

APPLICATION PROCEDURES FOR A PLAT AMENDMENT OR REVISION



DEFINITION: Any revision or amendment to an approved recorded or unrecorded final plat. A **revision (not recorded) does not** require a public hearing and will be heard in the same manner as a final plat. A map **amendment (recorded) does** require a public hearing and should follow the same notice requirements as a preliminary plat.

PRELIMINARY APPLICATION: Prior to submitting an application for a plat amendment, the applicant must schedule an appointment with the Plan Commission Staff for a preliminary consultation to discuss the proposed project. The applicant should provide a sketch showing the preliminary details of the project. The applicant's engineer is also encouraged to attend this meeting. There is no fee for this meeting. A written summary of this preliminary consultation will be provided upon request.

APPLICATION: The application will not be considered complete until all information is received. All applications and supplemental material must be submitted by close of business on the posted schedule deadline and **must be completed on Original Town Forms**. All applications will be reviewed for completeness and accuracy prior to acceptance. The following information is just a portion of the items that must be submitted with the application. Please refer to the Application Checklist in this packet for a complete list of information that must be submitted:

1. A **notarized application** filed at least forty-five (45) days before the date of the Plan Commission's public hearing;
2. Five (5) copies of the **amended plat and revised construction drawings (if applicable)** including the topographic overlay and area map;
3. A **legal description** of the property; and
4. An **application fee** payable by check to the Town of Avon.

FEES: ***Fees are nonrefundable*** The following fees apply to a plat amendment/revision review (final):

(Please see fee schedule)

1. Application Fee by check made payable to the **Town of Avon**
2. Legal Advertisement Fee (Amendment Only) by check made payable to the **Town of Avon**
3. Design Review Fee by check made payable to **EMH & T**

WAIVERS: Where compliance to the Town of Avon Subdivision Control Ordinance Standards cannot be achieved, an application for a waiver from the standards of the Ordinance may be submitted with an application for preliminary plat approval. Such application shall be submitted on the form included in this packet and is subject to an additional fee by check made payable to **EMH & T**.

STAFF REVIEW: The Avon Plan Commission Staff will schedule a technical review meeting, where Town Staff, including the Town's Engineering consultant, will provide written comments. The petitioner will be given an opportunity to address the concerns and submit revised plans approximately three (3) weeks before the Plan Commission meeting. In the event these issues are not addressed, staff reserves the right to recommend a continuance for the application to be considered at the next available meeting. Copies of the technical review and Staff comments will be made available to the applicant prior to the public hearing.

PUBLIC NOTIFICATION: The following public notification is required for a **Map Amendment Only**:

1. **NEWSPAPER NOTIFICATION:** The Plan Commission Staff will submit legal notices to the Hendricks County Weekend Flyer and the Republican newspapers for publication at least ten (10) days prior to the date of the Plan Commission's public hearing.

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2. **WRITTEN NOTIFICATION:** The applicant must mail letters by certified mail to adjacent property owners at least ten (10) days prior to the date of the Plan Commission's public hearing. An adjacent property owner is defined as all property owners two (2) deep or within six hundred sixty (660) feet; whichever is less, of the applicant's property. The applicant must follow the sample written notification letter. The provided Affidavit of Notice to Interested Parties must be signed attesting to the mailings and a copy of a sample mailing must be submitted to the Planning Commission staff prior to the public hearing. (See attached sample letter and affidavit form.)
3. **POSTING OF PROPERTY:** Ten (10) days prior to the date of the Plan Commission's public hearing, the applicant must submit an affidavit stating that the applicant has placed posters on the property providing a brief description of the project and the date, time, and location of the public hearing. (See attached affidavit and sample poster language.)

PLAN COMMISSION MEETING: The Plan Commission meetings are held on the fourth Monday of every month in the Avon Town Hall located at 6570 East U.S. Highway 36, 46123 at 7:00 PM.

PLAT RECORDING: The applicant is responsible for recording the approved plat. The following procedures apply:

1. The applicant must submit one (1) reproducible Mylar and two (2) Mylar prints to be signed and sealed by the President and Secretary of the Plan Commission. The submittal shall be accompanied by a Final Plat Review Fee submitted by check made payable to **EMH & T.**
2. The applicant is responsible to file the plat with the Hendricks County Recorder within thirty (30) days of the date of signature.
3. The final plat must be recorded prior to receiving a local building permit.
4. The applicant must submit two (2) blue line copies and one (1) Mylar to the Town of Avon after the plat has been recorded. As Built Plans shall be accompanied by a Review Fee submitted by check and made payable to **DLZ.**

REQUIREMENTS FOR FILING PLAT AMENDMENT OR REVISION CHECKLIST



An application shall include the following items:

1. _____ One (1) completed checklist, **signed and dated**. (Attach completed copy of this form.) *Mark all items N/A Not Applicable) which don't apply to your project.*

2. _____ One (1) completed application form: typewritten, signed by the owner or an authorized agent of the subject property, notarized, and filed at forty-five (45) days prior to a scheduled Plan commission meeting. Be sure to include:

- | | |
|--------------------------------|--|
| _____ Project name | _____ Acres |
| _____ Project address | _____ Number of lots/parcels |
| _____ Section, Township, Range | _____ Nearest intersection |
| _____ Key/Parcel number(s) | _____ Current zoning classification |
| _____ Existing land use | _____ Previous planning/zoning approvals |

3. _____ If the applicant is not the owner, one (1) signed and notarized copy of the Letter Granting Authority for an Agent (If applicant is not the owner).

4. _____ One (1) copy of the Letter of Intent.

5. _____ A list below of outside federal, state, and local agency approvals (attach letter from agency):

6. _____ Five (5) copies* of the revised plat with all certifications with each signature accompanied by the printed name showing the following information:

- _____ Name of the subdivision and section
- _____ Location by section, township, and range
- _____ Legal description
- _____ Signature, seal, and certification of a land surveyor registered in the State of Indiana
- _____ Certification and dedication by legal owner with a notarized signature
- _____ Certification of final approval and signature line for the President and Secretary of the Plan Commission
- _____ Scale shown graphically, date, and north point
- _____ Boundary lines of the plat and acreage
- _____ True course and distance to the nearest established section line and official monument
- _____ City, town, township, county, or section lines accurately tied to the lines of the subdivision by courses and distances
- _____ Street designations and labels, name, and lines of all streets within and on the perimeter of the plat

**REQUIREMENTS FOR FILING
PLAT AMENDMENT OR REVISION
CHECKLIST (Cont'd)**



- Geometrics of all street intersections and a complete street traverse of each street within and on the perimeter of the plat
- Line of any existing alleys within and on the perimeter of the plat
- All lot numbers and lines with accurate dimensions in feet and hundredths together with the area of the lot in square feet
- Lines of all easements provided for public services, drainage, and utilities
- Building setback line with dimensions
- Street number for each lot
- The location and description of all subdivision monuments set, or proposed to be set
- Drainage Board approval statement
- Erosion Control Plan

* Copies submitted for staff review and not intended for recording may be submitted as blue or black line prints.

- 7. Detailed construction plans showing the specific location and design of improvements to be installed (if being modified).
- 8. Separate plan and profile sheets provided for all proposed streets, storm sewers, and sanitary sewers (if being modified).
- 9. Two (2) copies of the final landscape plan showing all common areas, perimeter landscaping and open space landscaping (if being modified).
- 10. One (1) completed conflict of Interest form.
- 11. Nonrefundable application fee. (Check must be made payable to the **“Town of Avon”**.)
- 12. Design review fee. (Check must be make payable to **“EMH & T”**)
- 13. Waiver Application & fee. (Check must be make payable to **“EMH & T”**)

Signature of Person Completing Application

Date

**APPLICATION FOR A PLAT
AMENDMENT OR REVISION**
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I (We) do hereby apply for approval of the plat or re-plat of the proposed subdivision or re-subdivision of land in accordance with the provisions of the Comprehensive Plan and Subdivision Control Ordinance of Avon, Indiana. I (We) am (are) the owner(s) of the real estate included in the proposed subdivision. The undersigned, having been duly sworn on oath states the above information is true and correct as (s) he is informed and believes.

I (We) also understand that the application fee does not include the fees associated with design review and/or construction management review. Fees for design review and/or construction management review are the direct responsibility of the applicant payable directly to the engineering firm(s) specified by the Town at rates set out by various agreements and/or ordinances of the town, for services, inspections, reports, and the like required by the Town.

Date

Signature of Owner(s) or Agent

STATE OF INDIANA }
 } SS:
COUNTY OF HENDRICKS }

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

Notary Public: Signature

Notary Public: Printed Name

My Commission Expires: _____

Residing in _____ County

CONTACT INFORMATION



The person indicated below will receive all correspondence between the Plan Commission Staff and the applicant. It shall be the responsibility of the contact person to provide copies of information to other interested parties.

Indicate the Contact Person to be notified to request additional information, schedule meetings, receive Plan Commission Staff Letters and Recommendations, and to receive the Plan Commissions Findings-of-Fact:

Please type or print legibly.

Business Name: _____

Contact Person: _____

Address: _____

Daytime Phone: _____

Fax Number: _____

E-mail: _____

Case #: _____

**LETTER GRANTING AUTHORITY FOR AN AGENT
PLAT AMENDMENT OR REVISION
AVON PLAN COMMISSION
TOWN OF AVON, INDIANA**



I (We) do hereby grant authority to _____
(Name of agent)
to seek Plat Amendment/Revision approval from the Avon Plan Commission for the property located at

[Property Address or Parcel ID number(s)]

I (We) am (are) the owner(s) of the real estate included in the proposed Subdivision.

Date

Signature of Owner(s) or Agent

STATE OF INDIANA }
 } SS:
COUNTY OF HENDRICKS }

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

Notary Public: Signature

Notary Public: Printed Name

My Commission Expires: _____

Residing in _____ County



**TOWN OF AVON, INDIANA
APPLICATION FOR A WAIVER
FROM THE STANDARDS OF THE
SUBDIVISION CONTROL ORDINANCE**

For Office Use Only	
Application #:	_____
Fee Paid:	_____
Received By:	_____
Hearing Date:	_____
Action Taken:	_____

Name of Project: _____

Applicant: _____

Waiver Request from Avon Subdivision Control Ordinance Section #: _____

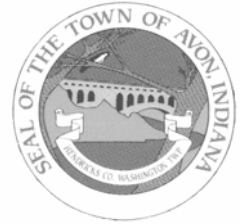
Waiver Request: _____

Applicant must provide findings of the following:

1. An extraordinary hardship or practical difficulty may result from the strict compliance with the Avon Subdivision Control Ordinance or the purpose of the Avon Subdivision Control Ordinance may be served to a greater extent by an alternative proposal because: _____

2. The granting of the waiver will not have the effect of nullifying the intent and purpose of the Avon Subdivision Control Ordinance because: _____

**AFFIDAVIT OF NOTICE TO INTERESTED PARTIES
MAP AMENDMENT
AVON PLAN COMMISSION
TOWN OF AVON, INDIANA**



Affidavit must be submitted prior to the scheduled public hearing.

STATE OF INDIANA)
) SS:
COUNTY OF HENDRICKS)

RE: Request for Map Amendment before the Avon Plan Commission

(Name of Project)

I, _____, do hereby certify that notice to
(Name of Person Mailing Letters)

interested parties of the date, time, and place of the public hearing on the above referenced Map Amendment,
Project Number _____, being the application for _____ was
(Name of Project)

certified and mail to the last known address of each of the following interested persons owning property affected
by this petition as defined in the Avon Zoning Ordinance (attach additional sheets, if necessary):

	<u>OWNER(S)</u>	<u>ADDRESS</u>
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

And, that said notices were sent by certified mail on or before the _____ day of _____, 20 ____, being
at least ten (10) days prior to the date of the public hearing.

(Applicant or Agent)

STATE OF INDIANA)
) SS:
COUNTY OF HENDRICKS)

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

Notary Public: Signature

Notary Public: Printed Name

My Commission Expires _____

Residing in _____ County

SAMPLE PUBLIC NOTIFICATION LETTER
Plat Amendment/Plat Revision

Date: **(Date Letters Mailed)**

Name

Address

City, State, and Zip Code

(Mailing Address of Adjacent Property Owner)

Dear: **(Name of Adjacent Property Owner):**

Please be advised that the undersigned property owner or agent for the property owner has made application to the Avon Plan Commission for a **(plat amendment/revision)** for a project to be known as **(Name of Project)** in the Town of Avon, Indiana, in Section_____, Township_____, Range_____ located near **Give the Location of the Project in Relationship to the Nearest Street Intersection.**

A copy of this application, legal description, and all development plans pertaining to this proposed development plan are on file and available for examination prior to the public hearing in the office of the Planning Department at the Avon Town Hall located at 6570 East U.S. Highway 36, Avon, Indiana, 46123, between the hours of 8:00 AM and 4:00 PM, Monday through Friday. Written objections to a proposal may be filed with the Plan Commission Staff within ten (10) days after the receipt of this letter at the Avon Town Hall at the above address and such objections will be considered.

The Avon Plan Commission will hold a public hearing on this proposed development plan in the Avon Town Hall located at 6570 East U.S. Highway 36, Avon, Indiana, 46123 on **(Date of the Public Hearing)** at 7:00 PM.

Very truly yours,

**(Name and Signature of Applicant
or Agent for the Applicant)**

**AFFIDAVIT OF SIGN POSTING
MAP AMENDMENT
AVON PLAN COMMISSION
TOWN OF AVON, INDIANA**



Affidavit must be submitted prior to the scheduled public hearing.

STATE OF INDIANA)
) SS:
COUNTY OF HENDRICKS)

RE: Request for Map Amendment before the Avon Plan Commission

(Project Name and Number)

I, _____ after being first duly sworn states:
(Name of Person Posting Sign)

1. That the Avon Zoning Ordinance which requires the posting of sign on the property being considered for development plan review, as adopted by the Avon Plan Commission, has been fully complied with in connection with the above referenced request; and
2. That said sign(s) was (were) duly erected on the _____ day of _____, 20 ____, in full compliance with the requirements of the Avon Zoning Ordinance and the sign(s) remain(s) on said property to this date.

Dated this _____ day of _____, 20 ____.

(Signature of Person Posting Sign)

STATE OF INDIANA)
) SS:
COUNTY OF HENDRICKS)

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

Notary Public: Signature

Notary Public: Printed Name

My Commission Expires _____

Residing in _____ County

NOTICE OF PUBLIC HEARING

The Board of Zoning Appeals will consider _____

(Case Number and Name)

This case will be heard on _____
(Day, Date and Time)

at a public hearing in the Avon Town Hall, 6570 East U.S.
Highway 36, Avon, Indiana 46123.

For additional information, call 317-272-0948.