

**HEARING EXAMINER APPLICATION PACKET
DEPARTMENT OF DEVELOPMENT AND PLANNING**

Check One:

() Creation of New Lots

//

Name of Plat: _____

Location: _____

Proposed Number of Lots: _____ Total Acreage: _____

Proposed Use: _____

Please check to indicate which of the following is the primary contact person for this project. All correspondence will be addressed to the primary contact person, as indicated on the application.

() **Owner:** _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Fax: _____

Email Address: _____

() **Applicant:** _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Fax: _____

Email Address: _____

() **Surveyor:** _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Fax: _____

Email Address: _____

AFFIDAVIT OF OWNERSHIP

To be completed by owner:

I, _____, HEREBY DECLARE THAT I AM THE SOLE OWNER,
(Please Print)

OR HAVE LEGAL POWER OF ATTORNEY, IN WHICH CASE SAID POWER OF ATTORNEY OR A CERTIFIED COPY OF THEREOF IS ATTACHED HERETO, TO REQUEST THE SUBDIVISION APPROVAL ON THE SUBJECT PROPERTY, AND I UNDERSTAND THAT THE MISREPRESENTATION OF SUCH OWNERSHIP AND/OR AUTHORITY, EITHER BEFORE OR AFTER FINAL PLAT APPROVAL, MAY CAUSE THE DENIAL OR VACATION OF SAID SUBDIVISION.

I HEREBY AUTHORIZE _____ TO ACT IN MY CAPACITY AS MY
(Please Print)

AS MY AGENT FOR THE REPRESENTATION AND/OR PRESENTATION OF THIS REQUEST AND I UNDERSTAND THAT IT IS NECESSARY FOR ME OR MY AUTHORIZED AGENT TO BE PRESENT AT THE HEARING EXAMINER MEETING AND/OR THE PLANNING COMMISSION MEETING.

Signature of owner: _____ Date: _____

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To be completed by Applicant/Developer:

I CERTIFY THAT ALL INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I UNDERSTAND MY RIGHTS UNDER THE APPEAL PROCESS.

Applicant's Name: _____
(Please Print)

Applicant's signature: _____ Date: _____

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Appeals of a Hearing Examiner Review action must be made to the Planning Commission. Please contact the Hearing Examiner Review staff for copies of the appeal procedure.

HEARING EXAMINER REVIEW PURPOSE AND ELIGIBILITY

Purpose: As established by Ordinance No. O-129-97, and amended by Ordinance No. O-241-2000, the purpose of the Hearing Examiner Review Process is to permit the administrative review of minor non-controversial developments. All plats must comply with the applicable Unified Development Code (UDC) Regulations.

Creation of New Lots: To qualify for a Hearing Examiner's Review, the property must meet the following criteria:

- The development must create no more than five (5) lots.
- The applicant is not providing for the creation of any new public or private streets.
- The applicant owns no property adjacent to the proposed development, or in the event he does, the applicant shall not have submitted any other application for a subdivision of property from the total property owned by the applicant within one (1) year prior to the current plat.
- The development under review does not exceed five (5) acres.

HEARING EXAMINER REVIEW PROCESS

SUBMITTAL & ELIGIBILITY:

The proposal is submitted to the Development Review staff in accordance with the Hearing Examiner's Checklist, included in this packet. The Development Staff will determine if the submittal is complete and eligible for the Hearing Examiner's Review. Packets which are incomplete or not clearly eligible for the Hearing Examiner's Review will not be placed on the agenda.

If the packet is not complete, the Development Staff will immediately contact the applicant to correct the deficiency. If the packet is not eligible for this review, the Development Staff will immediately contact the applicant to resubmit a packet for full plat review.

PROCESSING FOR THE CREATION OF NEW LOTS:

The agenda will be set in accordance with the attached schedule, or any subsequent update to be done on a yearly basis. All eligible submissions will be placed on the agenda.

Notice will be mailed to the applicant, adjacent property owners, etc., in accordance with the applicable regulations, five (5) days before the scheduled hearing.

During the week between the mailing of notices and the hearing, the Development Review Committee (DRC) membership will review the proposals and return comments to the Development Staff.

The Development Staff will provide the applicant with the proposed conditions of approval. If the applicant agrees to the conditions, as noted by the Hearing Examiner, and no opposition has been raised to the conditions of development, a ruling of tentative approval will be granted. The proposal will then be placed upon the consent agenda of the Planning Commission and the issuance of building permits will be allowed, once all requirements are addressed.

If the proposal encounters opposition, or if the applicant wishes to appeal any requirements set forth by the Hearing Examiner, the proposal will be placed upon the next available Planning Commission Agenda for a full public hearing.

Once all requirements of approval are completed, the plat will be recorded with the Lafayette Parish Clerk of Court.

HEARING EXAMINER'S CHECKLIST

The following items must be submitted for review by the Hearing Examiner:

Creation of New Lots:

- Completed Hearing Examiner Application
- Completed Hearing Examiner Checklist
- Twenty-five (25) folded** copies of the proposed plat (18 x 24 or 24 x 36) no other sizes will be accepted
- One **(1)** copy of the proposed plat on 8 ½" x 11" paper
- Filing Fee - (made payable to Lafayette Consolidated Government):
 - \$500 – Residential Reviews
 - \$1000 – Commercial Review

The following fee will be assessed for:

\$150-Hearing Cancellation at request of applicant/owner/developer

\$150-Hearing Cancellation or rehearing due to lack of public notice (no sign or more than 10% of public notice is returned)

- Recordation Fees – \$135 (or greater, if actual recording costs exceed \$135)
- Affidavit of Ownership completed with owner's signature
- Proof of Ownership of Property
- Any Applicable Power of Attorney document of signature authority documents
- Certification for Subdivision Plat with applicant's and surveyor's signature
- Names and addresses typed on Avery 5160 Mailing Label Format and e-mailed to Leticia Leblanc (leticia@LafayetteLA.gov) of all property owners within 300' of the proposed subdivision. This includes property owners across all adjacent streets as well as mailing labels for the subject property owner/applicant and surveyor. The application will not be placed on the Meeting Agenda without proper mailing labels being received by submittal deadline to the Development Staff.**
- Act of Dedication of Streets and/or Servitudes

All proposed plats shall contain the following information:

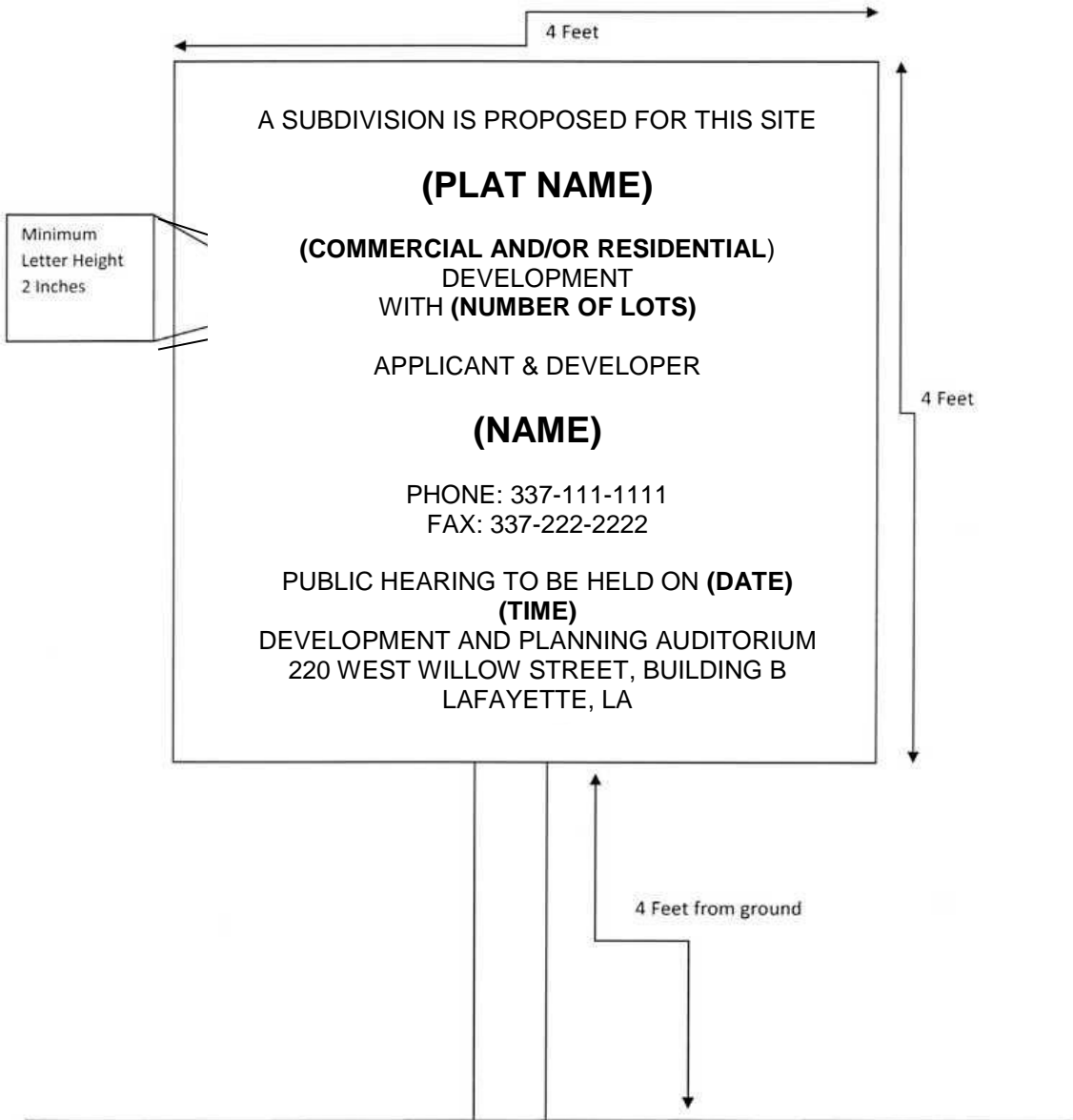
- Section, Township and Range
- North Arrow, both plat and vicinity map must be oriented in the same direction.
- Name, address, and telephone number of property owner(s) and the subdivider
- Names and addresses of all adjacent property owners (including across the street)
- The survey must be a minimum Class C stamped survey with all appropriate metes and bounds located thereon.
- Dimensions and bearings of Lot Lines
- The number of lots
- The total acreage
- Minimum lot frontage and area
- A vicinity map showing the location of the proposed subdivision, and the entirety of the tract to be divided
- A title block which includes the subdivision name, type of subdivision (residential or commercial), scale and preparation date
- Scale (both written and graphic) for the plat and vicinity map
- The names of abutting subdivisions and in the case of abutting unplatted property, the notation "Unplatted"
- Utility legend, indicating source of water, sewer, electrical, etc.
- The location and names of existing roads, watercourses, and easements located in the subdivision and abutting property
- The Surveyor's name, address, stamp and signature
- The location of the one hundred (100) year flood zone
- Distance from the nearest intersection, for accurate addressing

SIGN REQUIREMENTS

NOTE: SIGNS ARE REQUIRED FOR HEARING EXAMINER AND PLANNING COMMISSION APPLICATIONS.

1. Sign must be weatherproof.
2. Sign must be posted in location nearest the public right of way to the proposed development.
3. Sign must be 4'x 4' in size and must be a minimum of 4 feet off the ground when posted.
4. **Sign must be in color green.**
5. Sign must state the following information:
 - A. Name and type of the proposed development or subdivision.
 - B. The total number of proposed lots.
 - C. Applicant/Developer's name, telephone and fax number. Names shall include all principals, partners, shareholders or members of any applicant or developer entity.
 - D. Date, time and location of the public hearing with respect to the proposed subdivision.
 - E. The statement: **"A subdivision is proposed for this site"**.
6. Sign must be posted **seven (7)** days prior to the Hearing Examiner meeting.
7. The Owner/Applicant must e-mail a picture of the sign posted on the property to **kfaber@lafayettela.gov seven (7)** days prior to the Hearing Examiner meeting.
8. Sign must be removed within **seven (7)** working days following the public hearing, unless the decision of the Commission or Hearing Examiner is appealed.

NOTE: IF SIGN IS NOT POSTED TIMELY, THE APPLICATION WILL BE REMOVED FROM THE AGENDA.



PROPOSED DEVELOPMENT SIGN

ACT OF DEDICATION OF SERVITUDE(S)

BE IT KNOWN, that on this ____ day of _____, 20__ before me, the undersigned Notary Public, duly commissioned and qualified as such in and for the aforesaid Parish and State, and in the presence of the undersigned competent witnesses, personally came and appeared:

Who, after being first duly sworn, did depose and declare that:

Appearer is the owner of certain property more fully described as follows, to wit: That certain parcel of ground, together with all improvements thereon, and all rights, ways, privileges, servitudes, advantages and appurtenances thereon and thereunto appertaining to be known and declared as _____ Subdivision, Phase ____, located in the City and/or Parish of Lafayette as shown and set forth in that certain plat of survey prepared by _____, Registered Land Surveyor, dated the ____ day of _____ 20 ____, a copy of which is attached hereto and made a part hereof.

Appearer has submitted the hereinabove-referenced plat of survey to the Lafayette City-Parish Department of Development and Planning in order to have plat approval issued by said Department. In connection therewith and in order to obtain such approval, Appearer does by these presents dedicate, create and establish exclusively in favor of the City-Parish, for the ultimate benefit of the public and any other persons, entities or estates who are given authority by the City-Parish to use same or who as a result of this dedication may derive any benefit there from, any and all rights of way, rights of passage, utility servitudes, drainage servitudes, and all other items shown on the plat of survey referenced herein.

Appearer declares that in connection herewith, Appearer grants a perpetual predial servitude(s) in favor of the City-Parish and such other persons, entities or estates who are given authority by said Government to use the servitudes, rights of passage, rights of way and other items shown on the attached plat of survey, or who may as a result of this grant of servitude derive any benefit there from, and in connection therewith agrees that the City-Parish and any such individuals, entities and estates as are authorized by the City-Parish shall have access to said servitudes for the purpose of constructing, repairing, maintaining, upgrading, improving or otherwise operating any and all utility, drainage and other improvements, and in connection therewith, may, within the confines of said servitudes as shown on the plat, clear brush, trees and other items or obstacles as may interfere with the free use of said servitudes; construct drainage, electric, sewer, and water and other utility facilities; remove all obstacles which would hamper or preclude the exercise of the servitude; and otherwise have full access for the purpose of utilizing and maintaining the servitudes and any improvements hereafter or heretofore constructed therein, or thereon. Appearer agrees to provide for the perpetual maintenance of any and all drainage ditches, including roadside ditches and other sewage receptors of effluent and other discharges from any and all sewer systems, to the extent they have not been accepted for maintenance by Lafayette Consolidated Government, on the property within the subdivision and to perform and have performed all actions necessary to maintain, clean, clear or improve said waste water discharge as necessary and/or required by law.

In connection with the exercise of the use of the servitudes created hereby, the City-Parish, for the ultimate benefit of the public and any other persons, entities or estates, shall have such access as is appropriate or reasonably necessary, both within and without the actual confines of the servitudes, as same are shown on said plat, to access said servitudes in order to maintain same, improve same, construct appropriate improvements, structures and appurtenances with regard thereto, in accordance with the relevant provisions of the Louisiana Civil Code, and in particular Article 745 thereof.

The purpose of this Act is to dedicate to the City-Parish, for the ultimate benefit of the public, all utility servitudes, rights of way and other matters as reflected on the plat of survey and to provide for the use and enjoyment of same by the public. In that regard, however, this dedication is made in favor of the City-Parish, which will have full authority to regulate the use of said servitudes, rights of way, rights of passage and other items shown on said plat. The servitudes shall be subject to full use by the Lafayette City-Parish Consolidated Government and those authorized by it for the purposes for which they are intended by those having the need or responsibility of providing utilities, drainage or other services to the properties or estates to be serviced or benefited by said servitudes, whether contiguous or not.

THUS DONE AND PASSED on the date first hereinabove written, before me, Notary, and in the presence of the undersigned competent witnesses, after due reading of the whole.

WITNESS:

NOTARY PUBLIC

HEARING EXAMINER SCHEDULE – 2019

Meeting Time: 8:30 a.m.
220 West Willow Street, Building B
Lafayette, LA 70501

<u>Submittal Deadline</u>	<u>Post Signs</u>	<u>Comments to Surveyors</u>	<u>Hearing Date</u>
December 19, 2018	January 4, 2019	January 10, 2019	January 11, 2019
January 4, 2019	January 18, 2019	January 24, 2019	January 25, 2019
January 18, 2019	February 1, 2019	February 7, 2019	February 8, 2019
February 1, 2019	February 15, 2019	February 21, 2019	February 22, 2019
February 22, 2019	March 8, 2019	March 14, 2019	March 15, 2019
March 8, 2019	March 22, 2019	March 28, 2019	March 29, 2019
March 22, 2019	April 5, 2019	April 11, 2019	April 12, 2019
April 5, 2019	April 19, 2019	April 25, 2019	April 26, 2019
April 18, 2019	May 3, 2019	May 9, 2019	May 10, 2019
May 3, 2019	May 17, 2019	May 23, 2019	May 24, 2019
May 17, 2019	May 31, 2019	June 6, 2019	June 7, 2019
June 7, 2019	June 21, 2019	June 27, 2019	June 28, 2019
June 21, 2019	July 5, 2019	July 11, 2019	July 12, 2019
July 5, 2019	July 19, 2019	July 25, 2019	July 26, 2019
July 19, 2019	August 2, 2019	August 8, 2019	August 9, 2019
August 2, 2019	August 16, 2019	August 22, 2019	August 23, 2019
August 23, 2019	September 6, 2019	September 12, 2019	September 13, 2019
September 6, 2019	September 20, 2019	September 26, 2019	September 27, 2019
September 20, 2019	October 4, 2019	October 10, 2019	October 11, 2019
October 4, 2019	October 18, 2019	October 24, 2019	October 25, 2019
October 18, 2019	November 1, 2019	November 7, 2019	November 8, 2019
November 1, 2019	November 15, 2019	November 21, 2019	November 22, 2019
November 15, 2019	November 28, 2019	December 5, 2019	December 6, 2019
November 25, 2019	December 13, 2019	December 19, 2019	December 20, 2019

ALL SUBMITTALS ARE DUE TO DEVELOPMENT BY NOON ON THE DAY LISTED