



Town of Zionsville
Petition for Subdivision Plat Approval

**Application Packet
And
General Instructions**

Office Use Only

Petition No.: _____

Hearing Date: _____

Recommendation: _____

Town of Zionsville

Petition for Plan Commission Approval – Subdivision Plat

1. SITE INFORMATION:

Address of Property: _____

Existing Use of Property: _____

Current Zoning: _____ Name of Subdivision: _____

Area in acres: _____ Current Number of Lots: _____ Proposed Number of lots: _____

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. APPROVALS REQUESTED:

- Primary Plat Secondary Plat **Waivers of Subdivision Control Ordinance**

- Minor Plat Re-Plat

(Describe specific waivers being requested and reasons for the request. Attach additional pages if necessary):

Project Description: _____

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 Proposed Plat |
| <input type="checkbox"/> Copy of Covenants (if proposed) | <input type="checkbox"/> Draft of Proposed Legal Notice |
| <input type="checkbox"/> Application Fee | |

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: _____

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 SUBDIVISION PLAT 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 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. 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 recorded plat)
 - 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: \$ _____ (Checks should be payable to *Town of Zionsville*)

PUBLIC HEARING NOTIFICATIONS:

A Notice of Public Hearing for a 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 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.

PLAT APPROVAL PETITION REVIEW PROCEDURES

1. Following the submittal of a Plat 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 or may approve or deny the plat.

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 **Primary 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 more commonly known as: _____, and is legally described as: **(INSERT OR ATTACH 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 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 Primary Plat 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 Primary Plat 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 wdelong@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**

FINDINGS OF FACT

The Town of Zionsville Plan Commission (the "Commission"), after a Public Hearing held on Monday _____, 20____, 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
