

# Wells County Area Plan Commission

223 W. Washington St. Bluffton, IN 46714

PH: (260) 824-6407 FAX: (260) 824-6415

E-MAIL: GIS@wellscounty.org

## Requirements for a Medium WECS

Filing and Meeting dates are available at the Area Plan Commission Office and the Wells County Area Plan Commission Web Site (<http://www.wellscounty.org/apc.htm>)

Copies of the Wells County Zoning Ordinance and Wells County Subdivision Control Ordinance are available for purchase at the Wells County Area Plan Commission Office or may be viewed and printed online at the Wells County Area Plan Commission Web Site (<http://www.wellscounty.org/apc.htm>)

### 1) FEES

- a. Filing Fee \$80.00 (payable to the Wells County Area Plan Commission)
- b. Public Advertisement Sign Fee \$10.00 (payable to the Wells County Area Plan Commission)

### 2) Filing

- a. Filled Out and Signed Petition and Findings of Fact and Ruling Form
- b. Current Deed
- c. 5 Copies + Digital Submission survey plat **Must Be 24" X 36"**
- d. 5 Copies + Digital Submission Noise and Shadow Flicker Analysis Plan **Must Be 24" X 36"**
- e. Medium WECS construction information and specifications (15-05 (1) (A))
- f. Copy of the Notice of Agricultural Activity Form (if property is zoned A-1 or A-R)

Digital Submission: surveys and plans required to be filed digitally shall be delivered to the Wells County Area Plan Commission in either ESRI shp file format or PDF format. If the submission is done in ESRI shp file format the files shall be in the following projection: NAD 1983 StatePlane Indiana East FIPS 1301 Feet

### 3) APPEAL PERIOD: **30 days**

- \* All Fees Are Not Refundable
- \* As A Petitioner You Are Responsible For Reviewing The Wells County Zoning Ordinance And Subdivision Control Ordinance Requirements For Your Petition. The Area Plan Commission Office Staff Will Be Available To Answer Any Questions You May Have.
- \* A COMPLETE FILING DOES NOT GUARANTEE APPROVAL. (THE FILING MUST MEET THE APPLICABLE REQUIREMENTS OF THE WELLS COUNTY ZONING AND SUBDIVISION CONTROL ORDINANCE TO BE APPROVED.)

# Wells County Area Plan Commission

Medium WECS

Filing Form and Findings of Fact and Ruling Document

## Filing Form

Owner's Name: \_\_\_\_\_  
(Owner's Name as shown on the current deed of record)

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Project Location: \_\_\_\_\_

Medium WECS Brand: \_\_\_\_\_ Name Plate Capacity \_\_\_\_\_

Hub Height: \_\_\_\_\_ Blade Length: \_\_\_\_\_ Total Height: \_\_\_\_\_

Guy Wires: \_\_\_\_\_ or \_\_\_\_\_  
Yes No

Surveys Prepared By: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Plans Prepared By: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_ E-Mail: \_\_\_\_\_

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Findings of Fact and Ruling Document

PETITION FOR A MEDIUM WECS APPROVAL: \_\_\_\_\_  
(To Be Filled Out By the Area Plan Commission Office)

OWNER OF REAL ESTATE: \_\_\_\_\_  
(Owner's Name as shown on the current deed of record)

LOCATED AT: \_\_\_\_\_  
(Address or Adjoining Street Names "Ex: 100 N between 300 E and 400 E")

DESCRIPTION: \_\_\_\_\_  
(Brief Legal Description of Parcel "Ex: 40 A in the NE ¼ of S12T25NR12E")

CURRENT ZONING CLASSIFICATION: \_\_\_\_\_  
(Use [www.wellscountygis.org](http://www.wellscountygis.org) or contact the Plan Commission Office for Information)

PROPOSED MEDIUM WECS "Petition": \_\_\_\_\_  
(Brief Description of the Petition "20 KW Turbine on 120' Tall Guyed Tower")

PRINT DATE: \_\_\_\_\_  
(Date the document was filled out)

**15-02** This petition meets the requirements for a Medium WECS (<10 KW to 100 KW) \_\_\_\_\_  
(Yes or No)

**15-05 (1) (A)** The Medium WECS's construction information and specifications have been turned in with the filing information for this petition. \_\_\_\_\_  
(Yes or No)

**\*15-05 (2) (B) (a)** The Medium WECS will meet the property line setbacks. \_\_\_\_\_  
(Yes or No)

Is this petition utilizing any property line setback waivers from adjoining land owners? \_\_\_\_\_  
(Yes or No)

**15-05 (2) (B) (b)** The Medium WECS will meet the Public Road Right-Of-Way setbacks. \_\_\_\_\_  
(Yes or No)

Is this petition utilizing any public road Right-Of-Way setback waivers from adjoining land owners? \_\_\_\_\_  
(Yes or No)

**\*15-05 (2) (B) (c)** The Medium WECS will meet the Residential Dwelling setback. \_\_\_\_\_  
(Yes or No)

Is this petition utilizing any Residential Dwelling setback waivers from adjoining land owners? \_\_\_\_\_  
(Yes or No)

**\* 15-05 (2) (B) (a) and 15-05 (2) (B) (c) These setbacks are reciprocal to future property line changes and residential development. For more information contact the Plan Commission Office 260-824-6407.**

**15-05 (2) (B) (d)** The Medium WECS will meet the Guy Wires and Horizontal Extension setbacks. \_\_\_\_\_  
(Yes or No)

**15-05 (3)** The Medium WECS will meet the color and finish requirements. \_\_\_\_\_  
(Yes or No)

**15-05 (4) (A)** The Medium WECS will have a redundant braking system. \_\_\_\_\_  
(Yes or No)

**15-05 (4) (B)** The Medium WECS will meet the climb prevention standards. \_\_\_\_\_  
(Yes or No)

**15-05 (4) (C)** The Medium WECS will meet the blade clearance standards. \_\_\_\_\_  
(Yes or No)

**15-05 (4) (D)** The Medium WECS will meet the FAA/lighting requirements if applicable. \_\_\_\_\_  
(Yes or No or N/A)

**15-05 (4) (E)** The petitioner shall provide proof of approvals of other local, state, and federal agencies to the Plan Commission Office prior to receiving an improvement location permit if applicable. \_\_\_\_\_  
(Yes or No or N/A)

15-05 (4) (F) The Medium WECS will meet all guy wire marking standards if applicable. \_\_\_\_\_  
(Yes or No or N/A)

15-05 (4) (H) The Medium WECS shall not make noise exceeding fifty (50) decibels on the DBA scale as measured at the nearest existing residential dwelling not located on the subject parcel. \_\_\_\_\_  
(Yes or No)

15-05 (4) (I) The Medium WECS shall be designed to minimize shadow flicker on an existing residential dwelling per worst case scenario modeling. \_\_\_\_\_  
(Yes or No)

15-05 (4) (J) The Medium WECS shall not include non permitted signage. \_\_\_\_\_  
(Yes or No)

15-05 (4) (K) The Medium WECS shall be designed, constructed, and operated so not to interfere with local broadcast television, telecommunication, communication, or microwave transmissions. \_\_\_\_\_  
(Yes or No)

15-05 (4) (L) The construction of the Medium WECS shall comply with the materials handling, storage, and disposal standards. \_\_\_\_\_  
(Yes or No)

15-05 (6) The petitioner is aware of the discontinuation and removal requirements. \_\_\_\_\_  
(Yes or No)

15-05 (10) The Medium WECS petition includes the required noise and shadow flicker analysis plan. \_\_\_\_\_  
(Yes or No)

15-05 (13) The Medium WECS petition meets all other applicable provisions, rules, restrictions, standards, and conditions imposed by other provisions or Articles of this Zoning Ordinance. \_\_\_\_\_  
(Yes or No)

To Be Filled Out By the Petitioner or Petitioner's Agent

To Be Filled Out By the Petitioner

_____ Signature	_____ Date	_____ Signature	_____ Date
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_____ Signature	_____ Date	_____ Signature	_____ Date
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(This petition must be signed by 50% of the owners/sellers. If the power of attorney or the trustee is filing this petition then the proper paperwork shall be submitted proving their title to the Area Plan Commission)

To Be Filled Out By the Petitioner

To Be Filled Out By the Area Plan Commission Office

Comes now the Wells County Plan Commission Office and in support of granting \_\_\_\_\_  
\_\_\_\_\_ Petition for a Medium WECS makes the above Findings of Fact, to wit:

\_\_\_\_\_ filed a Petition for a Medium WECS as to the following described real estate located in \_\_\_\_\_ Township, Wells County, Indiana; more particularly described on Exhibit A attached hereto.

On \_\_\_\_\_, the Wells County Plan Commission Office conducted a hearing.

Board of Zoning Appeals Variances: \_\_\_\_\_  
Plan Commission Office Modifications: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
Conditions or Commitments: \_\_\_\_\_

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

Wherefore, based upon the above findings of fact the Plan Commission Office approves the petition for a Medium WECS.

\_\_\_\_\_  
Area Plan Commission Director

**NOTICE OF AGRICULTURAL ACTIVITY**

TO: ALL PETITIONERS IN AGRICULTURAL ZONED AREAS OF **WELLS** COUNTY, INDIANA

This notice is given to you because of your petition to move into an area of **Wells** County that is zoned for Agriculture.

The purpose of this notice is to assure you are aware that all agricultural operations are allowed in this area.

Agricultural activity may include, but is not limited to, grazing of livestock, confined feeding of livestock, application of animal manure to land, application of herbicides and pesticides to fields and growing crops, creation of dust from field operations and noise from livestock and machinery operations which includes the drying and transportation of grain, sometimes with machinery that has a "Slow Moving Vehicle" emblem on it, meaning it is traveling at 25 mph or less.

People who choose to live in these areas must understand that agricultural operations may be occurring nearby.

You must also understand that Indiana has a "RIGHT TO FARM" law that protects farm operations from unwarranted nuisance suits by neighbors who move next to an existing farm operation. Farm operations do not constitute a nuisance so long as they are not negligently maintained, do not endanger human health and do not cause bodily injury to third parties.

By signing this notice form you verify that you have received it, read it and understand it. You are not giving up the right to seek redress for negligence by individuals associated with a farm operation or by other residents of the area.

_____ Signature	_____ Date	_____ Signature	_____ Date
_____ Signature	_____ Date	_____ Signature	_____ Date
_____ Signature	_____ Date	_____ Signature	_____ Date

**(This document must be signed by the 50% of the owner/seller)**