



Town of Zionsville
Petition for Development Plan Approval

**Application Packet
And
General Instructions**

Office Use Only
Petition No.: _____
Hearing Date: _____
Recommendation: _____

Town of Zionsville

Petition for Plan Commission Approval – Development Plan

1. SITE INFORMATION:

Address of Property: _____

Existing Use of Property: _____

Proposed Use of Property: _____

Current Zoning: _____

Area in acres: _____

2. PETITIONER / PROPERTY OWNER:

Petitioner:

Name: _____

Address: _____

Phone: _____

E-Mail: _____

Owner (If different from Petitioner):

Name: _____

Address: _____

Phone: _____

E-Mail: _____

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

Attorney / Contact Person:

Name: _____

Address: _____

Phone: _____

E-Mail: _____

Project Engineer / Architect:

Name: _____

Address: _____

Phone: _____

E-Mail: _____

4. DETAILED DESCRIPTION OF REQUEST (Check all that apply and describe reason(s) for request / attach additional pages if necessary):

- | | |
|---|---|
| <input type="checkbox"/> Development Plan | <input type="checkbox"/> Modification of Development Plan |
| <input type="checkbox"/> Waiver of Development Requirement(s) | <input type="checkbox"/> Termination of Development Plan |
| <input type="checkbox"/> Modification of Commitments | <input type="checkbox"/> Termination of Commitments |

5. ATTACHMENTS:

- | | |
|--|--|
| <input type="checkbox"/> Owner's Authorization (if petitioner is not the owner) | <input type="checkbox"/> Legal description of property |
| <input type="checkbox"/> Proof of Ownership (copy of Deed) | <input type="checkbox"/> Copies of the Site Plan (if applicable) |
| <input type="checkbox"/> Statement of Proposed Modification of or Termination of Commitments | <input type="checkbox"/> Proposed Development Plan or Proposed Modification of Development Plan / Statement of Termination of Development Plan |
| <input type="checkbox"/> Proposed Findings (if a Development Plan) | |
| <input type="checkbox"/> Road Impact Fee Estimate Form (Does Not Apply to Single-family Residential) | |

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 review fees, which are payable upon invoicing.

Signature of Owner or Attorney for Owner: _____

Printed Name: _____

Date: _____

State of _____)

County of _____) **SS:**

Subscribed and sworn to before me this _____ day of _____, 20____.

_____/_____
Notary Public Signature / Notary Public Printed

My commission expires: _____

My county of residence: _____ County.

My Commission No.: _____

Petition for Development Plan Approval

FILING PROCEDURES AND REQUIREMENTS:

1. **Pre-filing Meetings with Staff are required.** Contact Staff at least two (2) weeks prior to the Filing Deadline to schedule this meeting.
2. A complete Development Plan Approval Petition must be submitted by 3:00 PM a minimum of **31 days** prior to the initial hearing before the Plan Commission. Refer to “Plan Commission Meeting Dates and Deadlines” to identify specific filing deadline. Application packets for all Petitions are available on the Town of Zionsville’s website, under the Community and Economic Development Tab (<https://www.zionsville-in.gov/234/Permit-Applications-Forms>).
3. **Only complete Petitions will be placed on the agenda for the next Plan Commission meeting.** If a Petition is incomplete 31 days prior to the next Plan Commission meeting, the Petition will not be placed on an agenda until the Petitioner submits a complete Petition.
4. **Two (2) hard copies and an electronic copy**, in the form of a forwardable link, of the following information must be submitted for Staff review:
 - Notarized Application/Petition Form
 - 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)
 - Site Plan (if applicable)
 - Proposed Findings (if a Development Plan)
 - Statement of Modification or Termination of Commitments (if proposed)
 - Proposed Development Plan / Proposed Modification of Development Plan (if proposed)
 - Draft of Proposed Legal Notice
 - Road Impact Fee Estimate Form (Does Not Apply to Single-family residential)
 - Application Fee: \$_____ (Checks should be payable to *Town of Zionsville*)

PUBLIC HEARING NOTIFICATION: LEGAL NOTICE

Notice of Public Hearing for Plan Commission Approval 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 a local newspaper to be published at least 10 days prior to the Public Hearing. **The Petitioner shall bear the cost of publishing the Legal Notice.** The Petitioner is responsible for contacting the local newspaper to identify the filing and publication deadlines for the Legal Notice.
3. Notice by Mailing: The Petitioner is to mail the approved Notice of Public Hearing to all Interested Parties at least ten (10) days prior to the Public Hearing (does not include the date of the hearing). Interested Parties are generally all property owners of adjacent parcels (including across a street and/or diagonally from the subject site) to a depth of one (1) ownership surrounding the perimeter of the subject site. Any property owner within the subject site identified in the Petition who is not included as a Petitioner shall also be mailed the Legal Notice. Please review the Rules of Procedure of the Plan Commission to ensure proper notification is given. The names and mailing addresses of Interested Parties should be obtained from the Boone County Auditor's Office.

The Zoning Ordinance and Rules of Procedure for the Plan Commission state this mailing is to be via Certified Mail with return receipt requested. However, due to public health concerns, the Plan Commission is allowing First Class mailing as an option to Certified Mail. At the public hearing, the Plan Commission President will confirm which method of mailing was used. If First Class mailing, a Waiver of the Rules of Procedure for this method will be requested and granted.

4. Notice by Sign Posting: A Notice sign, provided by Staff in a form approved by the Secretary, shall be posted by the Petitioner in a conspicuous place on the subject property, outside of any public right-of-way, at least ten (10) days prior to the date of the public hearing.
5. 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. If First Class mailing has been utilized, copies of the envelopes should be provided with the Affidavit of Notice.

PLAN COMMISSION APPROVAL PETITION: REVIEW PROCEDURES

1. Following the submittal of a Plan Commission Approval Petition, a Technical Advisory Committee (“TAC”) Review Meeting is typically held the third Thursday of the month to evaluate the technical aspects of the project and completeness of the Petition. These TAC Meetings may be held in person or via electronic conferencing. The Petitioner or a representative should plan to attend this TAC meeting; specific meeting times will be assigned to each project.
2. A TAC Review Memo/Letter will be issued to the Petitioner and any additional contacts noted on the Application detailing items covered in the TAC Meeting which need to be corrected or addressed. Petitioner will have approximately ten (10) days to respond and resubmit materials and drawings. Refer to “Plan Commission Meeting Dates and Deadlines” to identify specific resubmittal deadline. This resubmittal should consist of two (2) hard copies and an electronic copy, in the form of a forwardable link.
3. The completed Petition will be placed on the next available Plan Commission agenda. The Petitioner shall be responsible for delivering the Legal Notice (after it has been approved) to a local newspaper for publication and for mailing the Legal Notice to all Interested Parties.
4. After review of the resubmitted materials and drawings, a Staff Report will be generated including a list of any remaining items to be resolved or provided. The Staff Report shall be made available to the Petitioner and all remonstrators of record, if any.
5. The Staff Report, the Petition, and all supporting materials will be provided to the Plan Commission members. *Petitioner will be required to provide an electronic link to all supporting materials and twelve (12) hard copies of the supporting materials for this distribution.* The packets of supporting materials should include at a minimum:
 - Application Paperwork
 - Legal Notice Materials (provide the following):
 - A copy of the mailed Legal Notice;
 - Affidavit of Mailing, including the list of interested parties; and
 - Publisher’s Affidavit (if available)
 - All Exhibits (drawings, narratives, studies, etc.) you desire the Plan Commission to receive and review prior to the Meeting (drawings should be no larger than 11” x 17”).
6. The Plan Commission typically meets on the third Monday of each month at 7:00 p.m. in the Town Hall located at 1100 West Oak Street, Zionsville, Indiana 46077.
7. The Petitioner or remonstrators may request continuation of the Public Hearing at or one week prior to the Plan Commission meeting.
8. The Petitioner or a representative must be present at the Public Hearing to make a presentation of the Petition to the Plan Commission.
9. At the Public Hearing, the Plan Commission may continue the Public Hearing, approve the Petition, or deny the Petition.

OWNER'S AUTHORIZATION

The undersigned, _____,
being the owner or an authorized representative of the owner of the property commonly known as _____,
hereby authorize(s) _____
to file a Petition for a (Zone Map Change / Development Plan Approval / Variance /
Special Exception / Subdivision Plat Approval / Other) for the aforementioned property.

(Printed Company name)

(Owner signature)

By: _____
(Authorized Representative Signature)

- or -

(Printed Owner name)

(Printed name)

(2nd Owner signature – if applicable)

(Title)

(Printed 2nd Owner name)

State of _____)
County of _____) SS:

Subscribed and sworn to before me this _____ day of _____, 20__.

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, _____, 20____, at 7:00 p.m. in the Zionsville Town Hall, 1100 West Oak Street Zionsville, Indiana 46077 to consider the following Petition:

Petition # _____, filed for _____,
requests **PLAN COMMISSION APPROVAL** for a (mark all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Development Plan | <input type="checkbox"/> Modification of Development Plan |
| <input type="checkbox"/> Waiver of Development Requirement(s) | <input type="checkbox"/> Termination of Development Plan |
| <input type="checkbox"/> Modification of Commitments | <input type="checkbox"/> Termination of Commitments |

to allow for:

The property involved is commonly known as: _____
and is legally described as:

(INSERT OR ATTACH LEGAL DESCRIPTION OF PROPERTY)

A copy of the Petition for Plan Commission Approval, and all plans pertaining thereto are on file and may be examined prior to the Public Hearing at Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077 or at: <http://www.zionsville-in.gov/231/Planning-Economic-Development>. 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.

Further, and if supported by Executive Order and/or the Laws of the State of Indiana, members of the public will be afforded the opportunity to attend the Plan Commission Public Meetings via a form(s) of electronic communication IF indicated in the Agenda (as amended from time to time) associated with the Plan Commission Meeting.

Additionally, upon request, the Town of Zionsville will provide auxiliary aids and services in association with meetings and hearings occurring in-person. Please provide advance notification to Wayne DeLong, at wdejong@zionsville-in.gov or 317-873-5108, to ensure the proper accommodations are made prior to the meeting.

Dave Franz
(President)

Wayne DeLong, AICP, CPM
(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 TO INTERESTED PARTIES OF THE PUBLIC HEARING TO BE HELD BY THE TOWN OF ZIONSVILLE PLAN COMMISSION, to consider:

Petition # _____, filed for _____

Requesting a _____

For property located at _____

was sent to the last known address of each of the following entities at the following addresses:

OWNERS

ADDRESS

See attached List of Adjoiners

And that said Legal Notices were sent by (select one of the following):

First Class Mail or Certified Mail

on or before the _____ day of _____, 20____, being at least ten (10) days prior to the date of the Public Hearing (Copies of "First Class Mail" envelopes or original Certified Mail white slips attached);

And that a Legal Notice sign was posted in a conspicuous place on the property described in the Petition on or before the _____ day of _____, 20____, being at least ten (10) days prior to the date of the Public Hearing;

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).

Affiant Signature

Affiant Printed Name

State of _____)
County of _____) **SS:**

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public Signature

Notary Public Printed

My Commission No: _____

My Commission Expires: _____

My County of Residence is _____ County

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

**PETITION FOR PLAN COMMISSION APPROVAL
OF A DEVELOPMENT PLAN / MODIFICATION OF DEVELOPMENT PLAN**

FINDINGS

1. The Development Plan/Modification of Development Plan **(is / is not)** compatible with surrounding land uses because:

2. The Development Plan/Modification of Development Plan **(does / does not)** demonstrate availability and coordination of water, sanitary sewers, storm water drainage, and other utilities because:

3. The Development Plan/Modification of Development Plan **(does / does not)** demonstrate the management of traffic in a manner that creates conditions favorable to health, safety, convenience and the harmonious development of the community because:

4. The Development Plan/ Modification of Development Plan **(does / does not)** utilize building materials and building style compatible with the Zionsville theme because:

5. The Development Plan/Modification of Development Plan **(does / does not)** provide for the calculation of storm water runoff because:

6. The Development Plan/Modification of Development Plan **(does / does not)** provide for current and future right-of-way dedications because:

7. The Development Plan/Modification of Development Plan **(does / does not)** provide for building setback lines, coverage, and separation; vehicle and pedestrian circulation; parking; landscaping; recreation area or green space; outdoor lighting because:

DECISION

It is therefore the decision of this body that this Development Plan/Modification of Development Plan is **APPROVED / DENIED**.

Adopted this _____ day of _____, 20____.



Town of Zionsville
1100 West Oak Street - Zionsville, Indiana 46077
Phone: (317) 873-8247

Road Impact Fee Estimate Request

In addition to information identified on the project site plan, the Town of Zionsville requests the following supplemental information for purposes of calculating a Road Impact Fee estimate for the project referenced below. If any of the Project Information below is modified or changed, the impact fee may be adjusted to reflect the change.

Instructions:

- Complete all parts of the form. This request cannot be processed if any part is left blank.
- Submit proposed site and floor plan with this request.
- Either type of Print all information in ink.

1. LOCATION OF PROPOSED ACTIVITY:

Address:

Lot #:	Zoning:
Subdivision:	Present use of Property:

2. OWNER OF THE PREMISES WHERE PROPOSED ACTIVITY WILL TAKE PLACE:

Name:

Address:

Phone:	E-mail:
--------	---------

3. PROJECT INFORMATION: A. Land Use Description: - Identify any existing or proposed land uses or any expansion of existing usages. (Please be specific).

B. PROJECT SIZE/AREA - Indicate the acreage of the entire project site and the square footage of all existing and proposed buildings and structures. Specify square footage dedicated to individual activities within the site/buildings. You may use the back of this sheet to illustrate.

C. NUMBER OF EMPLOYEES - Indicate the total number of employees to be located at the proposed site. Include existing and future employees.

D. HOURS OF OPERATION - List the hours of general operation, including anticipated deliveries or other site support services.

E. ON-SITE PARKING - Indicate the total number of on-site parking spaces intended for use by employees, customers, and deliveries.

F: ANTICIPATED DELIVERIES - Indicate the average number of deliveries made to or from the proposed site in a 24-hour period.

G: ON-SITE FACILITIES - Indicate the existence and capacities of any on-site food services or vending facilities that enable employees or visitors to prepare and eat meals on-site.

H: SURROUNDING FACILITIES - Indicate the number of and identify all businesses or facilities adjoining the proposed site.

CERTIFICATION: I hereby certify that I have the authority to make the forgoing application and that the application and accompanying site plan are correct.

Signature: