



DOCKET #: _____
To be assigned by planning department.
This spaced for office use

Town of Clarksville, Indiana
Plan Commission
Application for a Parking Wavier

In extraordinary cases in which the Minimum Off-Street Parking requirements would create hardship in the use of a particular site, the Plan Commission may consider granting a waiver of the number of parking spaces required for that site. The waiver shall be the smallest possible reduction parking spaces that would accommodate the proposed use, in no case to exceed 20% of the total number of required spaces. To qualify for a waiver, the applicant must demonstrate a good faith effort to provide as many parking spaces as possible on the site, on other property under the same ownership, or through shared or joint use of parking lots.

Name of Applicant: _____

Applicants Address: _____

Email address: _____

Telephone Number: _____ Fax number: _____

Date of Application: _____ Zoning Classification: _____

Address or location of the property subject to this application:

Date of record and subdivision name if applicable: _____

Describe the need for the wavier: _____

Check the variance type that apply:

Parcel size: _____ Number of existing parking spaces: _____

Number of parking spaces needed: _____ Number of existing handicap spaces: _____

Please provide the following with the application:

1. Attach the legal description of the property
2. On a district development plan show the location of all existing, proposed structure and the location and the amount of on site parking.
3. Attached a copy of any shared parking agreements.
4. A letter from the owner of the property where the additional parking is proposed to be located.

Provide enough documentation with this application to demonstrate that the plan commission can find that two or more of the following:

1. That the parking demand of the proposed use and prior uses on the site are similar and that prior uses on-the site did not make use of on-site parking and did not create nuisances for adjacent properties

2. That there is a significant surplus of off-street or on-street parking in the area that can accommodate the generated parking demand

3. That the peak parking demand period for the proposed use does not match the peak parking demand period for surrounding uses

4. That there is no conflicting demand for limited spaces

5. That adjacent properties will not be adversely affected

6. There are other specific mitigating circumstance

7. Document attempt to provide adequate parking either on-site, on other property under the same ownership, or by shared or joint use of parking areas as provided for in the zoning ordinance

If additional pages are necessary, indicate the number of the criterion being addressed and attach the pages to the application.

NOTICE

Any reduction of the required number of parking spaces granted by the Plan Commission shall be limited to the specific use of the property and the amount of parking shown on the district development plan. Any expansion of the use beyond what is indicated on the development plan shall provide parking as required by Section 1.27.5 of the zoning ordinance. Any change in use of property that had been granted a parking waiver shall be reviewed by the Plan Commission. If the Commission determines that the change in use may have a substantial impact on the need for off-street parking, the Commission will hold a public hearing to determine if the reduction of parking spaces granted to the previous use shall apply to the new use.

FEE

Fees are based on the size of the parcel that requires additional parking spaces, as follows:

Parcel Size	Fee
0.25	\$25.00
0.26 -0.99	\$50.00
1 – 5 acres	\$500.00
6 – 75 acres	\$750.00
75 + acres	\$1,000.00

CHECKS SHALL BE MADE OUT TO THE TOWN OF CLARKSVILLE

I certify that I have the authority to make this application, that the application is correct, and that any construction, reconstruction, enlargement, relocations, alterations or earth moving will not be commenced until all approval have been received. I further certify that all construction, reconstruction, enlargement, relocations, alterations, or earth moving will comply and conform to laws of the State of Indiana and ordinances of the Town of Clarksville. Further, all information contained in this

Applicants signature

Date

Printed applicants name

State of Indiana)
)
County of Clark)

Subscribed and sworn to before me this _____ day of _____, 200__

Notary Public Resident of Clark County, Indiana

My commission expires: _____

Affidavit of Notice of Public Hearing
Town of Clarksville, Indiana

I [we] _____ certify that notice of public hearing to consider docket # _____ pertaining to the _____ was sent by certified first class mail the last known address, as determined by records of the Clark County Auditors, to each of the following persons.

Owners Name	Address

Attach additional sheets if needed

And that such notice were mailed on the ____ day of _____, 20__ being at least 10 days prior to the scheduled public hearing and that timely proof of such first certified first class mailing[s] are attached hereto.

Applicant, Attorney, or Authorized Signature

Date

Printed name.

State of Indiana)

)

County of Clark)

Subscribed and sworn to before me this _____ day of _____, 200__

Notary Public Resident of Clark County,
Indiana

My commission expires: _____

Instruction Sheet for Rezoning

1. A pre-filing conference is encouraged for all Plan Commission petitions. Call 288-7155 X 369 or 335 to set an appointment to discuss a petition prior to filing for a hearing before the Plan Commission.
2. An application and checklist items must be completed by the applicant.
3. If the applicant is not the property owner, the applicant shall demonstrate consent of the property owner in order to file a petition. The applicant shall provide an originally signed and dated document outlining the property owner's permission in representing their interest at the time of filing any petition.
4. All responses provided on the application, checklist, and other required and submitted materials shall be legible.
5. Meet with the Technical Review Committee to discuss project, checklist, comments, concerns, etc. If there is a need another Technical Review Committee meeting will review submittals that address comments, concerns, etc. of the Technical Review Committee.
6. Staff will mail all information submitted with the application to the members of the Plan Commission seven days prior to the meeting date. Besides the copies required by the Checklist; the applicant must submit one set in an 8 ½" X 11" or 11" X 17" format in order to be reproduced for the Plan Commission packets.
7. If the petitioner wishes to submit color pictures or graphics, the petitioners shall provide 18 color copies 14 days prior to the hearing date in an 8 ½" X 11" or 11" X 17" format.
8. The applicant must attend and explain the petition and how it meets the requirements of the zoning ordinance at the public hearing when the Plan Commission considers the petition. Meetings are held the first Wednesday of each month at 7:00 p.m. at the Clarksville Municipal Administrative Center in the 1st floor conference room, unless otherwise noted. Entry is by the Veterans Parkway side door.
9. Please print your name and address on the sign-in sheet provided at the small table in front of the Plan Commission conference table prior to the meeting.
10. Proposed ordinance for the rezoning
11. If you have questions regarding these instructions, please contact the Planning Department at [812] 288-7155 X 369 or 335.
12. The following table lists the 2009 Technical Review Committee meeting dates.

Technical Review Committee	
2009 Meeting Dates	
3/11/09	8/12/09
3/25/09	8/26/09
4/8/09	9/9/09
4/29/09	9/30/09
5/6/09	10/14/09
5/27/09	10/28/09
6/10/09	11/11/09
6/24/09	11/25/09
7/8/09	12/9/09
7/29/09	12/30/09

Procedural Steps

The following steps must be completed prior to any petition receiving a hearing before the Plan Commission. It is the sole responsibility of the petitioner to satisfy the procedural process as herein set forth.

Pre-filing Conference

A pre-filing conference is not required, but is recommended. At the conference the applicant, checklist, instructions, and procedures can be discussed as well as other pertinent questions. Appointments can be made by calling 288-7155 X 335 or 369. Failure to comply with these procedural steps will delay the hearing process.

Application

1. The applicant must obtain and complete an application and checklist items. Application materials and checklist are available at www.clarksvilleplanningandzoning.com and at the Planning Department, 2000 Broadway, Rm. 234, Clarksville, Indiana 47129.
2. All instructions outlined on the application instruction form must be followed.

Filing

1. Filing deadlines are the first Tuesday of the month proceeding the month that the docket will be heard by the Plan Commission.
2. Applications must be complete. Incomplete applications will not be reviewed or placed on the Plan Commission agenda.
3. Docket numbers will be assigned and all filing fees paid at the time of filing.

Technical Review Committee

1. A knowledgeable representative/contact person should meet with the Technical Review Committee at a regularly scheduled meeting of the committee to discuss the project, checklist, review drawings, and all submittals. The Technical Review Committee will make comments.
2. The comments will be transmitted to the applicant or the contact person by fax or email.
3. Make necessary changes/corrections and resubmit drawings and all submittals.
4. The Technical Review Committee will review the changes for compliance with comments
5. The application will be placed on the plan commission agenda for a public hearing.

Public Notice

1. All public hearing before the Plan Commission require that legal notice and notice to adjoining property owners be provided at least 10 days prior to the Plan Commission hearing.
2. The applicant is responsible for mailing notice to all adjoining property owners and posting the site at least 10 days prior to the Plan Commission hearing with signs available at the Planning Department.
3. Signs must be posted along the frontage of the property and be easily seen, but not obscure vision clearances at driveways or corners.
4. The applicant is responsible for publishing the legal notice of the public hearing in a general circulation newspaper in Clark County, Indiana at least 10 days prior to the Plan Commission hearing. The Jeffersonville Evening News is the newspaper of general circulation in Clark County. The applicant should be aware and plan accordingly for newspaper publication because the newspaper has deadlines for submittal of notices.

Public Hearing

1. A public hearing is required for consideration of all petitions to the Plan Commission
2. Meetings are held the first Wednesday of each month at 7:00 p.m. at the Clarksville Municipal Administrative Center in the 1st floor conference room, unless otherwise noted. Entry is by the Veterans Parkway side door.
3. Please print your name and address on the sign-in sheet provided at the small table in front of the Plan Commission conference table prior to the meeting.

Notice Requirements

The applicant is responsible for giving appropriate notice of his/her petition by:

1. Certified mailing of notice to adjoining land owners
2. Posting a notice sign on the property
3. Legal advertisement in the newspaper

Certified Mail

1. All adjoining property owners must be served notice of the public hearing via certified mail
2. Return certified mail receipts shall be delivered to the Planning Office no later than 4:00 p.m. on the Monday prior to the public hearing. In the event the petitioner receives back any of the certified letters as undeliverable items, such unopened envelopes shall be submitted with the receipts to the Planning Department in lieu of the delivery receipt.
3. Adjoining property owners may be obtained at the Clark County Auditors office. If there are less than five adjoining property owners, a fifth Clarksville property owner must be notified.

Clark County Auditor
Clark County Office Building
501 East Court Avenue
Jeffersonville, Indiana, 47130

Posting Property

1. Public notice is required; the petitioner shall post a sign, which is available at the Planning Department, on the frontage street.
2. Signs must be easily seen, but shall not obscure vision clearance at any corner or driveway

Newspaper Publication

1. Legal notice must be published in a daily newspaper of general circulation, the Jeffersonville Evening News, in Clark County at least 10 days prior to the date of the public hearing. The applicant should be aware that the newspaper has deadlines for submittal of public notices. It is the sole responsibility of the applicant to meet these deadlines.
2. The publisher's affidavit and certified mail return receipts [green cards] shall be submitted to the Planning Department no later than the Monday prior to the public hearing by 4:00 p.m.

Sample Legal Notice

Complete and publish the following legal notice in a daily newspaper of general circulation in Clark County at least 10 days prior to the date of the public hearing. The applicant should be aware that the newspaper has deadlines for submittal of public notices. It is the sole responsibility of the applicant to meet these deadlines.

Public Notice Town of Clarksville, Indiana Plan Commission

The Clarksville Plan Commission will meet on _____ day of _____, 200___ at 7:00 p.m. at the Clarksville at the Clarksville Municipal Administrative Center in the 1st floor conference room, 2000 Broadway, Clarksville, Indiana 47129 for the purpose of holding a public hearing to consider a petition by

The applicant is requesting to rezone the property located at _____
_____ from _____ to _____. The commonly known address
is address: _____

The docket file is available for public review at the Planning Department, 2000 Broadway, Rm. 234, Clarksville, Indiana 47129 between the hours 8:30 a.m. to 4:30 p.m.

Interested persons desiring to present comments either in writing or verbally will be given the opportunity to be heard at the aforementioned time and place.

Clarksville Plan Commission
David Fisher President

Affidavit of Notice of Public Hearing
Town of Clarksville, Indiana

I [we] _____ certify that notice of public hearing to consider docket # _____ pertaining to the _____ was sent by certified first class mail the last known address, as determined by records of the Clark County Auditors, to each of the following persons.

Owners Name	Address

Attach additional sheets if needed

And that such notice were mailed on the _____ day of _____, 20__ being at least 10 days prior to the scheduled public hearing and that timely proof of such first certified first class mailing[s] are attached hereto.

Applicant, Attorney, or Authorized Signature

Date

Printed name.

State of Indiana)

)

County of Clark)

Subscribed and sworn to before me this _____ day of _____, 200__

Notary Public Resident of Clark County,
Indiana

My commission expires:
