

These instructions are for convenience purposes only. For more detail, consult the Madison County Land Use & Development Code.

Rev. 4/09

Submission of Petition to Madison County Planning Commission:

1. A complete Madison County Planning Commission Application is to be submitted by the close of business day on the filing date of the enclosed MCPC Calendar.
2. Only complete applications will be docketed for the next Plan Commission meeting. If the application is incomplete on the filing date of the enclosed MCPC Calendar, the request will be docketed for the following Planning Commission meeting to allow the applicant time to submit a complete application.
3. The following information is to be submitted with the notarized Application:
 - ◆ Legal description of property (**Most Current Deed**)
 - ◆ Site plan, drawn to scale, showing property dimensions, existing and proposed improvements with front, side and rear setback distances, county roads marked, as required by the Madison County Land Use & Development Code. **Architectural Scale Not Accepted!**
 - ◆ A letter verifying that proper waste disposal will be available to the property
 - ◆ Letter of intent stating the reasons for Zoning Map Amendment, including detailed description of any proposed development.
 - ◆ Application Fee

Public Hearing Notification

Notice of Public Hearing for the Madison County Planning Commission is to be completed as set forth in the Rules and Procedures for the Madison County Planning Commission. The procedures related to public hearings notification contained in this packet are provided for convenience purposes only.

Notice by Publication and Notice by Mailing shall include the following information:

(a) the general location of the subject property and a legal description of the land which is included in the petition; (b) the street or common address of the real estate; (c) that the project plans are available for examination at the office of the Plan Commission; (d) that a public hearing will be held giving the date, place, and hour of the hearing; and (e) that written comments on the petition will be accepted prior to the public hearing and may be submitted to the Planning Director.

Public Hearing Notification

Notice of Public Hearing for the Board of Zoning Appeals is to be completed as set forth in the Rules and Procedures for the Madison County Board of Zoning Appeals. The procedures related to public hearings notification contained in the packet are provided for convenience purposes only.

1. *Notice by Publication:* The Plan Reviewer shall prepare a legal notice for publication in the Herald Bulletin. The legal notice shall appear in the newspaper no less than 1 time at least 10 days prior to the date of the public hearing and no more than 20 days and is to be delivered to the newspaper office by the Planning Commission Office.
2. *Notice by Mailing:* The Petitioner shall mail written notice of the public hearing to each interested party and provide proof of mailing by certified mail or certificate of mailing receipts from the post office to the Planning Commission (list prepared by the Plan Reviewer). Mailing to go out no less than 10 days and no more than 20 days prior to the scheduled meeting. Mailing receipts must be delivered to the Planning Commission Office no less than 3 days prior to the scheduled meeting.
3. *Posted Notice:* The petitioner shall allow the staff to post on the subject property a sign giving notice of the hearing. The sign shall remain on the property until the final decision on the request is made by the Plan Commission at which time the Plan Commission will remove the sign.

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Major Subdivision Application and Review Procedure

(The following is a brief summary, see Land Use & Development Code for complete details)

1. Petitioner submits application for Sketch Plan Review and the appropriate supportive materials for the review and comment of the Planning Director.
2. Petitioner submits an application for Preliminary Plat Approval and appropriate supportive materials to the Planning Director for placement on the Plan Commission agenda.
3. Planning Director places the request on the agenda for appropriate Technical Review Committee and Plan Commission meetings.
4. Technical Review Committee reviews the proposed subdivision and provides comments to the petitioner. Petitioner attends the Technical Review Committee meeting for the application and proposed plat to be reviewed.
5. Petitioner revises the proposed Preliminary Plat and submits revised copies of all appropriate materials for use at the Plan Commission hearing.
6. Petitioner provides public notice as specified in the Madison County Planning Commission Rules and Procedures.
7. Petitioner attends the Plan Commission public hearing for consideration of the Preliminary Plat.
8. Petitioner submits an application for Construction Plan Approval and the appropriate supportive materials to the Planning Director for review.
9. Petitioner submits application for Final Plat approval and all appropriate supportive materials to the Planning Director for review.
10. Technical Review Committee considers the Final Plat, which, if approved, is forwarded to the County Commissioners
11. County Commissioners consider acceptance of public improvements and signing of Final Plat.
12. Petitioner records Final Plat and supplies one copy of recorded plat to the Planning Director.

Waivers of Subdivision Regulations

Where the Plan Commission finds that extraordinary hardships or practical difficulties may result from the strict compliance with these regulations, or the purposes and intent of these regulations may be served to a greater extent by an alternative proposal, it may grant waivers of the subdivision regulations set forth in this Ordinance so that substantial justice may be done and the public interest served. No waiver shall be granted in relief of mere inconveniences or financial disadvantages of the subdivider.

Procedure: Only those standards specifically described in the Waiver Request may be reviewed. Waivers may only be granted in a public hearing. The Commission may make reasonable conditions an element of any waiver approval.

Public Facility Waiver: Where the waiver impacts the design, construction or maintenance obligations of public facilities, it shall not be granted unless the appropriate public agency has reviewed and approved in writing the proposed development to the Plan Commission.

Rezoning Application

1. The application materials shall be reviewed by the Madison County Technical Review Committee. Either the petitioner or their representative shall be present during the review. Any revisions to the application materials or the proposal requested by the Committee shall either be addressed during the review or through revised application materials submitted prior to the Plan Commission hearing.
2. The Plan Commission will then review the application in a public hearing. Either the petitioner or their representative shall be present during the public hearing. The Commission shall consider a report from the Staff, testimony from the petitioner, and testimony from the public and interested parties. The Commission shall either forward the petition to the Board of County Commissioners with a favorable recommendation, an unfavorable recommendation, or no recommendation, or table the request.
3. The Board of County Commissioners shall hold a public hearing and vote on the proposed rezoning. The Board may either approve or deny the ordinance.

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