

AVON ZONING ORDINANCE

CHAPTER 2. REVISION HISTORY

CHAPTER 2. LEGISLATIVE AND ADMINISTRATIVE AUTHORITY

Ordinance #	Plan Commission Approval Date	Town Council Adoption Date	Description
2002-14	09-24-02	11-14-02	Adoption of Chapter 2.

AVON ZONING ORDINANCE

CHAPTER 2. LEGISLATIVE AND ADMINISTRATIVE AUTHORITY

Section 2-1.	Summary of Authority
Section 2-2.	Town Council
Section 2-3.	Plan Commission
Section 2-4.	Board of Zoning Appeals
Section 2-5.	Zoning Administrator
Section 2-6.	Technical Advisory Committee

Section 2-1. Summary of Authority

The following decision making bodies and officials described in this Chapter shall, without limitation upon such authority as each may possess by Law, have the responsibility for implementing and administering this Ordinance.

Section 2-2. Town Council

The Town Council hereby reserves to itself the following powers and duties in connection with the implementation of this Ordinance.

1. To approve, reject, or amend the comprehensive plan or portions thereof as certified to it by the Plan Commission.
2. To initiate amendments to the text of this Ordinance and to adopt, reject, or amend proposals to amend or partially repeal the text of this Ordinance, pursuant to the procedures and standards for amendments set forth in Chapter 4.
3. To initiate amendments to the Avon Subdivision Control Ordinance and to adopt, reject, or amend proposals to amend or partially repeal the text of this Avon Subdivision Control Ordinance.
4. To adopt, reject, or amend proposals to amend the zoning map pursuant to the procedures and standards for amendments set forth in Chapter 4.
5. To adopt, reject, or amend a Planned Unit Development Ordinance pursuant to the procedures and standards for amendments set forth in Chapter 5.
6. To take such other actions not exclusively delegated to other bodies, which may be desirable and necessary to implement the provisions of this Ordinance.

Section 2-3. Plan Commission

The Avon Plan Commission, being previously established pursuant to Indiana Code 36-7-4-200 et seq. and Chapter 2, Article 4 of the Avon Town Code shall have the following powers and duties in connection with the implementation of this Ordinance.

1. To initiate amendments to the text of this Ordinance and to the Zoning Map pursuant to the procedures and standards for amendments set forth in Chapter 4.
2. To review all proposed amendments to this Ordinance and make recommendations to the Town Council pursuant to the procedures and standards for amendments set forth in Chapter 4.
3. To review all Planned Unit Development Petitions and make recommendations to the Town Council for the adoption of said Petitions pursuant to the procedures and standards for Planned Unit Developments set forth in Chapter 5 and the procedures and standards for amendments, set forth in Chapter 4.

AVON ZONING ORDINANCE

4. To render final decision regarding secondary review of all Planned Unit Development Petitions pursuant to the procedures and standards for Planned Unit Development set forth in Chapter 5;
5. To initiate amendments to the Avon Subdivision Control Ordinance, to adopt, reject, or amend proposals to amend or partially repeal the text of this Avon Subdivision Control Ordinance, and to make recommendations on such matters to the Avon Town Council.
6. To initiate amendments to the Avon Thoroughfare Plan, to adopt, reject, or amend proposals to amend or partially repeal the text of the Avon Thoroughfare Plan, and to make recommendations on such matters to the Avon Town Council.
7. To review, approve, approve with modifications, or deny all subdivision applications pursuant to the procedures and standards for subdivision approval set forth in the Subdivision Control Ordinance.
8. To approve, approve with modifications, or deny all applications for waivers from the subdivision control ordinance, pursuant to the procedures and standards for plat approval set forth in the Subdivision Control Ordinance.
9. To approve, approve with modifications, or deny all Development Plans pursuant to the procedures and standards for Development Plans set forth in Chapter 4.
10. To supervise and adopt rules for the administration of the affairs of the Plan Commission.
11. To record and file all bonds and contracts and assume responsibility for the custody and preservation of all papers and documents of the Plan Commission.
12. To prepare, publish, and distribute reports, ordinances, and other material related to the Plan Commission activities as authorized by law or this Ordinance.
13. To bring an action in the circuit or superior court of the county to invoke any legal, equitable, or special remedy for the enforcement of state planning and zoning laws or this Ordinance.
14. To exercise all powers conferred on it by law, local ordinance or rule in the manner so prescribed. This Section shall not be construed as a limitation on such powers.

Section 2-4. Board of Zoning Appeals

The Avon Board of Zoning Appeals, having been previously established pursuant to Indiana Code 36-7-4-900 et seq. and Chapter 2, Article 5 of the Avon Town Code shall have the following powers and duties in connection with the implementation of this Ordinance.

1. To approve, approve with modifications, or deny any application for a variance from the development standards of this Ordinance pursuant to the procedures and standards for variances set forth in Chapter 4.
2. To approve, approve with modifications, or deny any application for a use variance pursuant to the procedures and standards for variances set forth in Chapter 4.
3. To grant, grant with modifications, or deny any application for a special exception pursuant to the procedures and standards for special exceptions set forth in Chapter 4.
4. To hear and decide an appeal from any order, requirement, decision or determination made by the Zoning Administrator, hearing officer, or staff in the administration or enforcement of this Ordinance pursuant to procedures and standards for appeals of administrative decisions set forth in Chapter 4.
5. To hear and decide an appeal from any order, requirement, decision or determination made by any administrative board, other than the Plan Commission, in the administration or enforcement of this Ordinance pursuant to procedures and standards for appeals of administrative decisions set forth in Chapter 4.

AVON ZONING ORDINANCE

6. To exercise all powers conferred on it by law, local ordinance or rule in the manner so prescribed, including to invoke any legal, equitable, or special remedy available by law or this Ordinance for the enforcement of the provisions of this Ordinance or actions taken thereunder. This Section shall not be construed as a limitation on the Board's powers.
7. To adopt rules and procedures for the administration of the Board's duties provided such rules do not conflict with this Ordinance.

Section 2-5. Zoning Administrator

The Town Manager, with the approval of the Town Council, shall appoint a Zoning Administrator for the purpose of administering and enforcing this Ordinance. The Zoning Administrator shall reserve the right to appoint a designee to act on his behalf, as necessity demands. Any designee shall be considered the Zoning Administrator and retain his full power and authority for the purpose of administering and enforcing this Ordinance. The Zoning Administrator shall have the following powers and duties in connection with the implementation of this Ordinance.

1. To interpret provisions of this Ordinance pursuant to the procedures and standards for Interpretation set forth in Chapter 4 and to provide reports to the Plan Commission and Board of Zoning Appeals regarding such interpretations on a quarterly basis.
2. To ensure compliance with or prevent violation of provisions of this Ordinance pursuant to the procedures and standards for Enforcement set forth in Chapter 19.
3. To issue all necessary permits and certificates, and maintain records thereof in the name of the Plan Commission and Board of Zoning Appeals pursuant to the procedures and standards for zoning certificates set forth in Chapter 4.
4. To provide assistance and communications on the status of past cases and code enforcement to the Plan Commission and Board of Zoning Appeals.
5. To maintain permanent and current records relative to the administration of this Ordinance, including but not limited to, all maps, amendments, Improvement Location Permits, Certificates of Occupancy, Variances, and Special exceptions, Appeals and disapproved applications, and record of hearings.
6. To review all development permit applications to determine that the application meets the requirements of this Ordinance and to determine that all necessary permits or prior approvals have been obtained from other government agencies where required.
7. To conduct all research and collect and analyze all data pertaining to the growth and development of the Town and its environs, as delegated by the Town Council, Plan Commission, Board of Zoning Appeals, or other bodies which may be desirable and necessary to implement the provisions of this Ordinance.
8. To coordinate and conduct all development activities and programs for the Town and its environs, as delegated by the Town Council, Plan Commission, Board of Zoning Appeals, or other bodies which may be desirable and necessary to implement the provisions of this Ordinance.
9. To obtain, review and reasonably utilize any base flood elevation data in order to administer this Ordinance.
10. To notify all jurisdictions and other bodies relative to the alteration of watercourses.
11. To make interpretations as to the location of special flood hazards.
12. To take such other actions as delegated by the Town Council, Plan Commission, Board of Zoning Appeals, or other bodies that may be desirable and necessary to implement the provisions of this Ordinance.

AVON ZONING ORDINANCE

Section 2-6. Technical Advisory Committee

The Technical Advisory Committee is hereby created and vested with the review authority set forth in paragraph (2) in connection with the implementation of this Ordinance:

1. Membership

The Technical Advisory Committee shall be comprised of the following members.

- A.** Avon Zoning Administrator
- B.** Avon Building Commissioner
- C.** Avon Town Planner
- D.** Avon Town Engineer
- E.** Avon Fire Chief
- F.** The Zoning Administrator may also invite representatives of the Avon Police Department, the Avon/Washington Township School Corporation, representatives of the major utility companies, representatives of Plan Commission appointed committees, and representatives of Hendricks County and Washington Township for particular applications or as necessity demands.

2. Review Authority

- A.** To review and evaluate applications for waivers and make recommendations to the Plan Commission, pursuant to the procedures and standards for waivers set forth in the Subdivision Control Ordinance.
- B.** To review and evaluate all development plans, and make recommendations to the Plan Commission, pursuant to the procedures and standards for development plan review set forth in Chapter 4.
- C.** To take such other actions as delegated by the Plan Commission that may be desirable and necessary to implement the provisions of this ordinance.