

# REZONING

**Here's how...**



**Area Plan Commission of Tippecanoe County**

Planning for:

Tippecanoe County, Lafayette, West Lafayette,  
Battle Ground, Clarks Hill and Dayton

The Staff is always available to answer your questions, assist you, or provide you with forms and copies of our bylaws. Please contact them at the Area Plan Commission Office, 20 North 3rd Street, Lafayette, (765) 423-9242.

November 2001  
January 2003  
January 2014  
January 2015  
May 2015  
January 2018

## HOW TO FILE A REZONE REQUEST

### Q. I WANT TO REZONE MY PROPERTY. WHAT IS A REZONE AND HOW DO I REQUEST ONE?

A. A rezone is a change in zoning for a specific piece of property. In Tippecanoe County, the legislative body with jurisdiction over the property involved is who will approve or deny the rezone. Before a rezone goes before the legislative body it is heard by the Area Plan Commission (APC) at a public hearing. APC's vote is a recommendation to the legislative body.

### Q. WHEN AND WHERE DOES THE BOARD MEET?

A. The Area Plan Commission meets on the third Wednesday of each month. The meeting takes place at 6:00 PM in the County Office Building, 20 N. 3rd Street, Lafayette (Amended 01/01/2015)

### Q. HOW DO I MAKE MY REQUEST?

A. Your request for a rezone must be filed with the Area Plan Commission Staff. They will give you all the forms you need. The forms are available on our website at [www.tippecanoe.in.gov/apc](http://www.tippecanoe.in.gov/apc) under "Forms and Applications." Staff welcomes the opportunity to sit down with you to answer questions, review the forms and explain the process in more detail.

### Q. IS THERE A FILING DEADLINE?

A. Yes. Your complete submission must be filed no less than 30 days before we hold our Public Hearing on your request, that is, more than 4 weeks before our next meeting.

### Q. WHAT MAKES UP A COMPLETE SUBMISSION?

A. You must submit all these items before the deadline:

1. Petition: A Petition to Amend Zoning Ordinance signed by all owners and notarized, with the metes and bounds legal description of your property or its lot number and subdivision name if it is a platted lot;
2. Notarized Consent: If you do not own the property, or if you are buying on contract, a notarized letter of consent is needed from all the owners authorizing the request;
3. Two completed and signed Notice of Public Hearing Release Forms;
4. Two completed Notice of Public Hearing forms with either the metes and bounds legal description, or its lot number and subdivision name if it is a platted lot, or a shortened legal using the section/ township/ range, the city or town name and the total area of the property. (Amended 1/19/00);
5. Interested Parties List: a list, including the Executive director of the Area Plan Commission, of all people who own property either adjacent to or across a street, alley or railroad right-of-way from the rezone site. You can get names, addresses and state tax ID numbers of these properties from the GIS website at [www.tippecanoe.in.gov](http://www.tippecanoe.in.gov). The address for the Executive Director is listed as the first entry in the Interested Parties List. You must send a Notice to Interested Parties to the Area Plan Director. (Amendment 1/19/00).
6. A copy of the completed Notice to Interested Parties form; you should make as many copies as necessary to send to all the persons on your list, but you will also need to submit one (so staff can verify the date and time is correct) to make up a complete filing (Amended 11/28/01);
7. Ordinance: A typed original and 16 copies of the proposed ordinance to rezone your property. Sample ordinances for all jurisdictions are included with this packet; fillable forms can be found on our website. The full legal description (not the shortened version) is required as part of the ordinance (Amended 1/19/00);
8. City-Campus-Community Collaboration Zone of the City of West Lafayette: Proof indicating delivery of a copy of the application and plat or plans to the following check point agencies

(if property is in the City-Campus-Community Collaboration Zone shown on the attached maps):

- West Lafayette City Engineer;
  - West Lafayette Department of Development;
  - West Lafayette/Purdue University Joint Board c/o the West Lafayette City Engineer on behalf of the Chair of the Joint Board.
9. If you are rezoning A, AA, or AW zoned land for the purpose of subdividing, part of your rezoning submission must include a drawing of the proposed lot and street layout. You must also submit this drawing to the checkpoint agencies, and at the time of filing, provide staff with proof that you have completed this. (You may submit certified mail receipts or signed acknowledgment of receipt.) The written procedure for Checkpoint Agencies is attached to this brochure. (Amended 1/01/14);
10. If you are proposing a commitment with your rezone, six original copies must be submitted of the commitment with a signed acknowledgment from the administrative officer of that jurisdiction that they received a copy of the commitment;
11. Fee: a non-refundable processing fee of \$500 for each rezone petition. Make checks payable to the Area Plan Commission (Amended 01/14/14);

The Executive Committee of the Area Plan Commission meets the first Wednesday of the month to set the Area Plan Commission Public Hearing Agenda. If your application is found to be complete and proper, you and your representative(s) will be notified by mail that you will be heard on the third Wednesday of that month. (If your application is incomplete we'll tell you what's ok but you will not be heard at that month's meeting.)

**Q. THEN WHAT HAPPENS TO MY COMPLETE SUBMISSION?**

A. Because you have provided Release forms, APC Staff can take your Notices of Public Hearing to the Journal & Courier and the Lafayette Leader. The Notices will be published once, at least 10 days before the meeting, and the newspapers will each send you a bill usually by email. In the week preceding the meeting staff will study your request and provide a written report and recommendation to you and the Commission on the Friday before the meeting. The report will be mailed to you, but will also be available on our website.

**Q. WHAT ELSE DO I NEED TO DO BEFORE THE MEETING?**

- A. At least 10 days before the meeting, you must:
1. Sign Posting: Put up a Notice of Request for Rezoning sign on each frontage of your property (You buy these at the APC Office for \$10 each.);
  2. Mail Letters: By Certified Mail, send to every name on the submitted list of interested parties **(including the Executive Director of the APC)**, a completed copy of the Notice to Interested Parties Letter. (Return receipt not needed.) In the case of multiple rezone applications on contiguous tracts you may send only one set of notices by mail to all interested parties provided a map, showing all the properties is included with the notice. (Amended 1/19/00)
  3. Newspaper: Pay your bills from the newspapers and receive a Proof of Publication from each.

Then, you will have to give all these items to the APC Staff:

**(If you have not provided items 4-7, your hearing will be automatically continued for a month.)**

4. The two notarized Proofs of Publication from the newspapers;
5. The Affidavit of Notice to Interested Parties form, signed by you and notarized;
6. All the Certified Mail receipts from the USPS for the letters you mailed;

7. The Affidavit of Sign Posting form, signed by the person who posted the sign and notarized on the day of the meeting.

**Q. WHAT HAPPENS AT THE MEETING?**

A. If you have successfully completed items 1-7 above, the Commission will hold a Public Hearing on your request. Either you or your representative must be there, or we will dismiss your case. When your turn comes, APC Staff will present its report and recommendation. You will then be given an opportunity to speak for no more than five minutes, as will all others who either support or oppose your request. You will have an opportunity for rebuttal. The Commission can then ask questions.

At the conclusion of the hearing, the Area Plan Commission will vote. It is a 17-member Commission. No matter how many are present, you will need at least 9 "yes" votes for a favorable recommendation to the legislative body, or 9 "no" votes for a negative recommendation to the legislative body. Fewer than 9 votes either way, and your request is automatically continued to the next meeting (No further actions on items 1-7 is required—though the signs must remain posted continuously). If a decision for or against is reached, the results and your ordinance will be forwarded to the proper governmental jurisdiction.

**Q. WHAT HAPPENS NEXT?**

A. You or your representative must then attend the meeting where your rezone request will be heard. If the request is in the County, it will be heard by the County Commissioners; in Lafayette or West Lafayette, by the City Council; in Dayton, Battle Ground or Clarks Hill by the Town Council. (Amended 8/21/96). The legislative body makes the final determination on your rezoning request.

**Q. WHAT IF I'M NOT READY FOR THE MEETING?**

A. At any time before your hearing comes up, you may ask the staff for a continuance, usually until the next meeting. At your scheduled meeting the APC may grant the continuance at its own discretion. Please remember you will be granted no more than 2 continuances, for no more than 2 months for each continuance. These continuances may be ones that you have either asked for, or that are necessary because you have not completed items 1-7 above.

If you have exhausted all of your continuances, your rezone request will be heard or dismissed unless you have already withdrawn it. Please be fair to others interested in your request by filing a continuance request in writing with the Staff at least the week before the scheduled meeting. And make sure your Notice of Request for Rezone sign stays posted on your property continuously until the legislative body has finally decided your request. If you take down the sign, you must repost it at least ten days before the next hearing and change the date.

**Q. WHAT DO I DO AFTER THE LEGISLATIVE BODY MAKES ITS DECISION?**

A. If your request is approved, you are now free to continue with the plans that started you on this process. If it is denied, you will need to change your plans; staff is available for consultation. Please remove the Notice of Request for Rezone sign from your property after the hearing by the legislative body.

**Q. IS THERE ANYTHING ELSE I NEED TO KNOW?**

A. Yes. All forms, applications, evidence, materials, etc. you have submitted to the Staff and the Commission, either before or at your Public Hearing, become the property of the Commission. They are a matter of public record, and any person who asks can see them. All required forms and applications are located on our website at [www.tippecanoe.in.gov/apc](http://www.tippecanoe.in.gov/apc).

# Standard Rezone Filing Checklist, (non-PD)

Check when completed	Forms	Deadline
	Petition	At time of Filing
	Notarized Consent (if necessary)	At time of Filing
	Interested Parties List	At time of Filing
	Notice of Public Hearing (2 copies)	At time of Filing
	Notice of Public Hearing Release Form (2 copies)	At time of Filing
	Notice to Interested Parties Letter	At time of Filing
	Ordinances (17 copies)	At time of Filing
	WL City-Campus Community Collaboration Zone Verification (if necessary)	At time of Filing
	Copy of layout and Checkpoints for proposed Subdivision (required if rezoning from agriculture to residential)	At time of Filing
	Fee, \$500 for rezone, \$10 per sign per frontage	At time of Filing
	Commitment (6), Acknowledgment of Administrative Officer Form, and additional \$100 (if necessary)	At time of Filing
	Purchase from APC (\$10 per sign) and post sign on each frontage of property	At least 10 days prior to meeting
	Mail Letters: by certified mail send to every name on the submitted list of interested parties: <b><u>including one to APC executive director</u></b>	At least 10 days prior to meeting
	Obtain a copy of the Proof of Publications, contact newspapers if needed, may need to pay bill first	Day of APC meeting or earlier
	The Affidavit of Notice to Interested Parties form, signed by you and notarized	Day of APC meeting
	All the Certified Mail receipts from the post office for the letters you've sent out	Day of APC meeting or after sending
	The Affidavit of Sign Posting form, signed by you and notarized on the day of the meeting	Day of APC meeting

Application No. Z-\_\_\_\_\_  
Date Received:\_\_\_\_\_  
Received by:\_\_\_\_\_

The Area Plan Commission of Tippecanoe County  
County Office Building  
20 N. 3rd Street  
Lafayette, IN 47901  
(765) 423-9242

**PETITION TO AMEND ZONING ORDINANCE**

Notice: This petition should be typewritten, accompanied by the information specified in the attached instruction pamphlet, and signed by the owners of at least fifty (50) percent of the real estate in the area involved in this petition at least thirty (30) days prior to the date of the public hearing by the Area Plan Commission.

Petitioner: \_\_\_\_\_

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

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

Names of Owners: \_\_\_\_\_

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

Petition involves change in zoning from \_\_\_\_\_ to \_\_\_\_\_

Auditor's Key Number : \_\_\_\_\_

Real estate described completely as follows: (Use additional sheets if necessary)

The above information and attached exhibits, to the best of my knowledge and belief, are correct.

\_\_\_\_\_  
(Petitioner)

\_\_\_\_\_  
(Name printed)

STATE OF INDIANA )  
) SS:  
COUNTY OF TIPPECANOE )

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
(Notary Public)

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

Resident of \_\_\_\_\_ Country



## INSTRUCTIONS -- READ CAREFULLY

1. The applicant is responsible for preparing the form for submission to the newspaper, prior to presenting it to the staff of the Area Plan Commission, for signing and approving. All notices **must** be signed by the Secretary of the Commission.
2. Indiana Code 36-7-4-608(b) requires public notice at least ten (10) days before the public hearing.
3. The cost of publication must be paid by the applicant before the public hearing.
4. Prior to, or at, the public hearing, the applicant shall submit to the Secretary of the Commission a proof of publication, indicating that publication was in fact made, and that publication costs were paid by the applicant.
5. If the public hearing on the petition is **continued** to future meetings of the Plan Commission, additional publications are not necessary.

The Area Plan Commission of Tippecanoe County  
County Office Building  
20 N. 3rd Street  
Lafayette, IN 47901  
(765) 423-9242

**NOTICE OF PUBLIC HEARING RELEASE FORM**

To: Journal and Courier / Lafayette Leader

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

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

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

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

\_\_\_\_\_  
(Email)

This is to authorize you to publish the attached legal notice delivered to you by the Area Plan Commission, the cost of which is the obligation of the above and will be paid by me.

Signature \_\_\_\_\_  
(Petitioner)

The Area Plan Commission of Tippecanoe County  
County Office Building  
20 N. 3rd Street  
Lafayette, IN 47901  
(765) 423-9242

CASE NO Z- \_\_\_\_\_

## NOTICE OF PUBLIC HEARING ON REZONING

Notice is hereby given that the Area Plan Commission of Tippecanoe County, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at 6:00 PM in the County Office Building, 20 N. 3rd Street, Lafayette, Indiana, will hold a public hearing on a proposed amendment to the Unified Zoning Ordinance of Tippecanoe County, Indiana.

The property involved in the proposed request is located at:

\_\_\_\_\_  
(Street address or common description of the property)

The proposed amendment involves consideration of a change of the zoning classification from the \_\_\_\_\_ Zone to the \_\_\_\_\_ Zone for the following described real estate, to wit:

Instead of speaking at the public hearing, written comments on the provisions of said proposal may be filed with the Secretary of the Area Plan Commission at or before such meeting and will be presented to the Area Plan Commission at the time and place designated for the public hearing. Any person submitting such written comments will not be permitted to speak at the public hearing, having elected to present such comments in writing. Said hearing may be continued from time to time as may be necessary.

AREA PLAN COMMISSION OF  
TIPPECANOE COUNTY, INDIANA

\_\_\_\_\_  
Secretary

Date Approved \_\_\_\_\_

The Area Plan Commission of Tippecanoe County  
County Office Building  
20 N. 3rd Street  
Lafayette, IN 47901  
(765) 423-9242

**NOTICE TO INTERESTED PARTIES**  
**Rezone**

Notice is hereby given that the Tippecanoe County Area Plan Commission, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at **6:00 PM in the County Office Building, 20 N. 3rd Street, Lafayette, Indiana**, will hold a public hearing on a proposed amendment to the Unified Zoning Ordinance of Tippecanoe County, Indiana.

The property involved in the proposed request is located at:

\_\_\_\_\_  
(Street address or common description of the property)

The proposed amendment involves consideration of a change of the zoning classification from the \_\_\_\_\_ Zone to the \_\_\_\_\_ Zone for the following described real estate, to wit:

(Attach complete legal description)

Concerned citizens may either speak at the meeting or submit comments in writing. Written comments in favor of or against the provisions of said proposal may be filed with the Secretary of the Area Plan Commission.

Letters and written communications mailed, hand delivered, faxed or emailed to the Office of the Area Plan Commission in advance of the hearing are intended for persons unable to attend the hearing themselves. For letters or petitions to qualify to be entered into the record they must be 1) signed regardless of delivery method, 2) include the signer’s address, 3) received no later than noon on the day of the hearing and 4) contain no more than 300 words in the body of the document. Letters sent to the office of the Area Plan Commission that qualify to be entered in the record will be read by staff at the meeting, and once received, the letter shall not be withdrawn. Once a letter is read at a meeting, it is a part of the record. The writer is not permitted to speak or submit another letter even at a subsequent meeting resulting from either an inconclusive vote or a continuance, having originally chosen to submit a letter. Should the author be present at the meeting he will not be permitted to speak, having elected to present his views in writing. Persons who have signed a petition that has 4 or fewer signatures will also forfeit their right to speak at the meeting.

Any letters or petitions of more than 300 words or letters/petitions received after the deadline will not be read into the record but may be passed to the plan commission members at the meeting for their perusal. Please note that said hearing may be continued from time to time for various reasons. Cases continued before the close of business on the day of the meeting will be so noted on the agenda posted on the APC website at <http://www.tippecanoe.in.gov/apc>. Additionally, one may call the APC office at 765-423- 9242 during office hours for updates on cases to be heard.

\_\_\_\_\_  
(Petitioner)

\_\_\_\_\_  
(Petitioner)

**AREA PLAN COMMISSION – REZONES and SUBDIVISIONS**

**INTERESTED PARTIES**

*In addition to sending notice to the Area Plan Commission office*, indicate names and addresses of owners of property and the COUNTY AUDITOR'S KEY NUMBER of that property adjacent to and across the street, alley or railroad right-of-way from the subject property.

KEY NUMBER	OWNER'S NAME	ADDRESS
<b>1</b> --	<b>Executive Director of Area Plan Commission of Tippecanoe</b>	<b>20 N. 3<sup>rd</sup> Street, Lafayette, IN 47901</b>
<b>2</b>		
<b>3</b>		
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<b>20</b>		
<b>21</b>		
<b>22</b>		

**CHECKPOINT PROCEDURE**

When petitioning APC for approval of a planned development, subdivision, or when filing a rezone in order to file a subdivision, it is required that the petitioner delivers a copy of the application and plat or plans to the appropriate checkpoint agencies, as follows:

**A. UNINCORPORATED TIPPECANOE COUNTY**

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1. Tippecanoe County Health Department
2. Tippecanoe County Highway Engineer
3. INDOT – Crawfordsville District (if property abuts or has access to a state or US highway)
4. Tippecanoe County Parks and Recreation Department
5. Tippecanoe County Sheriff
6. Tippecanoe County Surveyor
7. Tippecanoe Soil and Water Conservation District
8. Tippecanoe County Building Commissioner
9. Wabash River Enhancement Corporation (unless waived by staff – signed waiver form required)
10. CityBus (if property is in the bus taxing district)
11. **Appropriate Sanitary Sewer and Water Agencies**
  - a) American Suburban Utilities, Inc.
  - b) Battle Ground Town Council
  - c) Clarks Hill Town Council
  - d) Dayton Town Council
  - e) Indiana-American Water Company, Inc.
  - f) Lafayette City Engineer
  - g) West Lafayette City Engineer
12. **Appropriate School Corporation**
  - a) Lafayette School Corporation
  - b) Tippecanoe School Corporation
13. **Appropriate Fire Department**
  - a) Buck Creek Fire Department
  - b) Clarks Hill Volunteer Fire Department Inc.
  - c) Lafayette Fire Department
  - d) Otterbein Community Fire Department
  - e) Purdue University Fire Department
  - f) Randolph Township Fire Department
  - g) Sheffield Township Fire Fighter Inc.
  - h) Stockwell Volunteer Fire Department
  - i) Tippecanoe Township Volunteer Fire Department
  - j) Wabash Township Volunteer Fire Department #1
  - k) Wabash Township Volunteer Fire Department #2
  - l) Wea Township Community Fire Department
  - m) West Point Fire Department
14. Tippecanoe County Emergency Management Agency (TEMA)

**B. CITY OF LAFAYETTE**

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1. Lafayette City Engineer
2. Lafayette Community & Redevelopment Department
3. Lafayette Fire Department
4. Lafayette Parks and Recreation Department
5. Lafayette Police Department, Traffic Division
6. Tippecanoe County Health Department
7. Tippecanoe Soil and Water Conservation District
8. Wabash River Enhancement Corporation (unless waived by staff - signed waiver form required)

9. CityBus (if property is in the bus taxing district)
10. INDOT – Crawfordsville District (if property abuts or has access to a state or US highway)
11. **Appropriate School Corporation**
  - a) Lafayette School Corporation
  - b) Tippecanoe School Corporation
12. Tippecanoe County Emergency Management Agency (TEMA)

**C. CITY OF WEST LAFAYETTE**

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1. Indiana-American Water Company, Inc.
2. Tippecanoe County Health Department
3. Tippecanoe Soil and Water Conservation District
4. West Lafayette City Engineer
5. West Lafayette Department of Development
6. West Lafayette Fire Chief
7. West Lafayette Parks and Recreation Department
8. West Lafayette Police Department, Traffic Division
9. West Lafayette Wastewater Treatment Plant
10. Wabash River Enhancement Corporation (unless waived by staff - signed waiver form required)
11. CityBus (if property is in the bus taxing district)
12. INDOT – Crawfordsville District (if property abuts or has access to a state or US highway)
13. **Appropriate School Corporation**
  - a) Tippecanoe School Corporation
  - b) West Lafayette Community School Corporation
14. West Lafayette/Purdue University Joint Board c/o the West Lafayette City Engineer on behalf of the Chair of the Joint Board (if property is in the City-Campus-Community Collaboration Zone shown on the attached maps)
15. Tippecanoe County Emergency Management Agency (TEMA)

**D. BATTLE GROUND**

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1. Battle Ground Clerk-Treasurer
2. Battle Ground Town Council
3. Battle Ground Town Marshall
4. Tippecanoe County Health Department
5. Tippecanoe School Corporation
6. Tippecanoe Soil and Water Conservation District
7. Tippecanoe Township Volunteer Fire Department
8. Wabash River Enhancement Corporation (unless waived by staff - signed waiver form required)
9. INDOT – Crawfordsville District (if property abuts a state or US highway)
10. Tippecanoe County Emergency Management Agency (TEMA)

**E. CLARKS HILL**

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1. Clarks Hill Clerk-Treasurer
2. Clarks Hill Town Council
3. Clarks Hill Town Marshall
4. Clarks Hill Volunteer Fire Department Inc.
5. Tippecanoe County Health Department
6. Tippecanoe School Corporation
7. Tippecanoe Soil and Water Conservation District
8. Tippecanoe County Emergency Management Agency (TEMA)

**F. DAYTON**

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1. Dayton Town Clerk-Treasurer
2. Dayton Town Council
3. Dayton Town Marshall
4. Sheffield Township Fire Fighter Inc.
5. Tippecanoe County Health Department
6. Tippecanoe School Corporation
7. Tippecanoe Soil and Water Conservation District
8. INDOT – Crawfordsville District (if property abuts a state or US highway)
9. Tippecanoe County Emergency Management Agency (TEMA)

When petitioning APC for approval of a rezone and the property is located in the City-Campus-Community Collaboration Zone of the City of West Lafayette as shown on the attached maps, it is required that the petitioner delivers a copy of the application and plat or plans to the checkpoint agencies, as follows:

**G. CITY OF WEST LAFAYETTE**

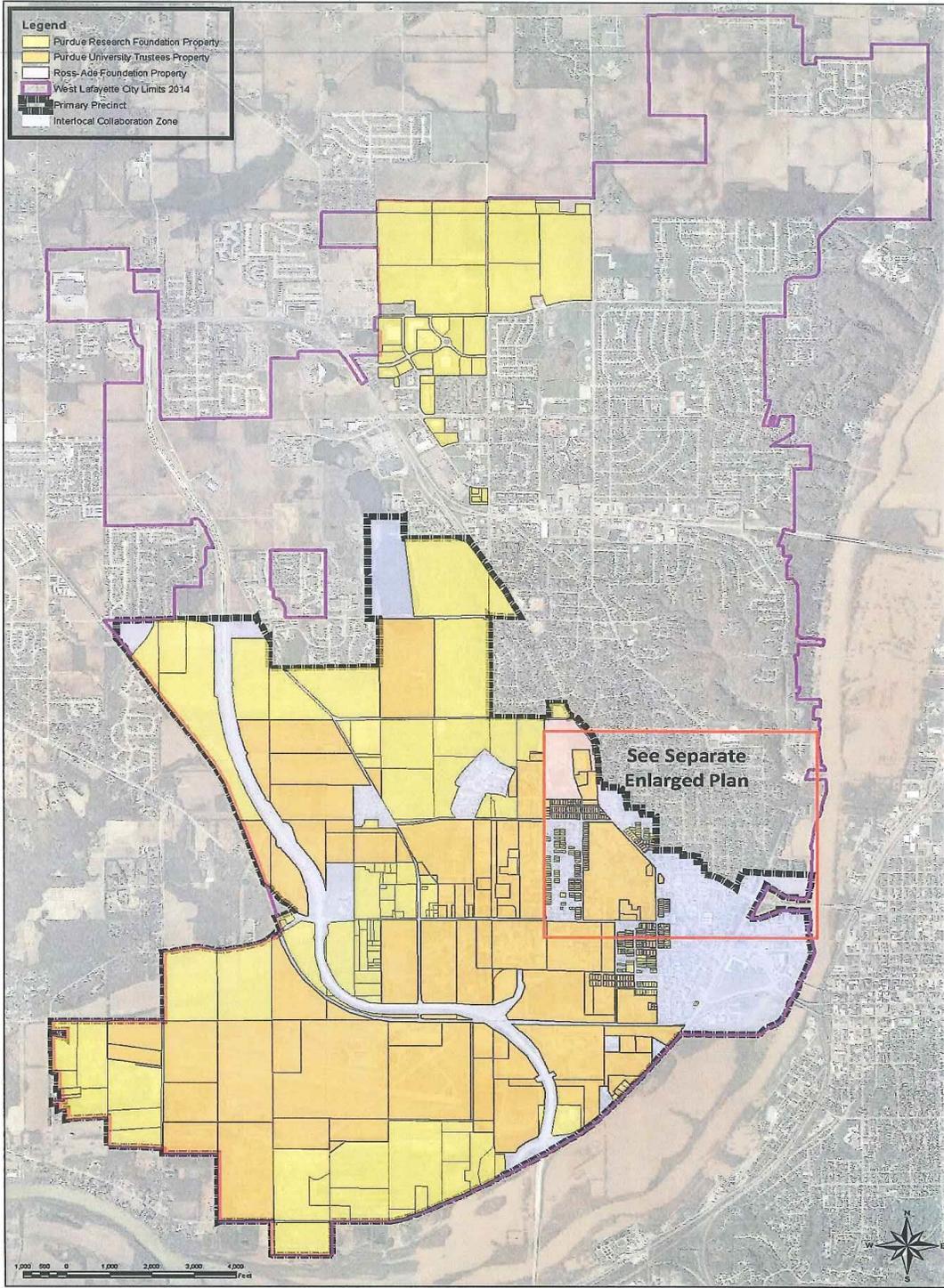
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1. West Lafayette City Engineer
2. West Lafayette Department of Development
3. West Lafayette/Purdue University Joint Board c/o the West Lafayette City Engineer on behalf of the Chair of the Joint Board (if property is in the City-Campus-Community Collaboration Zone shown on the attached maps)

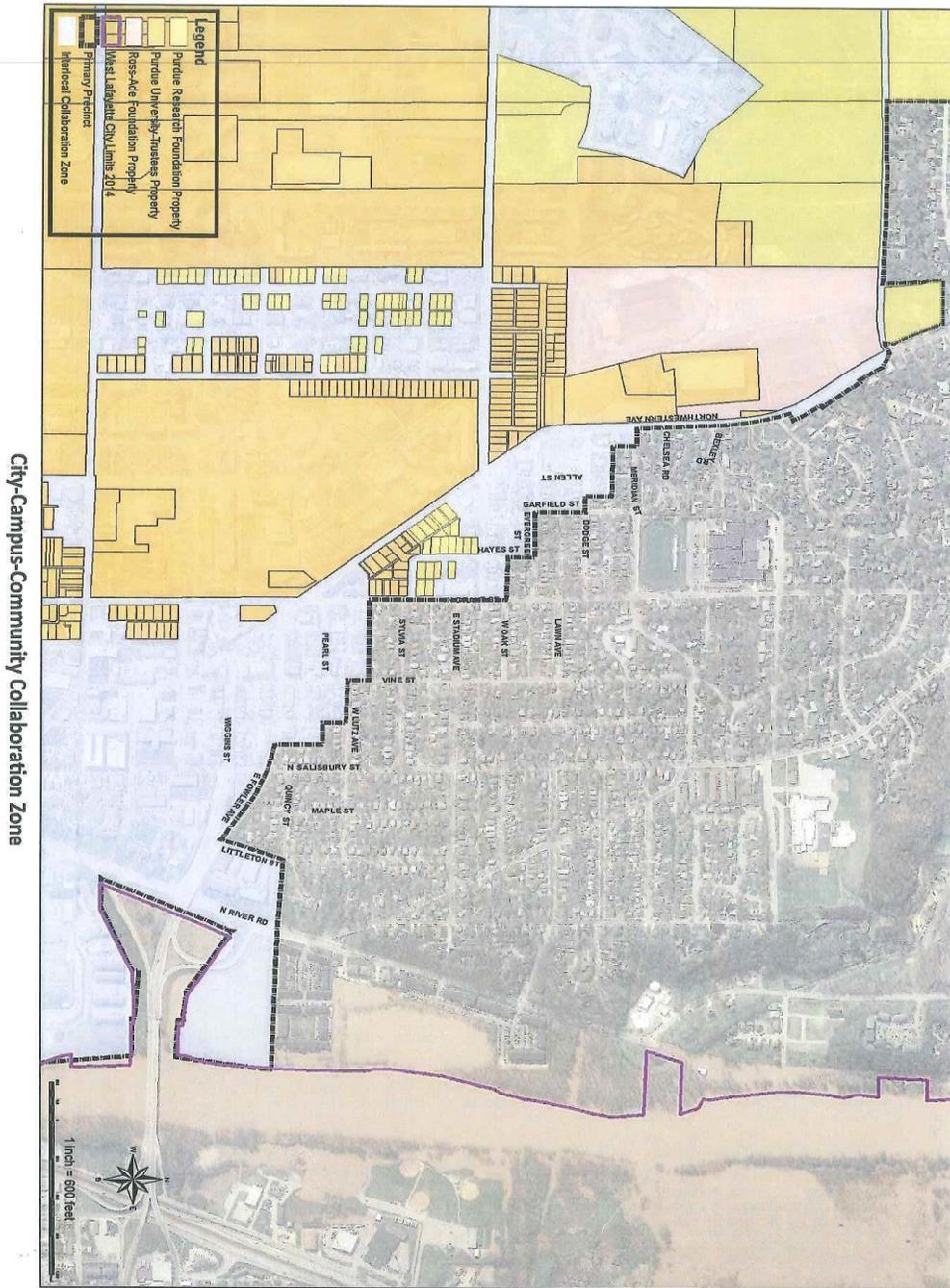
The objective is to get input into the current planning process by those agencies, which would have to deal with any problem arising from the development.

The petitioner shall submit to APC either a signed receipt from each checkpoint agency, or a notarized letter substantiating the date that required documents were mailed to the agencies.

If you have any questions regarding this procedure, please call the APC offices at 423-9242.



City-Campus-Community Collaboration Zone



City-Campus-Community Collaboration Zone

**ACKNOWLEDGEMENT OF ADMINISTRATIVE OFFICER**

I acknowledge that on \_\_\_\_\_ I received a signed and  
Date

notarized copy of the Commitment filed by \_\_\_\_\_  
Petitioner(s)

for a rezoning petition from \_\_\_\_\_ to \_\_\_\_\_. The property included in the

rezoning petition is located at \_\_\_\_\_  
Street Address or Common Description

more particularly described in Exhibit A attached.

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Signature of Administrative Officer or Authorized Designee

Key Number \_\_\_\_\_  
State Identification Number \_\_\_\_\_

**COMMITMENT**

Commitment made on \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_  
(the "Petitioner") pursuant to Indiana Code Section 36-7-4-1015.

1. Petitioner makes this commitment as the owner (the "Owner") of certain real estate (the "Real Estate") located in Tippecanoe County, Indiana, commonly known as \_\_\_\_\_ and more particularly described on Exhibit A which is attached hereto and incorporated by reference herein.

or

1. Petitioner makes this commitment with the knowledge and consent of \_\_\_\_\_ who is the owner (the "Owner") of certain real estate (the "Real Estate") located in Tippecanoe County, Indiana, commonly known as \_\_\_\_\_ and more particularly described on Exhibit A which is attached hereto and incorporated by reference herein.

2. Petitioner has filed a request (with the consent of the Owner) with the Area Plan Commission of Tippecanoe County, Indiana (the "APC"), to rezone the Real Estate from \_\_\_\_\_ to \_\_\_\_\_ which request is pending before the APC as case no. \_\_\_\_\_.

3. Petitioner hereby agrees and makes the following commitment in connection with the rezoning request in case no. \_\_\_\_\_:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Petitioner understands and agrees that this commitment is given to the APC and the \_\_\_\_\_ (the "Legislative Body") as an inducement for the recommendation for and approval of the rezoning request in case no. \_\_\_\_\_. Petitioner further understands and agrees that the approval of the rezoning request in case no. \_\_\_\_\_ by the Legislative Body constitutes good and valuable consideration for the giving of this commitment.

5. This commitment shall be a covenant running with the Real Estate and binding and enforceable against Petitioner, any subsequent owner, or any other person who acquires any interest in the Real Estate. Any change or modification of this commitment shall only be made with the approval of the APC at a public hearing in accordance with all rules and regulations of the APC.

6. Petitioner agrees that each of the following shall each be a "specially affected person" under Indiana Code Section 36-7-4-1015(d)(3) who shall each independently be entitled to bring an action to enforce the terms and conditions of this commitment in the Circuit or Superior Courts of Tippecanoe County, Indiana:

- a. the APC,
- b. the Area Board of Zoning Appeals of Tippecanoe County, Indiana,
- c. the appropriate Administrative Officer designated in the Unified Zoning Ordinance for Tippecanoe County, Indiana,
- d. \_\_\_\_\_

By: \_\_\_\_\_

STATE OF INDIANA                    )  
   )    SS:  
 COUNTY OF \_\_\_\_\_ )

Before me, the undersigned, a notary public, personally appeared \_\_\_\_\_, and acknowledged the execution of the foregoing commitment on \_\_\_\_\_, 20\_\_.

\_\_\_\_\_, notary public  
 Resident of \_\_\_\_\_ County

My commission expires:  
\_\_\_\_\_

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

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

The Area Plan Commission of Tippecanoe County  
County Office Building  
20 N. 3rd Street  
Lafayette, IN 47901  
(765) 423-9242

**AFFIDAVIT OF NOTICE TO INTERESTED PARTIES**

STATE OF INDIANA            )  
  ) SS:  
COUNTY OF TIPPECANOE )

I, \_\_\_\_\_, do hereby certify that notice of public hearing by the Tippecanoe County Area Plan Commission, to consider Z-\_\_\_\_\_ being the application of \_\_\_\_\_ was certified and mailed to the last known address of each of the following persons owning property adjacent to and across the street, alley or railroad right-of-way from the subject property contained in this petition.

OWNERS

ADDRESSES

and that said notices were sent by certified mail on or before the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, being at least ten (10) days prior to the date of the public hearing in Lafayette, Indiana, at 6:00 PM.

\_\_\_\_\_  
(Petitioner or Agent)

STATE OF INDIANA            )  
  ) SS:  
COUNTY OF TIPPECANOE )

Subscribed and sworn to before me this \_\_\_ day of \_\_\_\_\_, 20\_\_\_

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
(Notary Public)

\_\_\_\_\_  
(Name Printed)  
Resident of \_\_\_\_\_ County.

The Area Plan Commission of Tippecanoe County  
County Office Building  
20 N. 3rd Street  
Lafayette, IN 47901  
(765) 423-9242

**SIGN POSTING AFFIDAVIT**

STATE OF INDIANA )  
COMMISSION TIPPECANOE )  
COUNTY COUNTY )

BEFORE THE AREA PLAN )  
SS: OF TIPPECANOE )

Re: Petition to amend Zoning Ordinance, Filed by:

Petition No. Z- \_\_\_\_\_

\_\_\_\_\_  
(Petitioner)

I, \_\_\_\_\_, after being first duly sworn state: A sign was posted on the property for which a request for rezoning is being heard at a public meeting before The Tippecanoe County Area Plan Commission Lafayette, Indiana, ten (10) days prior to said hearing and had remained on said property in a conspicuous place for the full ten (10) day period as required in the by-laws of the Tippecanoe County Area Plan Commission. Said sign has met all the requirements as stated in the ordinance.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
(Signature)

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

STATE OF INDIANA )  
COUNTY OF TIPPECANOE )  
SS:

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
(Notary Public)

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

Resident of \_\_\_\_\_ County.