

DEVELOPMENT PLAN REVIEW AMENDMENT(S) APPLICATION PROCEDURES



DEFINITION: A process through which all multifamily, commercial, industrial, and institutional developments (new, substantial additions and adaptive reuses) are reviewed by the Plan Commission to determine how a site will be developed or altered.

PRELIMINARY APPLICATION: Prior to submitting an application for a development plan review, the applicant must schedule an appointment with the Plan Commission Staff for a preliminary consultation to discuss the proposed development plan. The applicant should provide a sketch showing the preliminary details of the development plan. 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**, signed by the owner, or the owner's agent, and filed at least forty-five (45) days before the date of the Plan Commission's public hearing;
2. A **legal description** of the property;
3. A **development plan** showing property lines, dimensions, streets, and all proposed improvements to the property (see attached checklist for required information);
4. A **list of adjacent property owners** within six hundred and sixty (660) feet but no more than two (2) property owners in depth and a **copy of completed notification letter**;
5. A **Letter of Intent** identifying the scope and nature of the proposed project; and
6. The **application fees** compliant with the fee section below.

FEES: * **Fees are nonrefundable*** The following fees apply to a development plan review:

(Please see fee schedule)

1. Application Fee by check made payable to the **Town of Avon**
2. Legal Advertisement Fee 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.

DEVELOPMENT PLAN REVIEW AMENDMENT(S) APPLICATION PROCEDURES



PUBLIC NOTIFICATION: The following public notification is required for the development plan review:

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.
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 REVIEW: The Plan Commission must hold a public hearing to consider the request for the development plan review. 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.

REQUIREMENTS FOR FILING DEVELOPMENT PLAN AMENDMENT(S) CHECKLIST



An application shall include the following items:

1. One (1) completed checklist, **signed and dated**. (Attach completed copy of this form with the application.)
Mark all items N/A (Not Applicable) which do not 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 least forty-five (45) days prior to a scheduled Plan Commission meeting. If application is not complete, staff reserves the right to deny the request to be placed on the Agenda. Be sure to include the following:

<input type="checkbox"/> Project name	<input type="checkbox"/> Acres
<input type="checkbox"/> Project address	<input type="checkbox"/> Number of lots/parcels
<input type="checkbox"/> Section, Township, Range	<input type="checkbox"/> Nearest intersection
<input type="checkbox"/> Key/Parcel number(s)	<input type="checkbox"/> Current zoning classification
<input type="checkbox"/> Existing land use	<input type="checkbox"/> 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.
4. One (1) copy of the legal description of the property.
5. One (1) copy of the Letter of Intent. This should include a brief description of the project.
6. Five (5) copies of the Development Plan showing the following information:
 - General vicinity map
 - Property boundary lines
 - Easements
 - Building setback lines
 - Legal description
 - Elevation marks and contours
 - Traffic and Circulation Plan
 - Pedestrian Circulation Plan
 - Adjacent streets (names and rights-of-way)
 - Parking Plan
 - Loading Plan
 - Grading and Surface Drainage Plan

REQUIREMENTS FOR FILING DEVELOPMENT PLAN AMENDMENT(S) CHECKLIST (Cont'd)



- Utilities Plan (existing and proposed showing location and sizes)
 - Landscape Plan showing plant types, number, location, mix, and the method of installation.
 - Signage Plan showing locations and size.
 - Lighting Plan showing the location and product specifications for all existing and proposed light fixtures.
 - Open Space/Recreation Plan
 - Refuse/Trash storage areas showing elevations and building materials.
 - Fire Protection Plan showing fire hydrant location, water main size and details of installation, location of remote connection to sprinkler system (if provided), fire flow calculations, and the location of fire lanes and emergency access roads (when required).
 - Proposed improvements showing location, dimensions, and configuration of all existing and proposed development standards for the project
 - Development Summary showing all development standards for the zoning district and the proposed development standards for the project.
7. One (1) copy of the Architectural Plans showing exterior elevations, floor plans, and building materials of all proposed buildings and structures.
 8. Professional Seal of engineer/architect who prepared the development plan.
 9. Erosion Control Plan.
 10. One (1) completed Disclosure Statement form.
 11. Adjacent property owner(s) list and completed sample notification letter.
 12. Plat map page(s).
 13. Nonrefundable preliminary application and legal advertisement fees. (Check must be made payable to the **"Town of Avon."**)
 14. Design review fee. (Check must be made payable to **"EMH & T"**.)
 15. Waiver Application & fee. (Check must be made payable to **"EMH & T"**.)

Signature of Person Completing Application

Date

**APPLICATION FOR
DEVELOPMENT PLAN REVIEW
AMENDMENT(S)**
(Page 1)



Name of Project: _____

Applicant(s): _____
Address: _____
Owner(s): _____
Address: _____

Telephone: _____
Fax: _____
Telephone: _____
Fax: _____

Applicant's Attorney
Name: _____
Address: _____
Telephone: _____

Applicant's Registered Land Surveyor/Engineer
Name: _____
Address: _____
Telephone: _____

Property Location:

Street Address: _____
Nearest Street Intersection: _____
Section: _____ **Township:** _____ **Range:** _____
Key Number(s)/Parcel Number(s): _____
Area: _____ **acres** **Number of Lots:** _____

Existing Zoning Classification: (check one or all that apply)

- | | |
|---------------------------------------|---------------------------------------|
| _____ E-1 Single Family Estate | _____ R-1 Single Family Residential |
| _____ R-2 Single Family Residential | _____ R-3 Single Family Residential |
| _____ R-4 Multiple Family Residential | _____ R-5 Multiple Family Residential |
| _____ C-1 Neighborhood Commercial | _____ C-2 General Commercial |
| _____ C-3 Highway Commercial | _____ C-4 Transitional Office |
| _____ I-1 Transitional Industrial | _____ I-2 Light Industrial |
| _____ I-3 Heavy Industrial | _____ I-4 Industrial Park |
| _____ PUD Planned Unit Development | _____ SC Shopping Center |

Existing Land Use: _____

Surrounding land use: North _____ South _____ East _____ West _____

Previous Planning/Zoning Approvals: _____

Amendment(s) being requested: _____

**APPLICATION FOR
DEVELOPMENT PLAN REVIEW
AMENDMENT(S)**
(Page 2)



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, inspection, 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

FOR OFFICE USE ONLY:	
DATE RECEIVED: _____	FEE PAID: _____
RECEIVED BY: _____	APPLICATION # _____

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: _____

**LETTER GRANTING AUTHORITY FOR AN AGENT
DEVELOPMENT PLAN AMENDMENT(S)
AVON PLAN COMMISSION
TOWN OF AVON, INDIANA**



I (We) do hereby grant authority to _____
(Name of agent)

to seek a Development Plan 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 Development Plan.

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

**DISCLOSURE STATEMENT
DEVELOPMENT PLAN AMENDMENT(S)
AVON PLAN COMMISSION
TOWN OF AVON, INDIANA**



In order to avoid any questions about conflicts of interest, all applicants for permits, and petitioners to the Plan Commission and the Board of Zoning Appeals must disclose any and all financial or business relationships between the applicant and any entity associated with the applicant and any person associated with the Town of Avon, the Avon Town council, the Avon Plan Commission, and/or the Avon Board of Zoning Appeals. If you are in doubt as to whether or not to disclose something, you should resolve that doubt by disclosing it.

I _____, being duly sworn upon my oath state as follows:

(Strike inapplicable provision)

1. A. I am the applicant for a _____
(Type of Action)
- Or
- B. I represent the applicant _____ for a
(Name of Applicant)
- _____
- (Type of Action)

2. To the best of my knowledge, the applicant named above has no financial agreements, or contracts or other arrangements between the applicant or any other entity associated with the applicant and anyone associated with the Town of Avon, the Avon Town Council, the Avon Board of Zoning Appeals, or the Avon Plan Commission except:

(Strike inapplicable provision)

- A. None
- Or
- B. List any and all contracts, arrangements, or financial agreements, and all entities to such contracts, arrangements or financial agreements.

I affirm under the penalties of perjury that the foregoing is correct to the best of my knowledge and belief.

Date

Signature



**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
DEVELOPMENT PLAN AMENDMENT(S)
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 Development Plan Review 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 development plan,
Project Number _____, being the application for _____ was
(Name of Project)

certified and mailed 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

Printed Name

My Commission Expires _____

Residing in _____ County

SAMPLE PUBLIC NOTIFICATION LETTER DEVELOPMENT PLAN AMENDMENT(S)

Date: **(Date Letters Mailed)**

Name

Address **(Mailing Address of Adjacent Property Owner)**

City, State, and Zip Code

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 development plan review amendment for a project to be known as **(Case Number, Case Name and a brief description of the 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 review amendment 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
DEVELOPMENT PLAN AMENDMENT(S)
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 Development Plan Review before the Avon Plan Commission

_____ (Project 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 Avon Plan Commission will consider _____

(Case Number and Project 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