

Rezoning Petition Instructions

Rezoning of real estate is a decision made by the Newburgh Town Council after the Newburgh Planning Commission conducts a public hearing on the issue. The rezoning of land is not a matter of right, rather, it is a legislative decision made after evaluating the requested change in light of Indiana statutory requirements and after review of the Town of Newburgh Comprehensive Plan. This Rezoning Information Packet has been designed to assist you in the process necessary to be followed to place the issue of a rezoning before the Council.

A complete application includes the following:

- Completed Rezoning Petition form
- Legal description of the property
- Location map
- Scaled site plan
- Petition filing fee of \$200.00, made payable to the Town of Newburgh

Upon receipt of a completed application, the Zoning Administrator will:

- Review the application
- Notify Petitioner of Planning Commission hearing date
- Notify Petitioner of Town Council hearing date
- Produce a Notice of Public Hearing
- Produce an Ordinance

The petitioner must then:

- Notify abutting property owners at least 10 days prior to the Planning Commission hearing via certified mail or hand delivery of the Notice of Public Hearing. 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 right of ways, easements, alleys, and the like." Names and addresses may be obtained from the Assessor's Office located at 8211 Bell Oaks Dr., Newburgh, IN.
- Post the Notice on the property in a place visible to the public at least 12 days prior to the Planning Commission hearing

24 Hours before the Planning Commission hearing Petitioner should

- Submit proof of notification to the Zoning Administrator in the form of a certified mail return receipt card or affidavit of notification

Petitioner or someone representing petitioner will be required to attend the Planning Commission meeting and the Town Council meeting at which the petition will be heard. If the petition is approved at the Town Council meeting the Clerk Treasurer will then publish the Ordinance in the newspaper and record it with the County Recorder's Office. At that point the rezoning is effective. All publishing and recording costs will be paid by the petitioner.

If the petition is denied by the Council, or the petition is withdrawn, the petitioner may not reapply for a period of 12 months.