

City of Elkhart

Wireless Communication Facility (WCF) Permit Process (Structures over 70 feet in height)

1. A petition for Wireless Communication Facility is submitted to the Plan Commission or Board of Zoning Appeals depending on the location's zoning district through the Office of Planning and Zoning. Petition includes application for Wireless Communication Facility including Affidavits, legal description, property owner's list, any drawings describing the project, and an application fee in the amount shown on the Fee Schedule. Please make your check payable to the City of Elkhart.
2. Wireless Communication Facility case preparations are made for Public Hearing by Planning Services Division staff
 - Legal advertisement is prepared and sent to The Elkhart Truth to be published 10 days prior to Plan Commission meeting.
 - Public letters sent to all property owners within 300 feet of proposed Wireless Communication Facility. A reminder letter is sent to petitioner and/or property owner(s).
 - Staff report is prepared by Planning Services staff.
 - If necessary, radio frequency and feasibility study is conducted by an independent consultant. Planning Services staff may require a fee of up to \$3000.00 payable to the City of Elkhart for the purposes of conducting a radio frequency and/or feasibility study with an independent consultant.
3. Plan Commission meeting/public hearing is held. Planning Services staff (and independent consultant if necessary) presents the staff report and a final vote is made by the Plan Commission for approval or denial of the Wireless Communication Facility.
4. **4A.** A Zoning Clearance is issued by the Planning Services staff. A representative for the owner signs Certificate of Occupancy statement on reverse side of Zoning Clearance.
4B. Applicant referred to Public Works to determine if a driveway/curb cut permit is required, Board of Works approval of curb cut/drive locations must be given at a regular Tuesday meeting.
5. A Building permit is issued by the Building Department once a proposed development has passed the Building Department Local Plan Review (LPR), a Zoning clearance is issued, and building permit fees are paid.
6. Required inspections are conducted by the Building Department and Planning and Zoning staff prior to occupancy.
7. A Certificate of Occupancy (CO) is issued by the Building and Code Enforcement Department.
8. Wireless communication facility may be operated.

PETITION NUMBER: _____

Date Filed: _____

PETITION to the PLAN COMMISSION

Petition Type:

_____ Rezoning*	_____ PUD*	_____ PUD Amendment*
_____ Annexation*	_____ Final Site Plan	_____ Subdivision
_____ Wireless Communications Facility		

* denotes that this action requires final approval from the Common Council

Property Owner(s): _____

Mailing Address: _____

Phone: _____ email: _____

Contact Person: _____

Address: _____

Phone: _____ email: _____

Subject Property Address: _____

Zoning: _____ Present Use: _____

Proposed Use: _____

Checklist (✓) for submittal of the Petition to the Plan Commission docket: you must include:

- One copy of the required Petition Letter signed in ink by the owner of the property.
- A completed Petition form signed by the legal owner of record.
- If any other person other than the legal owner or the legal owner's attorney files the appeal, written authorization from the property owner must be supplied.
- A full and accurate legal description of the property.
- List of property owners within a 300 radius of the property obtained from the Auditor's office.
- One to scale drawing of the property, smaller than 11" x 17". If larger than 11" x 17", 12 copies must be submitted.
- Cash or check made payable to the City of Elkhart.
- Any other information listed in the Instructions and Filing Procedure for your type of Petition.

Optional: any supplementary information you wish to include.

NOTE: The petitioner is the legal property owner of record, or a certified representative, and agrees the above information is accurate. Failure to provide a legal signature or accurate information will make this application null and void.

PROPERTY OWNER(S) (PRINT) _____

SIGNATURES _____

RECEIVED BY: _____ DATE: _____

Remit To:
CITY OF ELKHART – OFFICE OF PLANNING & DEVELOPMENT – Planning Services Division
Municipal Building, 229 S. Second Street, Elkhart, Indiana 46516

(staff to complete)

Ordinance Requirement: Sections(s): _____

MAP #: _____ AREA: _____

City of Elkhart

APPLICATION FOR WIRELESS COMMUNICATION FACILITY

Project Name _____

Property address (as assigned by the Planning Services Division)

Lessee's name, address, and phone number (if applicable) _____

Owner Name, address, and phone number _____

Parcel ID (Tax key ID Number, ex. 04-22-210-009) _____

Zoning _____ Current use of subject property _____

Tower Enclosure Area _____ Tower Height _____

THE FOLLOWING INFORMATION MUST BE SUBMITTED IN ADDITION TO THE APPLICATION (CHECK ALL ITEMS THAT ACCOMPANY THIS APPLICATION):

- An accurate scaled site plan showing property and tower enclosure lines and dimensions, building/environmental enclosure dimensions, yard setbacks, distances to adjoining buildings, and required fencing and landscaping must be submitted. A legal description must be attached to the site plan.
- A collocation agreement, allowing additional users to locate on your tower if a permit is granted. This must include a general marketing plan to promote collocation of other wireless communication facility users. The plan should include methodology to determine reasonable rates to be charged to other providers.
- WRITTEN proof that no other collocation opportunities exist in the area of the proposed tower, including required distance separation between towers, graphical depiction of user's current antenna locations, and graphical depiction of other towers (or structures that could support an antenna) in the service area. An explanation why existing towers and structures cannot accommodate your antenna. Applicant must also provide WRITTEN proof that a good faith effort has been made to inquire about other existing tower locations, including a list of names, addresses and telephone numbers of the owners of such facilities.
- If the proposed tower is to be located within 20,000 feet of any Elkhart Municipal Airport runway as shown in the Elkhart Municipal Airport Master Plan (Page 5 of 9) a Federal Aviation Administration (FAA) Form 7460-1 must be filed, and the tower location and height approved by the FAA, prior to Plan Commission review (IC 8-21-10 Regulation of Tall Structures).

I have read and understand all of the above requirements and hereby certify that the information and supplements to this application are accurate.

Submitted by: _____ Date: _____

IN THE CITY OF ELKHART PLAN COMMISSION

Wireless Petition No.

AFFIDAVIT OF

_____, authorized representative of _____, petitioner before the Elkhart City Plan Commission for Wireless Petition No. ____ having been first duly sworn upon his/her oath, states as follows:

1. I am an adult.
2. I am an authorized representative of _____ and permitted to make the representations herein on their behalf.
3. There are no other technologically feasible collocation opportunities existing within a one (1) mile radius of the base of the proposed wireless communication facility. Attached hereto as exhibit "A" is proof that a good faith effort has been made to investigate all technologically feasible collocation opportunities as shown on the map provided by the Elkhart City Office of Planning and Zoning, including the names, addresses and telephone numbers of all owners of wireless communication facilities to whom inquiries have been made pertaining to possible collocation of the proposed wireless facility.
4. Attached hereto as exhibit "B" is proof of _____'s assent to allow and reasonably market collocation opportunities to other wireless communication providers, including:
 - a. Our policy regarding collocation of other providers.

- b. The methodology to be used by the applicant in determining reasonable rates to be charged.

I affirm under the penalties for perjury that the foregoing representations are true and correct to the best of my knowledge.

Dated this _____ day of _____, 20 .

Authorized representative of

2021 ELKHART CITY PLAN COMMISSION CALENDAR

File by Date

Friday, December 11, 2020

Friday, January 8, 2021

Friday, February 5, 2021

Friday, March 5, 2021

Friday, April 9, 2021

Friday, May 7, 2021

Friday, June 11, 2021

Friday, July 9, 2021

Friday, August 6, 2021

Friday, September 10, 2021

Friday, October 8, 2021

Friday, November 5, 2021

Friday, December 10, 2022

Meeting Date

Monday, January 4, 2021

Monday, February 1, 2021

Monday, March 1, 2021

Monday, April 5, 2021

Monday, May 3, 2021

Monday, June 7, 2021

Tuesday, July 6, 2021

Monday, August 2, 2021

Tuesday, September 7, 2021

Monday, October 4, 2021

Monday, November 1, 2021

Monday, December 6, 2021

Monday, January 4, 2022

Note: All meetings are held in the Council Chambers, 2nd floor, City Municipal Building at 1:45 p.m., the 1st Monday of each month, unless indicated.

Reviewed and adopted by the Elkhart City Plan Commission at its regular meeting on December 7, 2020.

Jeffrey Shaffer, President

Dave Osborne, Vice President

2021 ELKHART CITY BOARD OF ZONING APPEALS CALENDAR

File by Date

Meeting Date

Friday, December 11, 2020

Thursday, January 14, 2021

Friday, January 15, 2021

Thursday, February 11, 2021

Friday, February 12, 2021

Thursday, March 11, 2021

Friday, March 12, 2021

Thursday, April 8, 2021

Friday, April 9, 2021

Thursday, May 13, 2021

Friday, May 14, 2021

Thursday, June 10, 2021

Friday, June 11, 2021

Thursday, July 8, 2021

Friday, July 9, 2021

Thursday, August 12, 2021

Friday, August 13, 2021

Thursday, September 9, 2021

Friday, September 10, 2021

Thursday, October 14, 2021

Friday, October 15, 2021

Wednesday, November 10, 2021

Friday, November 12, 2021

Thursday, December 9, 2021

Friday, December 10, 2021

Thursday, January 13, 2022

Note: All meetings are held in the Council Chambers, 2nd floor, City Municipal Building at 6:00p.m., the 2nd Thursday of each month unless indicated.

Reviewed and adopted by the City of Elkhart Board of Zoning Appeals at its regular meeting December 10, 2020.

Doug Mulvaney, Chair

Ron Davis, Vice-Chair