

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 (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 (due at time of final plat submittal)

All proposed plats shall contain the following information:

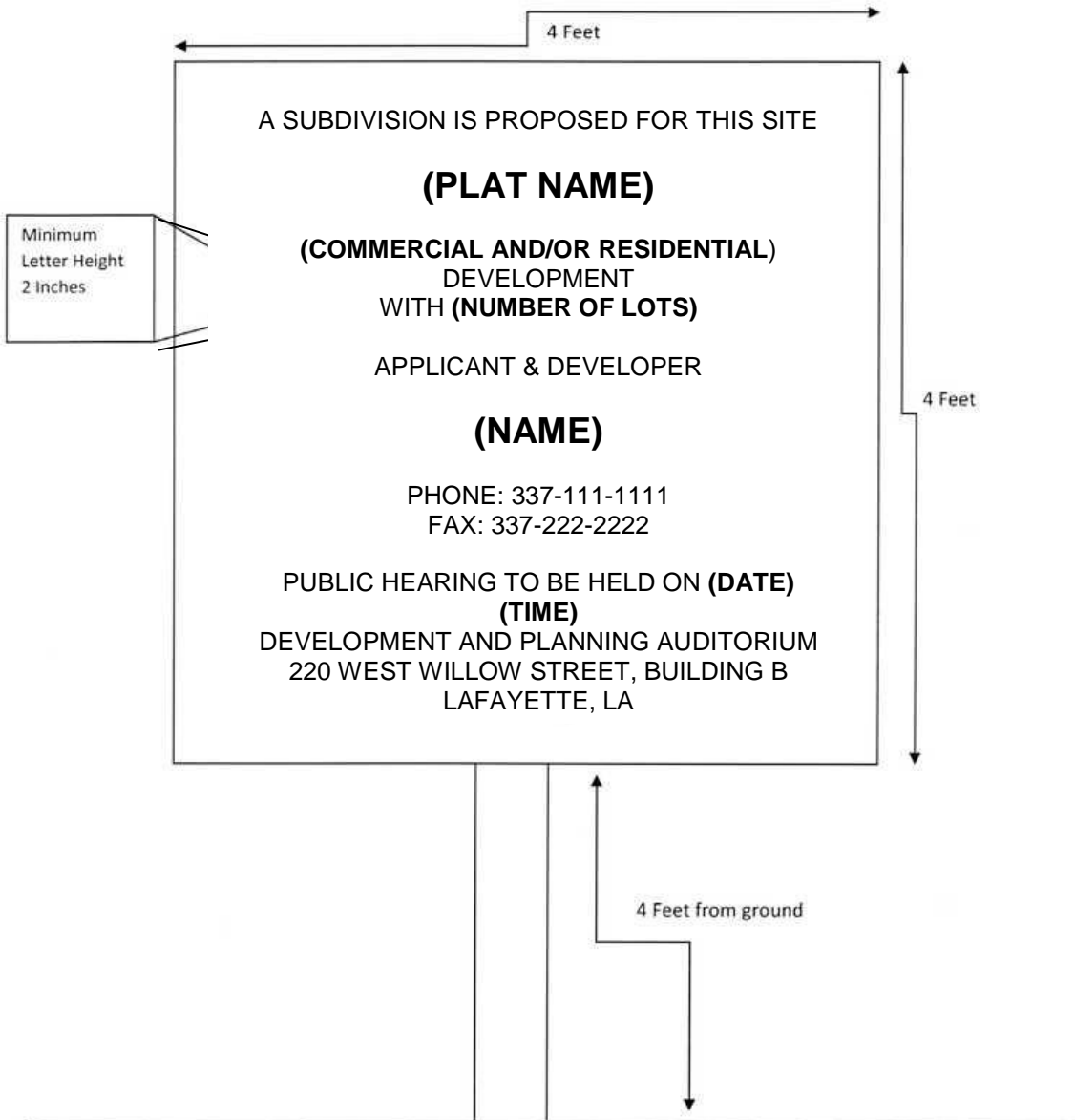
- Section, Township and Range
- North Arrow, both plat and vicinity map must be oriented in the same direction.
- Name, address, and telephone number of property owner(s) and the subdivider
- Names and addresses of all adjacent property owners (including across the street)
- The survey must be a minimum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

OWNER:

NOTARY PUBLIC

HEARING EXAMINER SCHEDULE – 2021

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 14, 2020	January 1, 2021	January 7, 2021	January 8, 2021
December 28, 2020	January 15, 2021	January 21, 2021	January 22, 2021
January 14, 2021	February 5, 2021	February 11, 2021	February 12, 2021
February 5, 2021	February 19, 2021	February 25, 2021	February 26, 2021
February 19, 2021	March 5, 2021	March 11, 2021	March 12, 2021
March 5, 2021	March 19, 2021	March 25, 2021	March 26, 2021
March 19, 2021	April 2, 2021	April 8, 2021	April 9, 2021
March 31, 2021	April 16, 2021	April 22, 2021	April 23, 2021
April 23, 2021	May 7, 2021	May 13, 2021	May 14, 2021
May 7, 2021	May 14, 2021	May 27, 2021	May 28, 2021
May 21, 2021	June 4, 2021	June 10, 2021	June 11, 2021
June 4, 2021	June 18, 2021	June 24, 2021	June 25, 2021
June 25, 2021	July 9, 2021	July 15, 2021	July 16, 2021
July 9, 2021	July 23, 2021	July 29, 2021	July 30, 2021
July 23, 2021	August 6, 2020	August 12, 2021	August 13, 2021
August 6, 2021	August 20, 2021	August 26, 2021	August 27, 2021
August 20, 2021	September 3, 2021	September 9, 2021	September 10, 2021
September 2, 2021	September 17, 2021	September 23, 2021	September 24, 2021
September 17, 2021	October 1, 2021	October 7, 2021	October 8, 2021
October 1, 2021	October 15, 2021	October 21, 2021	October 22, 2021
October 15, 2021	October 29, 2021	November 4, 2021	November 5, 2021
October 29, 2021	November 12, 2021	November 18, 2021	November 19, 2021
November 12, 2021	November 26, 2021	December 2, 2021	December 3, 2021
November 22, 2021	December 10, 2021	December 16, 2021	December 17, 2021

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