

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

Check One:

Creation of New Lots

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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.

CERTIFICATION FOR SUBDIVISION PLAT

The applicant and the surveyor preparing the subdivision plat which is the subject of this application hereby represents, warrants and certifies to the Lafayette Consolidated Government that:

The information delivered in connection with this application with respect to the names and addresses of the property owners within three hundred (300) feet of the proposed subdivision is true and accurate and that each applicant and surveyor have conducted all necessary investigations to confirm its accuracy. The names and addresses of the owners of the property located within three hundred (300) feet of the proposed subdivision delivered to Lafayette Consolidated Government are true and correct and were obtained from the most current tax rolls as periodically updated by the Lafayette Parish Tax Assessor.

_____	_____
Applicant	Date

_____	_____
Surveyor	Date

In the event the Development Staff or the Commission determines, at any time prior to the action being taken by the Commission with respect to any preliminary plan, that the information (or any portion thereof) contained in the application for preliminary plan approval is incorrect, then the Development Staff or the Commission may deem the application incomplete, and the same shall be returned to the applicant without further action by the Development Staff or the Commission. The Development Staff or the Commission shall not be obligated to further review the application until the information (or any portion thereof) shall be corrected to the satisfaction of the Development Staff.

_____	_____
Applicant	Date

_____	_____
Surveyor	Date

**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 Lafayette Development Code (LDC) 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.

Please note: No action will be taken on the submittal unless the Property Owner, Applicant, and/or Surveyor is present at the meeting.

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 (leticial@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 (due at time of final plat submittal)

All proposed plats shall contain the following information:

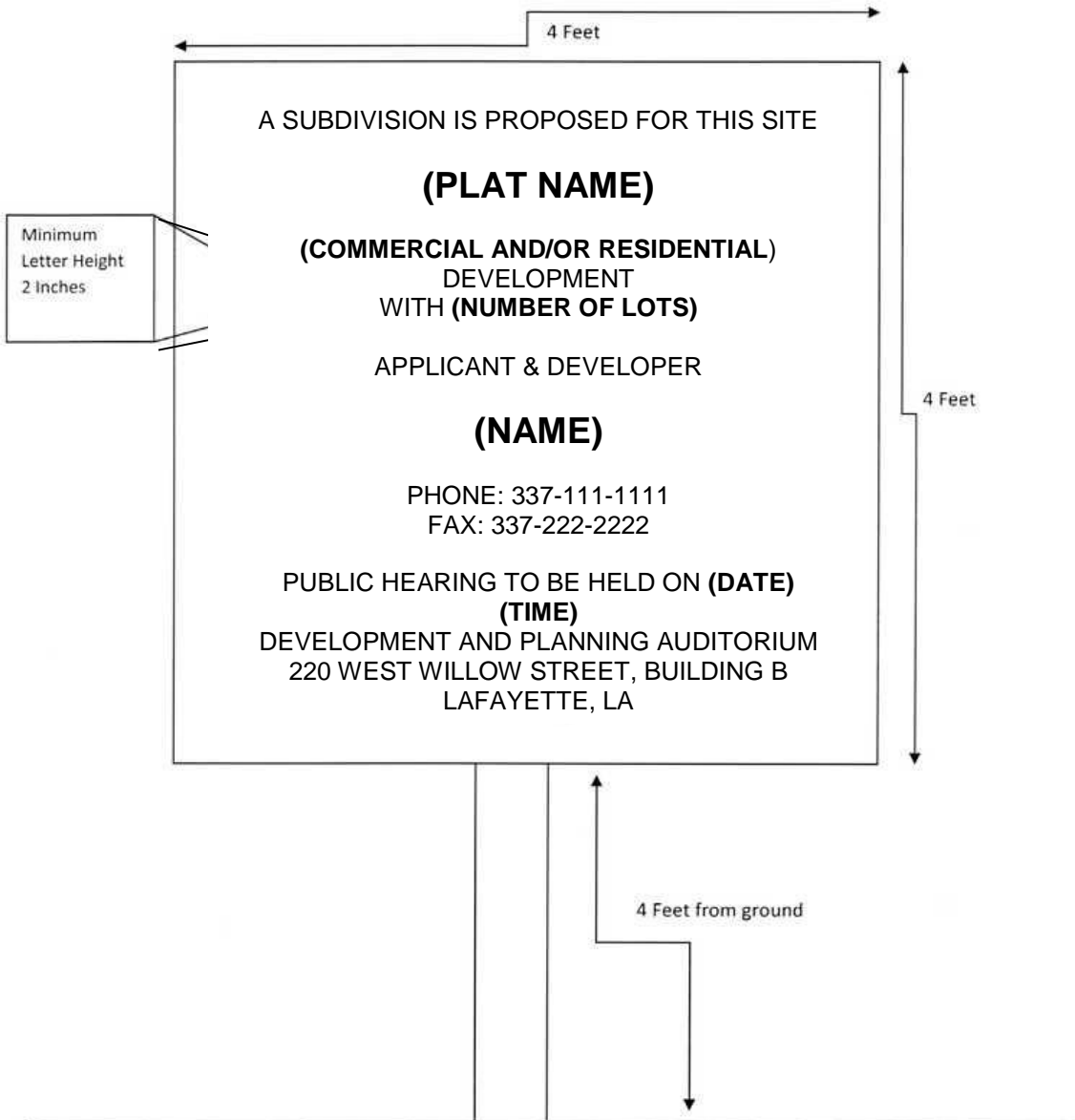
- Section, Township and Range
- North Arrow, both plat and vicinity map must be oriented in the same direction.
- Name, address, and telephone number of property owner(s) and the subdivider
- Names and addresses of all adjacent property owners (including across the street)
- The survey must be a minimum 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

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 or the authorized representative of 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 and attached plat of survey to the Lafayette City-Parish Consolidated Government, Community Development and Planning Department 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 make the following dedications:

- I. Appearer dedicates to the public all roads, streets, alleys, cul-de-sacs, rights of way, rights of passage, and other avenues or routes for ingress and egress, as shown on the plat of survey referenced herein and attached hereto; it being the intention of Appearer to statutorily dedicate same in accordance with La. R.S. 33:5051. The statutory dedication(s) made herein shall not apply to any road, street, alley, cul-de-sac, rights of way, rights of passage or other avenue or route for ingress and egress expressly marked or noted on said plat as being either private, or where the ownership of same is expressly reserved by Appearer. Where ownership of same is expressly reserved by Appearer, the dedication shall result in the grant, by Appearer, of a servitude of public use in and to said roads, streets, alleys, cul-de-sacs, rights of way, rights of passage, and other avenues or routes for ingress and egress in favor of the Lafayette City-Parish Consolidated Government (“City-Parish”).

- II. Appearer further dedicates and grants perpetual predial servitudes in favor of the City-Parish, and such other persons, entities or estates who are given authority by said City-Parish, to use all servitudes, easements, rights of way and other noted areas for public use, as shown on the plat of survey referenced herein and attached hereto, or who may as a result of this grant of perpetual predial servitudes derive any benefit therefrom, and in connection therewith Appearer agrees that the City-Parish, and any such persons, entities and estates as are authorized by the City-Parish, shall have access to said perpetual predial servitudes for the purpose of (i) constructing drainage, electric, sewer, water, gas, traffic control, telecommunication, and other utility facilities; (ii) repairing, maintaining, upgrading, improving or otherwise operating any and all facilities placed in or upon the perpetual predial servitudes dedicated herein. In connection therewith, the City-Parish, and any such persons, entities and estates as are authorized by the City-Parish, may, within the confines of said perpetual predial servitudes, clear brush, trees and other items or obstacles as may interfere with the free use of said perpetual predial servitudes; remove all obstacles which would hamper or preclude the exercise of the perpetual predial servitudes dedicated; and otherwise have full access for the purpose of utilizing and maintaining the perpetual predial servitudes dedicated and any improvements hereafter or heretofore constructed therein, or thereon.

Appearer agrees to provide for the perpetual maintenance of any and all roads, streets, alleys, cul-de-sacs, rights of way, rights of passage, all other avenues or routes for ingress and egress, servitudes, easements, water, sewer, including sewage receptors of effluent and other discharges from any and all sewer systems, drainage, drainage ditches, including roadside ditches, or other items dedicated herein until said items have been formally accepted for perpetual maintenance by the City-Parish. Until such acceptance for perpetual maintenance by the City-Parish, Appearer will perform and will take all actions necessary to maintain, clean, clear or improve said items dedicated as necessary and/or required by law.

In connection with the exercise of the use of the dedicated areas and 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 dedicated areas and servitudes, as same are shown on said plat, to access said dedicated areas and 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.

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:

APPEARER:

Printed Name: _____

Printed Name: _____

NOTARY PUBLIC

HEARING EXAMINER SCHEDULE – 2022

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 17, 2021	December 31, 2021	January 6, 2022	January 7, 2022
December 28, 2021	January 14, 2022	January 20, 2022	January 21, 2022
January 21, 2022	February 4, 2022	February 10, 2022	February 11, 2022
February 4, 2022	February 18, 2022	February 24, 2022	February 25, 2022
February 18, 2022	March 4, 2022	March 10, 2022	March 11, 2022
March 4, 2022	March 18, 2022	March 24, 2022	March 25, 2022
March 18, 2022	April 1, 2022	April 7, 2022	April 8, 2022
April 1, 2022	April 15, 2022	April 21, 2022	April 22, 2022
April 22, 2022	May 6, 2022	May 12, 2022	May 13, 2022
May 6, 2022	May 20, 2022	May 26, 2022	May 27, 2022
May 20, 2022	June 3, 2022	June 9, 2022	June 10, 2022
June 3, 2022	June 17, 2022	June 23, 2022	June 24, 2022
June 24, 2022	July 8, 2022	July 14, 2022	July 15, 2022
July 8, 2022	July 22, 2022	July 28, 2022	July 29, 2022
July 22, 2022	August 5, 2022	August 11, 2022	August 12, 2022
August 5, 2022	August 19, 2022	August 25, 2022	August 26, 2022
August 19, 2022	September 2, 2022	September 8, 2022	September 9, 2022
September 1, 2022	September 16, 2022	September 22, 2022	September 23, 2022
September 16, 2022	September 30, 2022	October 6, 2022	October 7, 2022
September 30, 2022	October 14, 2022	October 20, 2022	October 21, 2022
October 14, 2022	October 28, 2022	November 3, 2022	November 4, 2022
October 28, 2022	November 11, 2022	November 17, 2022	November 18, 2022
November 11, 2022	November 25, 2022	December 1, 2022	December 2, 2022
November 21, 2022	December 9, 2022	December 15, 2022	December 16, 2022

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