

# Filing Form Information Sheet

Current Property Owner's Name: \_\_\_\_\_ (PRINT)  
(As stated on the current deed for the property)

Current Property Owner's Address: \_\_\_\_\_ (PRINT)  
(Address)

\_\_\_\_\_, \_\_\_\_\_ (PRINT)  
(City) (State) (Zip Code)

Current Property Owner's Phone Number ( \_\_\_\_\_ ) \_\_\_\_\_ - \_\_\_\_\_ (PRINT)  
(xxx) xxx - xxxx

Current Property Owner's E-Mail Address \_\_\_\_\_ (PRINT)  
(sample@sample.com)

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\*Please fill this out if you are applying for a Minor Subdivision, Addition, or Combine

Proposed Buyer's Name: \_\_\_\_\_ (PRINT)

Proposed Buyer's Address: \_\_\_\_\_ (PRINT)  
(Address)

\_\_\_\_\_, \_\_\_\_\_ (PRINT)  
(City) (State) (Zip Code)

Proposed Buyer's Phone Number ( \_\_\_\_\_ ) \_\_\_\_\_ - \_\_\_\_\_ (PRINT)  
(xxx) xxx - xxxx

Proposed Buyer's E-Mail Address \_\_\_\_\_ (PRINT)  
(sample@sample.com)

# Wells County Area Plan Commission

223 W. Washington St.  
Bluffton, IN 46714  
PH: (260) 824-6407  
FAX: (260) 824-6415

## SPECIAL EXCEPTION FILING INFORMATION

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) FILING

- a. Filled out Filing Form Information Sheet
- b. Letter of Compliance stating why the project meets the requirements of the Wells County Subdivision Control Ordinance and Wells County Zoning Ordinance.
- c. One (1) letter or legal sized site plan created in compliance with the criteria for applying for an improvement location permit.
- d. A copy of the current deed as recorded in the County Recorder's Office.
- e. Signed copy of the Notice of Agricultural Activity Form (if property is zoned A-1 or A-R)
- f. Status of any applicable permits from other regulatory agencies.
- g. Contact information for the petitioner's attorney who will create the findings of fact and ruling document.
- h. A signed filing form produced by the Area Plan Commission will be needed before the Board of Zoning Appeals will make any official actions.**

2) FINDINGS OF FACT AND RULING DOCUMENT: Will need to be provided to the Area Plan Commission by an attorney of the petitioner's choice.

### 3) FEES BEFORE HEARING:

- a. Area Plan Commission Filing Fee \$125.00 (payable to Area Plan Commission).
- b. News Banner Advertisement Fee \$150.00 (payable to Bluffton News Banner).

### 4) FEES AFTER HEARING:

- a. Recording Fee \$12.00 first page + \$2.00 for each additional page (based on the petition form and findings of fact and ruling document length) (average of 3 to 4 pages in length) (payable to the County Recorder's Office)

5) IMPROVEMENT LOCATION PERMIT may be granted no less then thirty (30) days after the Board of Zoning Appeal's official action has been advertised if no appeal has been filed.

\* 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.)

ARTICLE OF INTEREST:

Zoning Ordinance

**ARTICLE 4: ADMINISTRATION**

**ARTICLE 8: BOARD OF ZONING APPEALS**

**ARTICLE 9: ZONING DISTRICTS**

Subdivision Control Ordinance

**ARTICLE 8: Survey and Plat Standards**

**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.

I, \_\_\_\_\_ CERTIFY THAT I HAVE RECEIVED THIS NOTICE. I HAVE READ IT AND I UNDERSTAND IT.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

Date: April 25, 2008

Petition Type: Minor Subdivision

**EXAMPLE**

LETTER OF COMPLIANCE

Zoning

I have verified that I have completed the filing requirements to petition the Wells County Plat Committee for a Minor Subdivision as Required in Article 4 of the Zoning Ordinance.

Subdivision Control

I have verified that I will be meeting the processes and procedures required by Article 3.

I am applying for a Minor Subdivision as defined in Article 4 Section 04 (1). I have verified that I have a primary parcel as defined in Article 4 Section 04 (5). I have used none of my six (6) Minor Subdivisions permitted in Article 4 Section 06 (1). The proposed Minor Subdivision does not divide any ponds, structures, septic systems, or wells as required in Article 4 Section 06 (2). The proposed Minor Subdivision does not extend beyond its Primary Parcel lines as required in Article 4 Section 06 (3). The proposed Minor Subdivision does not create a portion of the Primary Parcel that is separate from the whole of the Primary Parcel as required Article 4 Section 06 (4). I have designated the remaining thirty eight (38) acres to become the Primary Parcel as required in Article 4 Section 06 (5). All structures, wells, and ponds meet the set back requirements required in Article 4 Section 06 (6). No improvement location permit is being applied for until the Minor Subdivision has been approved and recorded as required in Article 4 Section 06 (7). The proposed Minor Subdivision lots size meets the two (2) acre requirement for an A-1 zoned property, and the two (2) acres does not include any property located in an access strip, legal drain easement, or floodplain as required in Article 4 Section 06 (8). The proposed Minor Subdivision does not include any shared driveways so no easement and maintenance agreements are necessary as required in Article 4 Section 06 (9). The proposed Minor Subdivision's road frontage meets the two hundred (200) foot requirement in the A-1 zoning district. The road frontage does not come off of a dead end street or cul-de-sac, the road frontage does include an access strip, the road frontage does not include any floodplain, and the road frontage does not cross over an open county regulated drain as required in Article 4 Section 06 (10). The Minor Subdivision rights will be kept with the Primary Parcel and not shared as described in Article 4 Section 07 (1).

I have verified that the improvement location survey meets the requirements of Article 8.

Sincerely,

Michael W. Lautzenheiser Jr.  
223 W. Washington St.  
Bluffton, IN 46714  
P: 260-824-6407  
F: 260-824-6415