

# Wells County Area Plan Commission

223 W. Washington St. Bluffton, IN 46714

PH: (260) 824-6407 FAX: (260) 824-6415

E-MAIL: [GIS@wellscounty.org](mailto:GIS@wellscounty.org)

## Requirements for Filing for a Pond Review

Filing and Meeting dates are available at the Area Plan Commission Office and the Wells County Area Plan Commission Website (<http://www.wellscounty.org/apc.htm>)

### 1. FEES

- a. Filing Fee \$60.00 (payable to the Wells County Area Plan Commission)
- b. Public Advertisement Sign Fee \$15.00 (payable to the Wells County Area Plan Commission)

### 2. FILING

- a. Filled out and Signed Petition
- b. Drawing to scale of proposed pond with dimensions and existing structures.
  - i. All ponds have a fifty (50) foot side, rear, and front yard setback.
- c. Copy of the Current Deed
- d. Status of any applicable permits from other regulatory agencies
- e. Copy of the Notice of Agricultural Activity Form.
- f. If petition is not signed by legal owner(s) then applicable Power of Attorney, Trust documents, and/or death certificate(s) are required.

### 3. PERMITTING

- a. Staff Development Plan approval of the Pond must be granted prior to applying for an Improvement Location Permit.

\*All Fees Are Not Refundable

\*As a Petitioner you are responsible for reviewing the Wells County Zoning Ordinance and Subdivision Control Ordinance Requirements for your Petition. The Area Plan Commission Office staff will be available to answer any questions you may have.

\*A COMPLETE FILING DOES NOT GUARANTEE APPROVAL. (THE FILING MUST MEET THE APPLICABLE REQUIREMENTS OF THE WELLS COUNTY ZONING AND SUBDIVISION CONTROL ORDINANCE TO BE APPROVED.)

## Findings of Fact and Ruling Document

PETITION FOR A POND APPROVAL: \_\_\_\_\_  
(To be filled out by the Area Plan Commission Office)

OWNER OF REAL ESTATE (Petitioner): \_\_\_\_\_  
(Owner's Name as shown on the Current Deed of Record)

ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE #: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

LOCATED AT: \_\_\_\_\_  
(Address or Adjoining Street Names, "Ex. 100 N between 300 E and 400 E")

DESCRIPTION: \_\_\_\_\_  
(Brief Legal Description of Parcel, "Ex. 40 A in the NE ¼ of S12-25N-12E")

CURRENT ZONING CLASSIFICATION: \_\_\_\_\_  
(Use [www.wellscountygis.org](http://www.wellscountygis.org) or contact the Plan Commission Office for Information)

PROPOSED POND "Petition": \_\_\_\_\_  
(Brief Description of the Petition, "Ex. 1/3 Acre or 200' X 100'")

PRINT DATE: \_\_\_\_\_  
(Date the document was filled out)

**To Be Filled Out By the Petitioner**

\_\_\_\_\_  
Signature Date Signature Date

\_\_\_\_\_  
Signature Date Signature Date

(This petition must be signed by 50% of the owners/sellers. If the power of attorney or the trustee is filing this petition then the proper paperwork shall be submitted proving their title to the Area Plan Commission)

**To Be Filled Out By the Area Plan Commission Office**

**(FOR OFFICE USE ONLY)**

Board of Zoning Appeals Variance(s): \_\_\_\_\_

Area Plan Commission / Plan Commission Staff Waiver(s): \_\_\_\_\_

Conditions or Commitments: \_\_\_\_\_

**Plan Commission Staff Approval Only**

Wherefore, based upon the above findings of fact and the Petition for a Development Plan by "Petitioner" is hereby granted.

Granted this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_

Michael W. Lautzenheiser, Jr.

Wells County Area Plan Commission

Executive Director

**ACTIVITY**

TO: ALL PETITIONERS IN AGRICULTURAL ZONED AREAS OF **WELLS** COUNTY, INDIANA

This notice is given to you because of your petition to move into an area of **Wells** County that is zoned for Agriculture.

The purpose of this notice is to assure you are aware that all agricultural operations are allowed in this area. Agricultural activity may include, but is not limited to, grazing of livestock, confined feeding of livestock, application of animal manure to land, application of herbicides and pesticides to fields and growing crops, creation of dust from field operations and noise from livestock and machinery operations which includes the drying and transportation of grain, sometimes with machinery that has a "Slow Moving Vehicle" emblem on it, meaning it is traveling at 25 mph or less.

People who choose to live in these areas must understand that agricultural operations may be occurring nearby. You must also understand that Indiana has a "RIGHT TO FARM" law that protects farm operations from unwarranted nuisance suits by neighbors who move next to an existing farm operation. Farm operations do not constitute a nuisance so long as they are not negligently maintained, do not endanger human health and do not cause bodily injury to third parties.

By signing this notice form you verify that you have received it, read it and understand it. You are not giving up the right to seek redress for negligence by individuals associated with a farm operation or by other residents of the area.

_____ Signature	_____ Date	_____ Signature	_____ Date
_____ Signature	_____ Date	_____ Signature	_____ Date
_____ Signature	_____ Date	_____ Signature	_____ Date

**(This document must be signed by the 50% of the owner/seller and buyer whe**