

PLAN COMMISSION STAFF REPORT

APPLICATION NO: REZ-01-2022

HEARING DATE: January 9, 2023 NEXT HEARING DATE: February 13, 2023

NEWSPAPER NOTICE PUBLISHED ON: December 17, 2022 NOTICES MAILED ON: December 21, 2022

SUBJECT: Change of Zoning

LOCATION: 112 S Market St

PETITIONER(S): Charles Edwards

SUMMARY: Rezoning of the real estate from Residential to Business zoning district. Request for an addition of an address to the property.

WAIVERS REQUESTED: None

RECOMMENDATION: Recommend approval of Rezone to the Council with conditions
Recommend approval of the Address Addition to the real estate by the Plan Commission with a condition.

PREPARED BY Oksana Polhuy, Planning Administrator

EXHIBITS Exhibit 1. Application
Exhibit 2. Thorntown Comprehensive Plan. Proposed Land Use.

PROCEDURE

The application was filed on December 5, 2022 for a public hearing at the January 9, 2023 Plan Commission meeting.

The Plan Commission hears the evidence presented by Staff, petitioner/owner, and any individuals in the audience wishing to speak for or against the proposed project or to just ask questions. The Plan Commission then holds a discussion among themselves and makes a recommendation to the Common Council to either allow the request, deny the request, and/or amend the applicants' proposal. The Plan Commission has the authority to modify the proposal and/or attach conditions to the recommendation.

The Council then hears the proposal, including the Plan Commission's recommendation at the Council meeting(s). At the final Council meeting, the proposal as presented in an Ordinance format is either adopted, denied, or modified by the Council. Prior to the public hearing before the Commission, a published legal notice is advertised in the newspapers and public hearing notices are sent to the surrounding property owners per the adopted Rules of Procedure and have satisfactorily been completed.

Standards for Amendments per Thorntown Zoning Ordinance §152.11.D:

The wisdom of amending the text of this Ordinance or the Zoning Map is a matter committed to the sound legislative discretion of the Town Council and is not controlled by any one standard. In making their determination, however, the Town Council should, in determining whether to adopt or deny, or to adopt some modification of the Plan Commission's recommendation, pay reasonable regard to the following:

1. Whether the proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan, as adopted and amended from time to time by the Town Council;
2. Whether the proposed amendment is compatible with current conditions and the overall character of existing development in the immediate vicinity of the subject property;
3. Whether the proposed amendment is the most desirable use for which the land in the subject property is adapted;
4. Whether the proposed amendment will have an adverse effect on the value of properties throughout the jurisdiction; and
5. Whether the proposed amendment reflects responsible standards for development and growth.

USEFUL TERMS AND DEFINITIONS

REZONING. An amendment to a zoning map and/or text of a Zoning Ordinance.

ZONING DISTRICT. A specific district within the jurisdiction which has uniform regulations governing the use, height, area, size, and intensity of use of buildings and land, and open spaces.

COMMITMENT. A covenant concerning the use or development of a parcel of real property made in writing by the owner of that parcel, either voluntarily or by an order or request of the Plan Commission, the Board of Zoning Appeals, or the Town Council, pursuant to IC 36-7-4-1015.

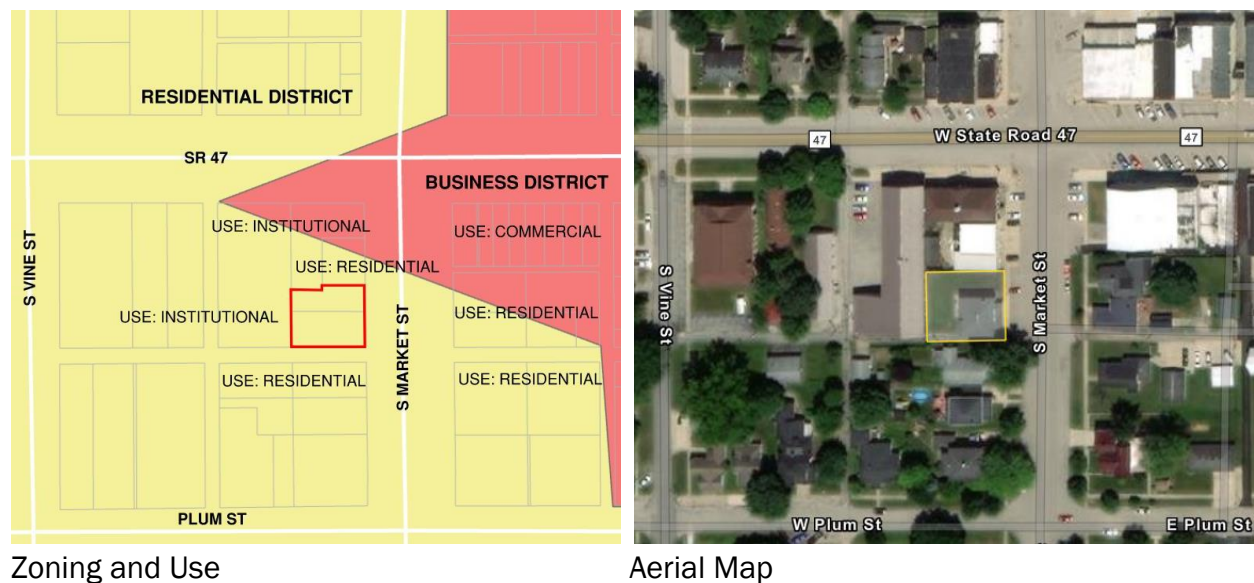
COMPREHENSIVE PLAN. The complete plan, or any of its parts, for the development of the planning jurisdiction of the Town of Thorntown prepared by the Advisory Plan Commission of the town and adopted in accordance with I.C. 36-7-4-500.

ABOUT PROJECT

Location

The subject site is comprised of two parcels addressed 112 S Market Street (see Figure 1). The property is zoned “Residential”. It is surrounded by properties zoned “Residential” and some properties nearby to the north and northeast are zoned “Business”.

Figure 1. Location and Zoning Map



Proposal

The petitioner is requesting to rezone the property to a Business zoning district. The applicant would like to use this property for a car sales business. In order to obtain the state license for conducting a car sales business, this property needs to meet a state requirement of being located in a Business zoning district. The Planning Administrator must sign off on the state license application form confirming that the zoning of the property allows a car dealership use to be present at the property. The current zoning of the property is “Residential” and does not allow a car dealership use. Due to this, the applicant is requesting rezoning of the property from a Residential zoning district to a Business zoning district.

ANALYSIS

Compatibility with Surrounding Area

	USE	ZONING	ANALYSIS
NORTH	Institutional, Residential	Residential	Proposed office business use is compatible with the surrounding uses.
EAST	Residential, Business	Residential	
SOUTH	Residential	Residential	
WEST	Institutional	Residential	

The subject property has been used for a law office use for a while. The applicant says that he will continue using a portion of the property for a car sales office use only. He buys and sells cars without having to store the cars at the lot (see his explanation in Exhibit 1. Application).

Consistency with Thorntown’s Comprehensive Plan

Consistency with the Future Land Uses. The Thorntown Comprehensive Plan’s Future Land Use Map (see Exhibit 2 and Figure 2) designates the property for institutional use. However, there is no “Institutional” zoning district in Thorntown at the moment. The only non-residential zoning district is “Business”. So, the proposed use and zoning district is consistent with the Comprehensive Plan’s Proposed Land Use.

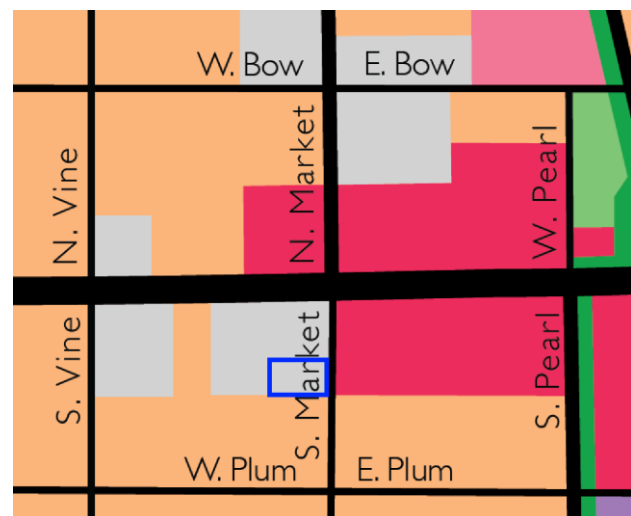


Figure 2. Thorntown Comprehensive Plan. Proposed Uses.

Consistency with the Community Vision. The community vision states that Thorntown would like to be a sustainable town that can provide not only residential and recreational opportunities, but also attract various businesses while maintaining and preserving the aesthetics of the historical core of the town. Permitting this rezone would allow the applicant to keep his business location in town, which meets the community vision goal of being economically sustainable.

Consistency with land use goals, objectives and policies. Permitting commercial uses has to be done in a way that protects more sensitive areas from the possible negative consequences of using the property for commercial uses. There are residential properties to the south and east of the subject site. While the applicant only plans to use the existing building on the property for his office and doesn't propose or expect to store cars at the lot, staff still would like to propose two conditions to safeguard the surrounding residential uses from the possible consequences of permitting a car dealership lot use at this location. If car storage becomes necessary at this property, then 1) car storage shall happen within the property boundaries and not in the right-of-way, and 2) the storage area shall be improved at a minimum with gravel or ideally paving to avoid bringing dirt into the streets and protecting the soil of the site from contamination. Staff has seen an issue appear with some car lots in the past: some car lots (dealership or repair places) were overcrowded with too many cars and spillage of such storage occurred onto the streets. Requiring storage of the cars within the lot helps to maintain the same amount of parking spots available for the public to use when they need to access downtown amenities and businesses. Thus, these conditions ensure the overall welfare of Thorntown residents.

Aesthetic consideration. A portion of the Comprehensive Plan is devoted to improving the visual look of the Main Street and to the ideas of preserving the historical character of the downtown properties including the subject site. It is located in the proposed "Commercial Historic" overlay district. The applicant is not planning on making any changes to the property, so its current look will be preserved.

New Address

Existing addresses on the west side of Market Street within the block: 108 S Market St., 112 S Market St. Existing addresses on the east side of Market Street across from the block: 109 S Market St., 111 S Market St.

Proposed address: 110 S Market Street. A search for this address within Boone County hasn't returned any results, so it would be a new unique address that fits the fabric of the rest of the addresses in the area.

CORRESPONDENCE

As of this writing, staff has not received written or verbal statements regarding this project from residents.

RECOMMENDATIONS (Change of Zoning Request)

Staff recommends approval of application REZ-01-2022 because:

1. The proposed business use meets the community vision goal of retaining economic activity within Thorntown and using existing properties (infill) for it;
2. The proposed business use is compatible with the proposed institutional use for the subject site in the Future Land Use Map of the Comprehensive Plan;
3. The proposed business use meets the land use objective in that it will retain its residential and historic look and serve as a buffer between the existing residential and commercial uses; and
4. The proposed business use is compatible with the surrounding uses as proposed by the applicant and with the conditions proposed by staff to ensure future compatibility of the uses, preservation of property values, and responsible development.

With the following conditions:

- a. Car storage shall happen within the property boundaries and not in the right-of-way, and
- b. The car storage area shall be improved at a minimum with gravel or ideally paving to avoid bringing dirt into the streets and protecting the soil of the site from contamination.

MOTION OPTIONS (Change of Zoning Request)

1. Motion to forward a *favorable* recommendation to the Council for adoption of the Change of Zoning from Residential Zoning District to Business Zoning District for the subject real estate located at 112 S Market Street as per submitted application REZ-01-2022, and with the following conditions of approval:
 - a. Car storage shall happen within the property boundaries and not in the right-of-way, and
 - b. The car storage area shall be improved at a minimum with gravel or ideally paving to avoid bringing dirt into the streets and protecting the soil of the site from contamination.

2. Motion to forward an **unfavorable** recommendation to the Council for adoption of the Change of Zoning from Residential Zoning District to Business Zoning District for the subject real estate as per submitted application REZ-01-2022. **(List reasons)**
3. Motion to **continue** the review of the application REZ-01-2022 until the next regular meeting on February 13, 2023.

RECOMMENDATIONS (Addition of a New Address Request)

Staff recommends approval of addition of a new address to the subject project upon approval of the Change of Zoning by the Town of Thorntown Council.

MOTION OPTIONS (Addition of a New Address Request)

1. Motion to **approve** the request for an addition of the address “110 S Market Street” to the subject property as per submitted application REZ-01-2022, and with the following conditions of approval:
 - a. Address change shall happen upon approval of the Change of Zoning request by the Town of Thorntown Council.
2. Motion to **deny** the request for an addition of the address “110 S Market Street” to the subject property as per submitted application REZ-01-2022. **(List reasons)**
3. Motion to **continue** the review of the address change until the next regular meeting on February 13, 2023.

Next Plan Commission meeting date(s): February 13, 2023.

EXHIBIT 1. APPLICATION

TOWN OF THORNTOWN
101 W. Main St., Thorntown, IN 46071
Planning@thorntown.in.gov

REZONE/PUD APPLICATION

Application type*:

- Rezone
 Planned Unit Development (PUD)
 Ordinance/PUD Amendment
 Modification to commitments

For office use only:

App No: REZ-01-2022
Date received: December 05, 2022
App fee: \$525
Fee paid by: Cash Check
Check #: _____

* Required sections to fill out

PROPERTY INFORMATION*

Address/Location: 112 S. Market st Thorntown, IN 46071

Parcel(s)' ID(s): 06-13-35-000-007.051-015

Current use: law office

Current zoning: Res/commercial-grand other

Proposed use: office for carlot

Proposed zoning: commercial

Project total size: app 2 Acre Acres (include the area of all parcels)

PROPERTY OWNER INFORMATION*

Name: Charles Edwards

Mailing address: 112 S. Market st

City/Town: Thorntown, IN Zip code: 46071

Email: cedwards55@yahoo.com Phone #: 317-374-6995

APPLICANT INFORMATION* Same as owner

Name: Charles Edwards Title: owner

Company name: Thorntown Truck & Auto

Mailing address: 112 S. Market st

City/Town: Thorntown, IN Zip code: 46071

Email: cedwards55@yahoo.com Phone #: 317-374-6995

PRIMARY CONTACT INFORMATION Same as applicant

Name: _____ Title: _____
Company name: _____
Mailing address: _____
City/Town: _____ Zip code: _____
Email: _____ Phone #: _____

ATTORNEY INFORMATION

Name: Deborah K Smith Title: owner
Company name: Sugarcreek law
Mailing address: 112 S. Market St
City/Town: Thorntown, IN Zip code: 46071
Email: dksmith.law@gmail.com Phone #: 765-436-2441

PROJECT DESCRIPTION*

Proposed project name: Thorntown Truck & Auto

Project description

(Briefly describe the project: what would be built, how the property would be used, and how the project would be integrated into the surrounding area.)

basically need an address for a change of address for a carlot I have had for 30 years. Proposed in the upstairs of 112 S. Market St. No need for space or buildings because I only do order buying only anymore.

COMPLIANCE WITH THORNTOWN COMPREHENSIVE PLAN*

(Briefly describe how the proposed project follows the land use policies laid out in Thorntown Comprehensive Plan.)

will not use any land as I only need an address to satisfy BMV - dealer division for change of address requirements.
No ^{new} building

APPLICANT AFFIDAVIT

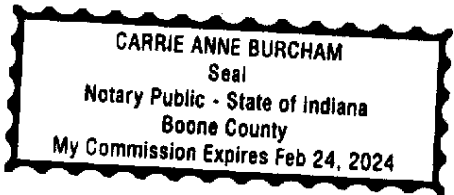
STATE OF INDIANA
COUNTY OF Boone S.S.

The undersigned, having been duly sworn on oath, states that the information in the Application is true and correct as they are informed and believe.

Applicant printed name: Charles Edwards

Applicant signature: Charles Edwards

Subscribed and sworn to before me this 5th day of Dec., 20 22.



Notary printed name: Carrie Anne Burcham

Notary signature: Carrie Anne Burcham

My commission expires: _____

OWNER AFFIDAVIT

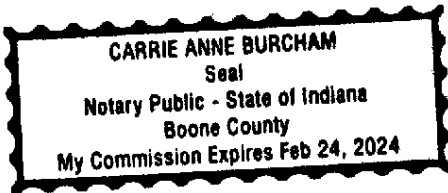
STATE OF INDIANA
COUNTY OF BOONE S.S.

The undersigned, having been duly sworn on oath, states that they are the Owner of the Property involved in this application, particularly the owners of these parcels (county tax IDs) 016-02230-00 ;
06-13-35-000-007, 051-015 and that they hereby acknowledge and consent to the forgoing Application.

Owner printed name**: Charles Edwards

Owner signature**: Charles Edwards

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the Property Owner, who having been duly sworn acknowledged and consents to the execution of the foregoing Application. Subscribed and sworn to before me this 5th day of Dec., 20 22



Notary printed name: Carrie Anne Burcham

Notary signature: Carrie Anne Burcham

My commission expires: _____

** A signature from each party having interest in the property involved in this application is required. If the Property Owner's signature cannot be obtained on the application, then a notarized statement by each Property Owner acknowledging and consenting to the filing of this application is required with the application.

Main St
sidewalk

clerk's office

Town Const. Co.

Utility Office

Police station

(commercial?)
bus

(commercial?)
bus

(commercial?)
bus

Jordan Mealy
appts.

(commercial?)
bus

110'

Market St

Thorn town Utilities
Building

(commercial?)
bus

70'

Sugar Creek Law
office

40'

20'

porch

Alley

house

Alley

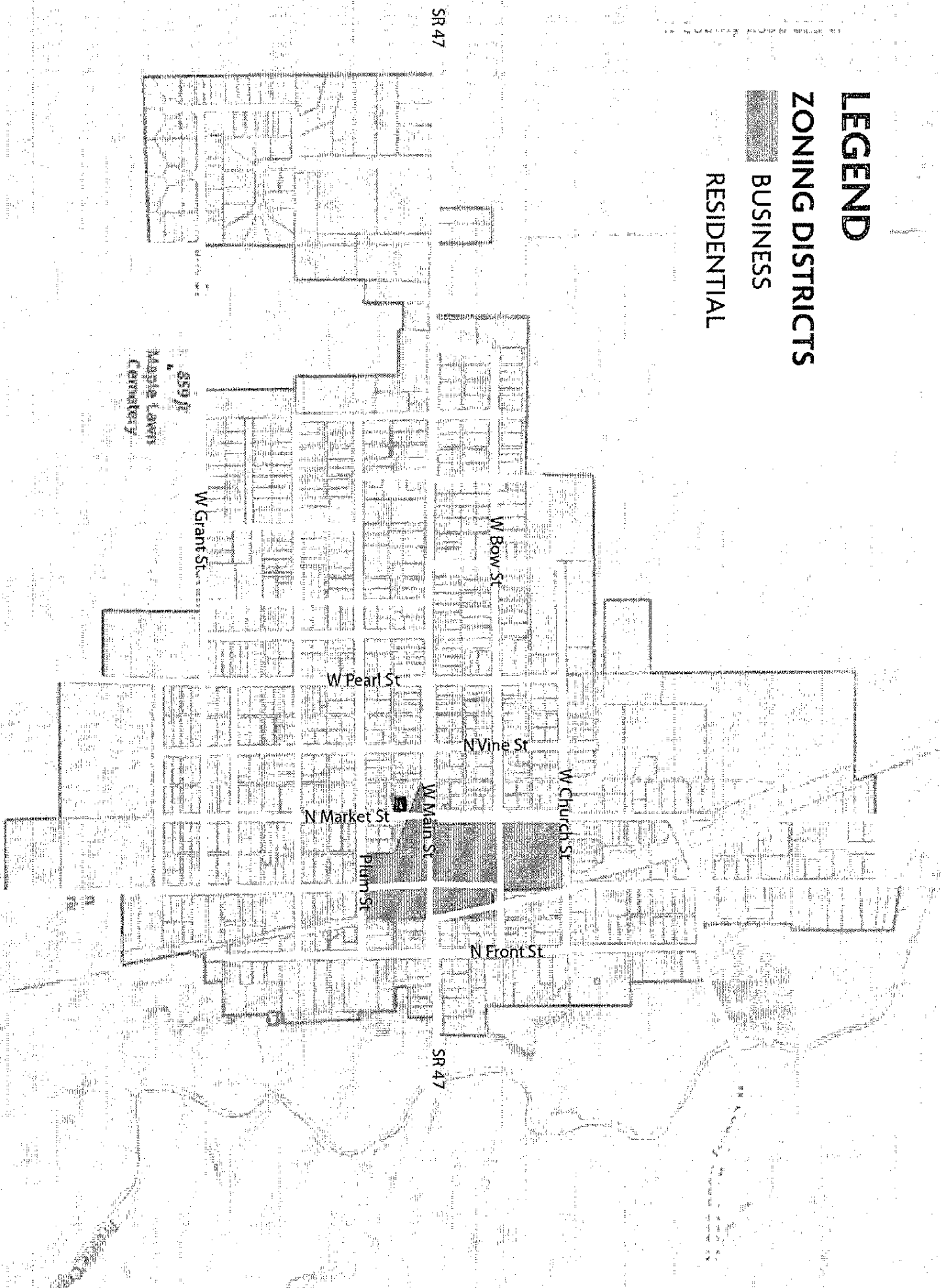
N
↑

LEGEND

ZONING DISTRICTS

 BUSINESS

 RESIDENTIAL



②
18.00
+ 2 NON-TICROSS
MERIDIAN

201200005271

201200005271
Filed for Record in
BOONE COUNTY, INDIANA
MARY ALICE "SAM" BALDWIN, RECORDER
05-23-2012 At 11:22 am.
DEED 21.00

Tax ID No.
016-02230-00
06-13-35-000-007.051-015

Meridian
12-13579
②

WARRANTY DEED

THIS INDENTURE WITNESSETH THAT

Fairfield Rental Properties, LLC, as to an undivided 3/4th interest

CONVEY(S) AND WARRANT(S) TO

Charles A. Edwards, for Ten Dollars and other valuable consideration the receipt whereof is hereby acknowledged, the following described REAL ESTATE in Boone County, in the State of Indiana, to wit:

SEE ATTACHED EXHIBIT "A"

Subject to Real Estate taxes now due and payable and thereafter.

Subject to covenants, restrictions and easements of record.

This deed is executed pursuant to a Power of Attorney from Carolyn J. Broach to Lynette K. Dickerson dated April 26, 2012 and recorded 23rd day of MAY, 2012 as Document No. 201200005270 in the Office of the Recorder of Boone County, Indiana.

Lynette K. Dickerson, upon oath, states that he and/or she has no knowledge of the revocation or termination of the aforesaid Power of Attorney by reason of the death or incompetence of Carolyn J. Broach, grantor of said Power of Attorney as of the date of execution of this deed.

The undersigned person(s) executing this deed on behalf of the Limited Liability Company represent and certify that they are a current member/manager of said Limited Liability Company and have been fully empowered by a proper meeting and vote of the Limited Liability Company members to execute and deliver this deed.

IN WITNESS WHEREOF, the Grantor has executed this deed this 24th day of April, 2012

Fairfield Rental Properties, LLC

Sharon Walter
By: Sharon Walter
Its: MEMBER

Carolyn J. Broach by Lynette K. Dickerson
By: Carolyn J. Broach by Lynette K. Dickerson Her Attorney in Fact
Its: Member POA # 201200005270

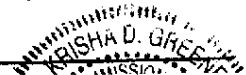
Lynette K. Dickerson
By: Lynette K. Dickerson
Its: Member

State of Indiana, County of Boone ss:

Before me, a Notary Public in and for said County and State, personally appeared its AUTHORIZED SIGNATORIC FAIRFIELD RENTAL PROPERTIES, LLC, Sharon Walter and Lynette K. Dickerson, who acknowledged the execution of the foregoing Deed for and on behalf of said Grantor, and who having been duly sworn, stated that the representations contained therein are true.

WITNESS, my hand and Seal this 24th day of April, 2012

My Commission Expires:



[Signature]
Signature of Notary Public

Legal

EXHIBIT "A"

Property Address: 112 South Market Street, Thorntown, IN 46071

Forty-one and one-half (41 1/2) feet off the South end of Lot Numbered Twenty-five (25) in the Original Plat of the Town of Thorntown, Boone County, Indiana.

ALSO, a part of Lot Numbered Twenty-five (25) in the Original Plat of the Town of Thorntown, Boone County, Indiana, bounded as follows: Commencing 41 feet and 6 inches North of the Southwest corner of said Lot, and run first North 24 feet, thence East 35 feet, thence North 5 feet, thence East to the West line of Market Street, thence South 29 feet, thence West to the place of beginning

STATEMENT OF REASON FOR APPLICATION

I have recently been advised that the property I own at 112 S. Market Street, Thorntown, IN 46071 is zoned residential. I have been advised to apply for permission to obtain an additional address for that location in order to satisfy an existing business which I previously operated on Plum Street, Thorntown, IN for more than 20 years. Thorntown Truck and Auto was located at 222 Plum Street for 20+ years. The structure was built and when I sold it with my partner, it was converted to a residence.

The property at 112 S. Market Street is my wife's law office. We remodeled the property from the ground up. It was near condemnation when we purchased it. My wife's practice has now been there in excess of 10 years. Previously she had her office at 107 W. Main Street. She has been an attorney in Thorntown for almost 40 years. When she left the 107 W. Main Street location, the Town was able to convert it into the police station.

The current location has been a business for several years. Before we converted it to the law office, it had been a commercial rental property with multi family housing. Before that, the location served as the office of Dr. Schaak who practiced here for many years. My wife was told that by David Williams that when he was a young boy, he lived on one side and the other side was a grocery. We have been told the house was moved here and set up as a business. To my wife's recollection the only memory that she has that someone actually lived here was when a former town clerk lived in the house.

Rather than apply for a special exception, I believe it would be more appropriate to ask that the zoning be corrected. The alley next to the building is a natural break. The office in the back is bordered by Thorntown Utility whom the office shares a border. The property is then bordered by the street, the alley and commercial residential multi family rentals. The Town Hall borders the apartments. Across the street is an empty lot; the barber shop/beautician. There are

two residences, and the third residence also operates a bed and breakfast. One block down is a beautician. It is unclear how this property could ever have been zoned residential.

When I sold the car lot location, I hoped to use the address of our barn on Front Street; however, I was advised by the town to consider using the 112 S. Market Street address since it was an already established business. To do that, I needed a companion address, such as 112 ½ or 112B S. Market as both my wife and I need to have a separate address even if it is at the same location. I am generally not opposed to some restrictions. I do believe that if the business was zoned commercial, there generally is not a limited to whether the building can contain more than one business, but I'm willing to work with the town. I will not be storing cars at that location or putting for sale signs on them for viewing on the street. I typically advertise cars online or receive customer calls and then meet the customer either at my lot location or an off-site location. The primary reason for the address is that I am required to have an actual location to meet the licensing requirements from the State. The address is for administration and reporting requirements. Further, entry will likely be from the back. There will be no additional need for parking and there will not be cars actively maintained or parked at the location.

I have operated this business in Thorntown for more than 20 years and my wife has been operating her business for 40 years and I believe that our reputation of operating good businesses for the community speaks for itself. Obviously, we would like to avoid as many costs as possible in accomplishing this request. We pride ourselves in the community service we have provided to the town regarding providing free produce in the summer, Christmas trees given away at Christmas and our local college scholarships awarded with proceeds from the sale of mums and pumpkins in the fall. The less we have to spend in administrative costs simply gets passed on to the community.

My primary request is to receive an address which I can provide to continue the administrative process of maintaining my business. I need an address to satisfy the State. Time is of the essence. My secondary request is to correct the zoning of the property at 112 S. Market as both my wife and I believe it should not have been zoned residential. Since we are just a block behind your office, I would strongly encourage you to look at the location and how close it is to a multitude of businesses.

Sincerely:

Charles Edwards

Deborah K. Smith

REZONE/PUD PRELIMINARY PLAN APPLICATION INFORMATION

PROCEDURE

A. Pre-Filing

Prior to applying, the petitioner shall meet with the Planning Administrator to review the zoning classification of the site, the regulatory Ordinances and materials, and review the procedures. The Planning Administrator will assist and advise the petitioner in preparing the application and supportive documents as necessary.

B. Filing

Submit a filled out application, application packet and payment to the Clerk of Town of Thorntown. Also, email the application packet to planning@thorntown.in.gov. When emailing the packet, please send scanned files of the documents that are signed and notarized. A list of required documents can be found in this document under the "Required Documents at Filing" section.

C. Review

The Planning Administrator will review the application and communicate with the applicant and preferred point(s) of contact regarding the completeness of the application, revisions, the date of the public hearing and any other matters related to the submittal.

TAC Review. If the Planning Administrator or Plan Commission finds a need for a TAC review, the Planning Administrator will notify the applicant about it. TAC review would need to happen before the public hearing to allow sufficient time for the applicant to revise the submittal per TAC comments before the public hearing.

D. Public Hearing Notice

Newspaper Notice

Once the Planning Administrator sets a public hearing date, (s)he will create and send a notice for publishing in the Lebanon Reporter. Applicant's contact information will be provided to the newspaper, so that the latter can contact the applicant regarding the payment. The applicant is responsible for the payment of the published notice.

Mailed Notice

Once the Planning Administrator sets a public hearing date, (s)he will provide a notice template for the applicant to fill out and mail to the adjoining property owners. The applicant is responsible for mailing the notice at least 15 days prior to the public hearing date via Certificate of Mailing. The applicant shall obtain a list of names and last known addresses of the property owners of property adjacent to the subject property to a depth of two properties or 660 feet, whichever is less, of the subject tract(s). This list shall be obtained from the Boone County Auditor's Office.

E. Public Hearing

Plan Commission shall review the submittal at a public hearing meeting and send its recommendation as well as any commitments/conditions to the Town Council. If there is a need for revisions to the submittal before going to the Town Council, the applicant shall accomplish them in timely manner. Town Council will make a final decision at one of its public meetings. The calendar of these meetings is under "Filing Deadline" section of this document.

REQUIRED DOCUMENTS AT FILING

Please, submit a complete application packet that includes the following:

- Application.** Completely filled out application including the pages with notarized signatures of the applicant.
- Property Owner Consent.** If the applicant is different than the owner of the property, then a property owner's consent is required found on page 4 of the application form. If there is a different legal instrument that shows property owners' consent for the applicant to act on behalf of every property owner at various application stages of the project, it may serve in lieu of the "Owner Affidavit" page.
- Legal Description.** If the project site includes several parcels, the legal description of every parcel shall be included.
- Copy of the Deed.** A copy of the latest recorded deed for every parcel within the project shall be provided.
- Filing Fee Payment.** The payment can be provided in cash or by check. The check shall be payable to "The Town of Thorntown". The fee is non-refundable. The fees are:
 - **Rezone:** \$500 plus \$25 per acre.
 - **Zoning commitments modification:** \$300.
 - **PUD Preliminary Plan:** \$800 plus \$25 per acre (residential); \$1000 plus \$50 per acre (non-residential).
 - **PUD Preliminary Plan amendment:** \$500 (text only) or \$500 plus \$50 per acre (all other amendments).
- Vicinity Map.** The vicinity map shall show the subject property as well as adjacent properties surrounding the project site on all sides and located within a 660-foot distance of the project site. The map should include the zoning and use of the surrounding properties.
- Project Narrative.** The narrative should describe the proposed project explaining why a rezone/PUD is needed, what development and use is proposed, describe development character, and what principles are going to be used for development of the project site. If the application is for a rezone, then you can use statements in the zoning ordinance *§152.11.D Standards for Amendments* as a guide of points to cover in the narrative. If the application is for a PUD Preliminary Plan, you can use statements in the zoning ordinance *§152.27.A.7 PUD Principles*.

If the application is for a PUD, the following additional documents are required:

- PUD Ordinance.** The ordinance shall include the zoning standards
- Preliminary Architectural Drawings.** The Preliminary Architectural Drawings shall show the architectural style(s) of the structures to be built at the subject property. The approved preliminary architectural drawings shall represent the architectural standards for the PUD District when the construction plans are submitted for review and approval.
- Concept Plan.** The Concept Plan shall show in general terms the following: major traffic circulation; generalized location of lots, location and dimensions of buildings, structures, parking areas, and landscaping; Open Space and/or community amenity areas; and other details to indicate the character of the proposed development.

REQUIRED DOCUMENTS DURING REVIEW PROCESS

- Revisions.** Any documents revised during the review process shall be submitted electronically at least two (2) weeks before the public hearing date.
- A list of surrounding property owners.** The applicant shall submit this list to the Planning Administrator or his/her designee at least fifteen (15) days before the public hearing.
- Affidavit of mailed notices.** The applicant shall submit a notarized affidavit of notice of public hearing to the Planning Administrator at least three (3) days before the public hearing.
- Certificates of mailing.** The applicant shall provide copies of the certificates of mailing together with the affidavit mentioned above at least three (3) days before the public hearing.
- Proof of newspaper publication.** The applicant shall provide a copy of the proof of publication from Lebanon Reporter to the Planning Administrator at least three (3) days before the hearing.

FILING DEADLINE

The application packet shall be submitted at least 50 days before the Plan Commission public hearing date.

Calendar of Public Hearings (Plan Commission and Town Council)

Below is the schedule of public hearings relevant to this type of application. Note that placement on Council's agenda after Plan Commission hearings will depend on the time needed for the applicant to address the revisions requested by the Plan Commission.

2022 Calendar of Filing Deadlines for Public Hearing Dates

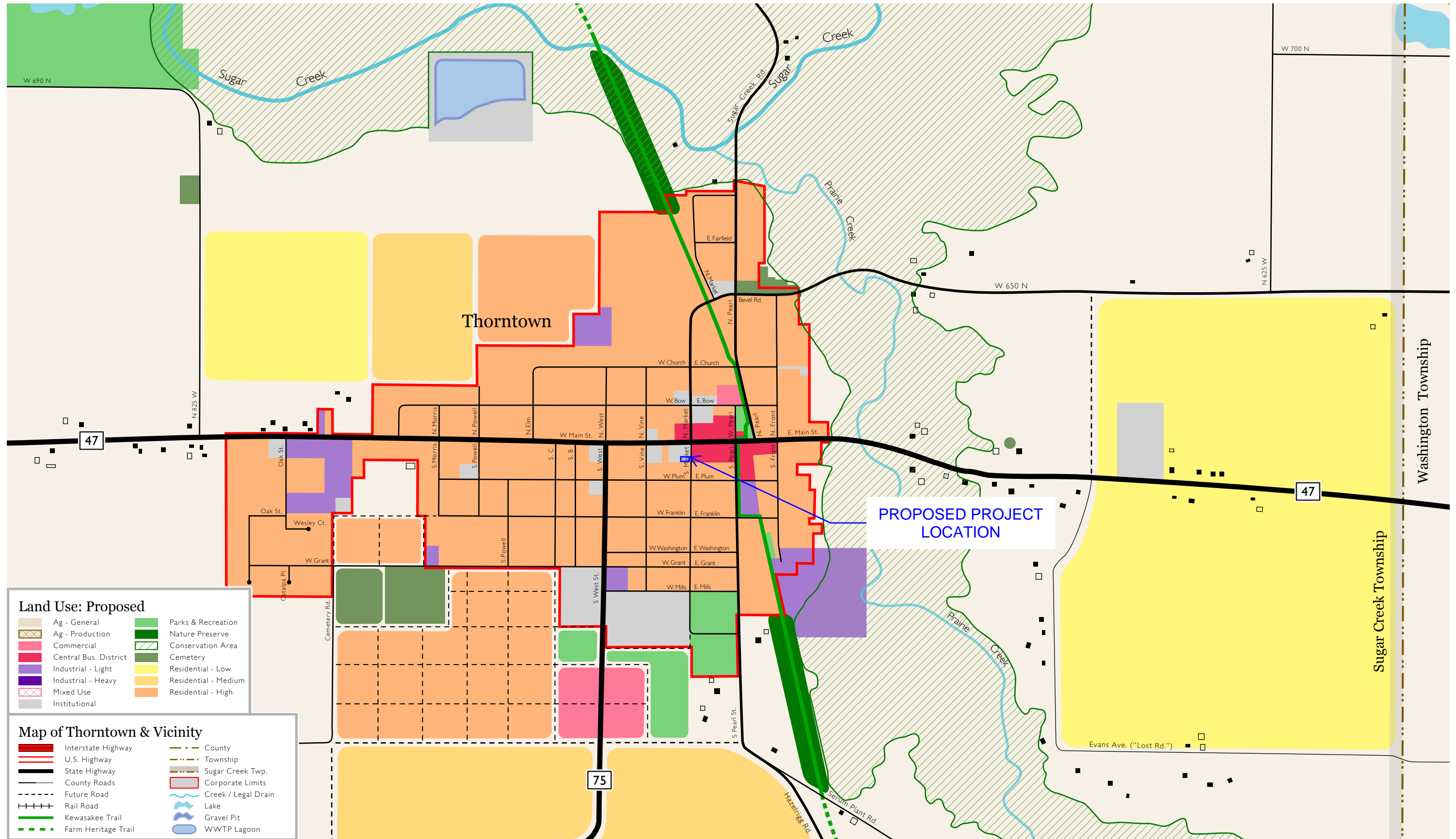
Filing Deadline	Public Notice Deadline	Plan Commission ¹	Town Council ²
August 21	September 25	October 10	October 17 November 7
September 25	October 30	November 14	November 21 December 5
October 23	November 27	December 12	December 19
¹ Plan Commission typically meets every 2 nd Monday of the month at 6 pm at Town Hall.			
² Town Council typically meets every 1 st and 3 rd Monday of the month at 7 pm at Town Hall.			

2023 Calendar of Public Meeting Dates and Filing Deadlines

Filing Deadline	Public Notice Deadline	TAC Meeting	Plan Commission	Town Council* (introduction)	Town Council* (2 nd & 3 rd reading dates)
<i>Fri - 12 pm</i>		<i>Wed - 9 am</i>	<i>Mon - 6 pm</i>	<i>Mon - 7 pm</i>	<i>Mon - 7pm</i>
November 18	December 25	December 14	January 9	December 19 January 2 (off?)	February 6 February 20
December 23	January 2	January 11	February 13	January 16 February 6	March 6 March 20
January 20	February 26	February 15	March 13	February 20 March 6	April 3 April 17
February 17	March 26	March 15	April 10	March 20 April 3	May 1 May 15
March 17	April 23	April 12	May 8	April 17 May 1	June 5 June 19
April 21	May 28	May 10	June 12	May 15 June 5	July 3 July 17
May 19	June 25	June 14	July 10	June 19 July 3	August 7 August 21
June 23	July 30	July 12	August 14	July 17 August 7	September 4 (off?) September 18
July 21	August 27	August 16	September 11	August 21 September 4 (labor day off?)	October 2 October 16
August 18	September 24	September 13	October 9	September 18 October 2	November 6 November 20
September 22	October 29	October 11	November 13	October 16 November 6	December 4 December 18
October 20	November 26	November 15	December 11	November 20 December 4	January 15 February 5

*The dates for Town Council meetings are for the types of cases that need TC's approval: rezone, text amendment, PUD.

EXHIBIT 2. THORNTOWN COMPREHENSIVE PLAN. PROPOSED LAND USE



Land Use: Proposed

Ag - General	Parks & Recreation
Ag - Production	Nature Preserve
Commercial	Conservation Area
Central Bus. District	Cemetery
Industrial - Light	Residential - Low
Industrial - Heavy	Residential - Medium
Mixed Use	Residential - High
Institutional	

Map of Thorntown & Vicinity

Interstate Highway	County
U.S. Highway	Township
State Highway	Sugar Creek Twp.
County Roads	Corporate Limits
Future Road	Creek / Legal Drain
Rail Road	Lake
Kewasakee Trail	Gravel Pit
Farm Heritage Trail	WWTP Lagoon

Map of Proposed Land Use: Thorntown