

Town of Zionsville
Petition for Subdivision Plat Approval

**Application Packet
And
General Instructions**

Town of Zionsville

Petition for Plan Commission Approval

Office Use Only

Petition No.: _____

Hearing Date: _____

Recommendation: _____

1. SITE INFORMATION:

Address of Property: _____

Existing Use of Property: _____

Current Zoning: _____ Name of Subdivision: _____

Area in acres: _____ Number of lots: _____

2. PETITIONER/PROPERTY OWNER

Petitioner:

Name: _____

Address: _____

Phone: _____

Fax: _____

E-Mail: _____

Owner (If different from Petitioner):

Name: _____

Address: _____

Phone: _____

Fax: _____

E-Mail: _____

3. PETITIONER'S ATTORNEY/CONTACT PERSON AND PROJECT ENGINEER (IF ANY):

Attorney / Contact Person:

Name: _____

Address: _____

Phone: _____

Fax: _____

E-Mail: _____

Project Engineer / Architect:

Name: _____

Address: _____

Phone: _____

Fax: _____

E-Mail: _____

4. APPROVALS REQUESTED:

Primary Plat Secondary Plat

Minor Plat RePlat

Waivers of Subdivision Control Ordinance Requirements (*Describe specific waivers being requested and reasons for the request. Attach additional pages if necessary*):

5. ATTACHMENTS:

- Legal description of property
- Owner's Authorization (if petitioner is not the owner)
- Copy of Covenants (if proposed)
- Application Fee

- Proof of Ownership (copy of Warranty Deed)
- Copies of the Proposed Plat
- Draft of Proposed Legal Notice
- Road Impact Calculation Form

The undersigned, having been duly sworn on oath states the above information is true and correct as (s)he is informed and believes. Further, the applicant understands that this project may be assigned Engineering and Stormwater review fees, which are payable upon invoicing. Road Impact Fees are payable upon Improvement Location Permit release.

Signature of Owner or Attorney for Owner: _____

Date: _____

State of _____)

SS

County of _____)

Subscribed and sworn to before me this _____ day of _____, _____.

_____/_____
Notary Public Signature / Notary Public Printed

My commission expires _____

My county of residence is _____ County.

My Commission No. is _____

PETITION FOR SUBDIVISION PLAT APPROVAL PROCEDURES AND REQUIREMENTS:

SUBMISSION OF PETITION FOR SUBDIVISION PLAT APPROVAL:

1. A complete Petition for Subdivision Plat Approval (“petition”) must be submitted by **3:00 PM** a minimum of **45 days for a minor plat and 60 day for a major plat** prior to the initial hearing before the Plan Commission.
2. **Only complete Petitions will be docketed for the next Plan Commission meeting.** If a Petition is incomplete by filing deadline, the Petition will not be docketed until the Petitioner submits a complete Petition.
3. Ten sets of the following information must be submitted with the notarized Petition:
 - Legal description of property (Metes and bounds description must include a perimeter survey, drawn to scale – or– recorded subdivision legal description must include lot number, section number, subdivision name, either the plat book number of the recorded instrument number and a copy of the plat map.)
 - Proof of Ownership (copy of deed)
 - Owner’s Authorization (if Petitioner is not the owner)
 - Proposed Plat
 - Covenants (if proposed)
 - Draft of proposed Legal Notice (Primary Plats only)
 - Application Fee (Make checks payable to the Town of Zionsville)

PUBLIC HEARING NOTIFICATION:

Notice of Public Hearing for Primary Plat is to be completed as set forth in the Zoning Ordinance and Rules of Procedure for the Plan Commission. The procedures relating to notification of public hearings that are contained in this Packet are provided for convenience purposes only.

1. Approval of Notice: The Petitioner shall submit a proposed Notice of Public Hearing with its petition for review and approval by the Secretary of the Plan Commission.
2. Notice by Publication: Petitioner shall submit the approved Notice of Public Hearing to the Zionsville Times Sentinel to be **published at least 10 days prior** to the Public Hearing. The petitioner shall bear the cost of publishing the Legal Notice. The Secretary of the Plan Commission will provide the Petitioner with the filing and publication deadlines for the Legal Notice.
3. Notice by Mailing: The Petitioner is to send the approved Notice of Public Hearing to each interested party via certified mail with return receipt requested at least ten(10) days prior to the Public Hearing. Generally, all owners of adjoining parcels to a depth of one (1) ownership surrounding the perimeter of the area described in the Petition, and any owners of property within the area included in the Petition who are not Petitioners are to be notified. Please review the Rules of Procedure of the Plan Commission to ensure proper notification is given. The names and addresses of Interested Parties should be obtained from the Boone County Auditor's Office.
4. Affidavit of Notice: At least three (3) days prior to the Public Hearing, an Affidavit of Notice of Public Hearing must be completed and submitted to the Secretary of the Plan Commission. Copies of all "Receipt for Certified Mail" (white slips) shall be filed with the Affidavit of Notice of Public Hearing. The originals of the "Domestic Return Receipts" (green cards) shall be filed with the Secretary upon the later of: the public hearing or receipt by the Petitioner.

PETITION REVIEW PROCEDURES

1. Prior to acceptance, the Petition will be reviewed for completeness.
2. Once complete, the Petition will be docketed for the next Plan Commission meeting. The petitioner shall be responsible for delivering the Legal Notice (after it has been approved) to the Zionsville Times Sentinel for publication and for sending the Legal Notice to all Interested Parties.
3. The Petition and all supporting documentation will be forwarded to the Plan Commission members.
4. The Secretary, members of the Plan Commission's staff or advisors to the Plan Commission may submit a written report, stating any facts concerning the physical characteristics of the area involved in the Petition, together with a recital of surrounding land use and public facilities available to service the area, or other pertinent facts. A copy of such statement shall be made available to the Petitioner and all remonstrators of record, if any.
5. The Plan Commission typically meets on the third Monday or each month at 7:00 p.m. in the Town Hall located at 1100 West Oak Street, Zionsville, Indiana 46077.
6. The Petitioner or remonstrators may request continuation of the Public Hearing at or one week prior to the Plan Commission meeting.
7. The Petitioner, Petitioner's attorney, or someone authorized by the Petitioner must be present at the Public Hearing to make a presentation of the Petition to the Plan Commission.
8. At the Public Hearing, the Plan Commission may continue the Public Hearing or may approve or deny the plat.

OWNER'S AUTHORIZATION

The undersigned, _____, being the owner of the property commonly known as _____, hereby authorize(s) _____ to file a Petition for (zone map change / variance / special exception / subdivision plat approval / other) for the aforementioned property.

By: _____ (Authorized signature) - or - _____ (print owner name)

(Printed name)

(Title)

State of _____)

County of _____) SS:

Subscribed and sworn to before me this _____ day of _____, _____.

Notary Public Signature

Notary Public Printed

My commission expires _____

My county of residence is _____ County.

My Commission No. is _____

**NOTICE OF PUBLIC HEARING
BY THE TOWN OF ZIONSVILLE PLAN COMMISSION**

Notice is hereby given of a Public Hearing to be held by the Town of Zionsville Plan Commission on Monday, _____ at 7:00 p.m. in the Zionsville Town Hall, 1100 West
(DATE OF PUBLIC HEARING)

Oak Street, Zionsville, Indiana 46077 to consider the following:

_____, _____ requests Primary
(PETITION NUMBER) (NAME OF PETITIONER)

Plat approval for the division of _____ acres into _____ lots for a
subdivision to be known as _____ (including
waiver(s) of the Subdivision Control Ordinance to allow for: (DESCRIPTION OF WAIVER)

The property involved commonly known as: _____,
(COMMON ADDRESS)

is currently zoned to the _____ zoning district, and is legally described as:

(INSERT LEGAL DESCRIPTION OF PROPERTY)

A copy of the Petition for Primary Plat Approval and all plans pertaining thereto are on file and may be examined prior to the Public Hearing from 8:00 a.m. to 4:00 p.m. Monday through Friday, except for holidays, in the Office of Planning and Development at the Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077. Written comments in support of or in opposition to the Petition for Plan Commission Approval are filed with the Secretary of the Town of Zionsville Plan Commission prior to the Public Hearing will be considered. The Public Hearing is open to the public. Oral comments to the Petition for Plan Commission Approval will be heard at the Public Hearing.

The Public Hearing may be continued from time to time as may be found necessary.

Upon request, the Town of Zionsville will provide auxiliary aids and services. Please provide advance notification to the Technology Department, assistance@zionsville-in.gov or 317-873-1577, to ensure the proper accommodations are made prior to the meeting.

(President)

(Secretary)

PUBLISH: Newspaper of General Circulation

**AFFIDAVIT OF NOTICE OF PUBLIC HEARING
OF THE TOWN OF ZIONSVILLE PLAN COMMISSION**

STATE OF _____)

COUNTY OF _____) SS:

I, _____, DO HEREBY CERTIFY THAT LEGAL NOTICE
(Name of person mailing letters)
TO INTERESTED PARTIES OF THE PUBLIC HEARING TO BE HELD BY THE TOWN OF ZIONSVILLE
PLAN COMMISSION, to consider the application of _____
(Name of person on Petition)

Requesting: _____

was sent by CERTIFIED MAIL, RETURN RECEIPT REQUESTED, to each of the following property owners at the following addresses:

OWNER

ADDRESS

and that said Legal Notices were sent by Certified Mail, Return Receipt Requested on or before the _____ day of _____, 20____, being at least ten (10)days prior to the date of the Public Hearing (copies of the "Receipt for Certified Mail" (white slips) attached).

and that said Legal Notice was published in a newspaper of general circulation at least ten (10) days prior to the date of Public Hearing (Proof of Publication attached).

(Name of person mailing letters)

State of _____)

County of _____) SS:

Subscribed and sworn to before me this , day of _____ , _____ .

_____/_____
Notary Public Signature / Notary Public Printed

My commission expires _____

My county of residence is _____ County.

My Commission No. is _____

**TOWN OF ZIONSVILLE PLAN COMMISSION
BOONE COUNTY, INDIANA**

FINDINGS OF FACT

The Town of Zionsville Plan Commission (the "Commission"), after a Public Hearing held on Monday _____ has determined that the Primary Plat **is/is not** in full compliance with all terms and provisions of the Town of Zionsville Subdivision Control Ordinance and the Town of Zionsville Zoning Ordinance.

The Town of Zionsville Plan Commission finds that:

- a. Adequate provisions have been made for regulation of minimum lot depth and minimum lot area;
- b. Adequate provisions have been made for the widths, grades, curves and coordination of subdivision public ways with current and planned public ways; and,
- c. Adequate provisions have been made for the extension of water, sewer, and other municipal services.

TOWN OF ZIONSVILLE PLAN COMMISSION

The Primary Plat was APPROVED/DENIED on the _____ day of _____, 20____, subject to any conditions agreed to at the public hearing and listed in the Letter of Grant.

President, Town of Zionsville Plan Commission
