN VANDERBURGH COUNTY, STATE OF INDIANA, MORE COMMONLY KNOWN AS:

\_\_\_\_\_  
(Street Address Of Property)

BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA, AS FOLLOWS, TO WIT:

**Section 1:** That the official zoning maps of the Vanderburgh County, Indiana, as amended, be amended with respect to the following described real estate:

\_\_\_\_\_  
(Insert Full Legal Description or Attach Separate Sheet)

by changing the zoning classification of the above described real estate from \_\_\_\_\_ to \_\_\_\_\_ and said real estate is hereby so rezoned and reclassified.

**Section 2:** The Director of the Area Plan Commission of Evansville and Vanderburgh County is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on the official zoning maps of Vanderburgh County as set out in Section 1 of this Ordinance, and to make notation in ink thereon of reference to the number of this ordinance and the date of final publication of the amendatory ordinance after its passage and approval; however, failing to do so shall not invalidate this Ordinance.

**Section 3:** This ordinance shall be in full force and effect from and after its passage by the County Commissioners of Vanderburgh County, State of Indiana, and its publication as required by law, which publication is now ordered.

Approved and adopted by the County Commissioners of Vanderburgh County, State of Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

## COUNTY REZONING ORDINANCE

(Continued Page 2 of 2)

Ordinance No.: \_\_\_\_\_

\_\_\_\_\_  
(Signature of President)

\_\_\_\_\_  
(Printed Name of President)

\_\_\_\_\_  
(Signature of Vice President)

\_\_\_\_\_  
(Printed Name of Vice President)

\_\_\_\_\_  
(Signature of Commissioner)

\_\_\_\_\_  
(Printed Name of Commissioner)

This instrument prepared by: \_\_\_\_\_  
\_\_\_\_\_

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless it is required by law.

\_\_\_\_\_  
(Printed Name)

**ABUTTING PROPERTY OWNERS/NEIGHBORHOOD ASSOCIATION(S)**

<b>OWNER(S) OF RECORD</b>	<b>OWNER'S COMPLETE MAILING ADDRESS</b>	<b>PROPERTY ADDRESS</b>	<b>STATE PIN</b>

<b>NEIGHBORHOOD ASSOCIATION(S)</b>	<b>COMPLETE MAILING ADDRESS</b>

CONTINUE ON ADDITIONAL SHEET(S) OF THIS FORM IF NECESSARY

**REQUEST FOR LOCATION MAP**

Property Address for Rezoning: \_\_\_\_\_

Rezoning request from \_\_\_\_\_ zone to \_\_\_\_\_ zone  
(i.e. from R-1 zone to C-4 zone, include if UDC)

Legal Description: \_\_\_\_\_

Requesting Party:

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Please submit this form at least **two business days BEFORE** filing a Petition for City or County Rezoning, by any one of the following methods:

- Email: [contactus@evansvilleapc.com](mailto:contactus@evansvilleapc.com)
- Mail or in Person: 1 NW Martin Luther King Jr Blvd, Room 312

You will receive your Location Map by email when it is complete. Please include the printed map with your required number of copies when you submit your rezoning packet for filing.

If you have any questions, please contact us at (812) 435-5226

Thank you.



## NOTICE OF PUBLIC HEARING

### FOR COUNTY REZONING AND AMENDMENT TO THE COMPREHENSIVE ZONING MAP

TO: **ADJOINING PROPERTY OWNER**

FROM: \_\_\_\_\_  
(Printed Name Of Owner, Authorized Agent, Petitioner)

DATE: \_\_\_\_\_  
(Date Of This Letter)

SUBJECT: **PETITION FOR REZONING**

APC DOCKET NO.: \_\_\_\_\_

This letter will serve notice to you of scheduled hearings of a petition for amendment of the Comprehensive Zoning Map which has been filed with the Area Plan Commission of Evansville and Vanderburgh County.

This proposed amendment is to allow a change in zoning from \_\_\_\_\_ to \_\_\_\_\_ on the property located at:

\_\_\_\_\_  
(Street Address)

\_\_\_\_\_  
(Legal Description Of Property Or Provide Attached Description)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_, situated in Vanderburgh County, Indiana.

**Notice is hereby given** that the **Area Plan Commission**, on Thursday, the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at 3:00 p.m. in the City Council Chambers, Room 301 of the Civic Center Complex, Evansville Indiana, will hold a public hearing to consider the proposed amendment, at the location identified above.

**Notice is also hereby given** that the **Vanderburgh County Commission**, on Tuesday, the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at 9:30 a.m. in the City Council Chambers, Room 301 of the Civic Center Complex, Evansville Indiana, will hold a public hearing to consider this same proposed amendment.

If you have any questions regarding this petition please contact the following:

Petitioner:

\_\_\_\_\_  
(Signature Of Owner, Authorized Agent, Petitioner)

\_\_\_\_\_  
(Phone Number)

\_\_\_\_\_  
(E-mail Address)

**NOTE:** If you have comments or concerns regarding this petition and are unable to attend the meeting, you may send an email to the Area Plan Commission at [contactus@evansvilleapc.com](mailto:contactus@evansvilleapc.com), or send a letter to the Area Plan Commission at 1 N.W. Martin Luther King Jr. Blvd, Room 312, Evansville, Indiana 47708 stating your concerns or comments and it will be made part of the record.

**COUNTY REZONING AFFIDAVIT OF NOTICE**

STATE OF INDIANA                     )  
   ) SS:  
 COUNTY OF VANDERBURGH    )

Date: \_\_\_\_\_

APC Docket No.: \_\_\_\_\_

I, \_\_\_\_\_, hereby affirm under the penalties of perjury that I have mailed letters  
 (Printed Name of Owner, Authorized Agent, or Petitioner)

containing the required information about the rezoning request located at \_\_\_\_\_,  
 (Address of Proposed Rezoning or Attach Legal)

to the abutting property owners and neighborhood association(s) on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

I hereby certify that, to the best of my knowledge, the attached list is complete and accurate for all abutting property owners and neighborhood association(s), whose properties touch at any point, in whole or in part, the owner's property of the proposed petition for rezoning identified above. The letters were mailed through the United States Postal Service, as documented on the attached **CERTIFICATE OF MAILING**. ONE copy of the sample letter is also attached.

\_\_\_\_\_  
 (Signature of Owner, Authorized Agent, Petitioner)

**NOTARY CERTIFICATE:**

Subscribed and sworn to before me, a Notary Public in and for said County and State this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
 (Signature of Notary)

\_\_\_\_\_  
 (Printed Name of Notary)

My Commission Expires \_\_\_\_\_ Notary Resides in \_\_\_\_\_ County, State of \_\_\_\_\_.

(Notary Seal)

**Notice Requirements:** This completed affidavit, along with all required information and proof of notice, must be filed in the Office of the Area Plan Commission by 12:00 noon, on the Monday before the APC meeting.



Name and Address of Sender	TOTAL NO. of Pieces Listed by Sender	TOTAL NO. of Pieces Received at Post Office™	Affix Stamp Here <i>Postmark with Date of Receipt.</i>		
	Postmaster, per (name of receiving employee)				

USPS® Tracking Number Name of Recipient(s)	Address (Street, City, State, and ZIP Code™)	Postage	Fee	Special Handling	Parcel Airlift
1. -----					
2. -----					
3. -----					
4. -----					
5. -----					
6. -----					

**COUNTY REZONING ORDINANCE  
WITH USE AND DEVELOPMENT COMMITMENT**  
(Page 1 of 2)

Ordinance No.: \_\_\_\_\_ Tax Code ID No.: \_\_\_\_\_  
(Parcel Identification Number: State PIN Only)

PROPERTY OWNER: \_\_\_\_\_  
(Printed Name Of Property Owner)

AN ORDINANCE TO REZONE CERTAIN REAL ESTATE IN THE CITY OF EVANSVILLE, STATE OF INDIANA, MORE COMMONLY KNOWN AS:

\_\_\_\_\_  
(Street Address Of Property)

BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA, AS FOLLOWS, TO WIT:

**Section 1:** That the official zoning maps of Vanderburgh County, Indiana, as amended, be amended with respect to the following described real estate:

\_\_\_\_\_  
(Insert Full Legal Description or Attach Separate Sheet)

by changing the zoning classification of the above described real estate from \_\_\_\_\_ to \_\_\_\_\_ and said real estate is hereby so rezoned and reclassified.

**Section 2:** The Director of the Area Plan Commission of Evansville and Vanderburgh County is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on the official zoning maps of Vanderburgh County as set out in Section 1 of this Ordinance, and to make notation in ink thereon of reference to the number of this ordinance and the date of final publication of the amendatory ordinance after its passage and approval; however, failing to do so shall not invalidate this Ordinance.

**Section 3:** This ordinance shall be in full force and effect from and after its passage by the County Commissioners of Vanderburgh County, State of Indiana, and its publication as required by law, which publication is now ordered.

**Section 4:** The subject property herein zoned shall be used and developed only in accordance with the Use and Development Commitment which is incorporated as part of this Petition for Rezoning and recorded in the office of the Recorder of Vanderburgh County, Indiana on \_\_\_\_\_ at Instrument No: \_\_\_\_\_.

No improvement location permits shall be issued unless the proposed use is in compliance with said recorded Use and Development Commitment.

Approved and adopted by the County Commissioners of Vanderburgh County, State of Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**COUNTY REZONING ORDINANCE  
WITH USE AND DEVELOPMENT COMMITMENT**  
(Continued Page 2 of 2)

Ordinance No.: \_\_\_\_\_

\_\_\_\_\_  
(Signature of President)

\_\_\_\_\_  
(Printed Name of President)

\_\_\_\_\_  
(Signature of Vice President)

\_\_\_\_\_  
(Printed Name of Vice President)

\_\_\_\_\_  
(Signature of Commissioner)

\_\_\_\_\_  
(Printed Name of Commissioner)

This instrument prepared by: \_\_\_\_\_  
\_\_\_\_\_

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless it is required by law.

\_\_\_\_\_  
(Printed Name)

**USE AND DEVELOPMENT COMMITMENT  
FOR COUNTY REZONING**

STATE OF INDIANA                     )  
  ) SS:  
COUNTY OF VANDERBURGH        )

Date: \_\_\_\_\_

APC Docket No.: \_\_\_\_\_

WHEREAS, the undersigned, \_\_\_\_\_, is the owner of certain real estate situated in Vanderburgh County, Indiana, commonly described as \_\_\_\_\_, which is more particularly described as follows, to wit: \_\_\_\_\_

WHEREAS, the real estate is currently classified as a/an \_\_\_\_\_ Zoning District under the Vanderburgh County Zoning Code and is so indicated on the zoning maps maintained by the staff of the Evansville-Vanderburgh County Area Plan Commission; and

WHEREAS, the petitioner has requested that the real estate be reclassified as a/an \_\_\_\_\_ Zoning District with this Use and Development Commitment; and

WHEREAS, Petitioner is desirous of accommodating the concerns of the surrounding property owners by making a written commitment concerning the use and development of the real estate pursuant to I.C. 36-7-4-1015;

NOW, THEREFORE, in consideration of the foregoing, petitioner makes the following use and development commitment:

1. Use of the Real Estate shall be limited to the following: \_\_\_\_\_

2. All commitments and undertakings herein expressed shall be binding on the petitioners and the petitioners' heirs, legal representative, successors and assigns, and shall run in favor of the Area Plan Commission of Evansville-Vanderburgh County and all owners of real estate lying within the radius of one (1) mile from the real estate described and shall be enforced by invoking any legal, equitable, or special remedy, including specific performance, injunction, or equitable relief pursuant to the manner of enforcement as set forth in I.C. 36-7-4-1013, 36-7-4-1014, and 36-7-4-1015. If it is necessary to initiate administrative or judicial proceedings to enforce any such commitment or undertaking, the person or entity obtaining enforcement in such proceedings shall also recover its reasonable attorneys' fees and costs of suit from the undersigned.

IN WITNESS WHEREOF, this Use and Development Commitment is hereby made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_ for the purposes set forth herein.

\_\_\_\_\_  
(Signature Of Owner Of Record)

**NOTARY CERTIFICATE:**

Subscribed and sworn to before me, a Notary Public in and for said County and State this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Signature Of Notary)

\_\_\_\_\_  
(Printed Name Of Notary)

My Commission Expires \_\_\_\_\_ Notary Resides in \_\_\_\_\_ County, State of \_\_\_\_\_.

(Notary Seal)

This instrument prepared by: \_\_\_\_\_

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless it is required by law.

\_\_\_\_\_  
(Printed Name)