ZONING AMENDMENT
APPLICATION PROCEDURES

DEFINITION: To amend or change the zoning district classification of a particular lot(s) or parcel(s) of land to another zoning district classification.

PRELIMINARY APPLICATION: Prior to submitting an application for a zoning amendment, the applicant must schedule an appointment with the Plan Commission Staff for a preliminary consultation to discuss the proposed amendment. The applicant should provide a sketch showing the preliminary details of the zoning change. 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. If the application fails to meet all requirements of a complete submittal, staff reserves the right to deny the request to be placed on the agenda and the case may be continued to the next scheduled meeting. 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 fifty (50) days before the date of the Plan Commission’s public hearing;
2. A legal description of the property;
3. A site map (aerial photograph or a Hendricks County property map) showing property lines, dimensions, streets, and existing zoning and land use of the property to be amended;
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 written statement of how the proposed amendments relates to the Avon Comprehensive Plan; and
6. An application fee payable by check to the Town of Avon.

FEES: *Fees are nonrefundable* The following fees apply to a zoning amendment review:
(Please see fee schedule online at avongov.org)
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. Traffic Study Review Fee by check made payable to The Schneider Corporation.

TAC SUBMITTAL AND REVIEW: The applicant shall be responsible for the submittal of any proposed project within the Town of Avon to members of the Technical Advisory Committee (TAC). A Copy of TAC members and contact information can be found online at avongov.org or provided at Avon Town Hall. 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.
ZONING AMENDMENT
APPLICATION PROCEDURES

PUBLIC NOTIFICATION: The following public notification is required:

1. NEWSPAPER NOTIFICATION: The Plan Commission Staff will submit legal notices to the 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. A signed affidavit attesting to the mailings and a copy of a sample mailing must be submitted to the Plan 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 zoning amendment and the date, time, and place of the public hearing. (See attached affidavit.)

PLAN COMMISSION REVIEW: The Plan Commission must hold a public hearing to consider the request for the site zoning amendment. The Plan Commission will forward to the Avon Town Council its recommendation on the proposed amendment as being favorable, unfavorable, or no recommendation. 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.

TOWN COUNCIL REVIEW: The Town Council must consider the Plan Commission’s recommendation within ninety (90) days of the Planning Commission hearing.
REQUIREMENTS FOR FILING ZONING AMENDMENT CHECKLIST

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 least fifty (50) 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:

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

3. ________ One (1) 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 including the zoning classification and present land use of the subject property.

6. ________ One (1) copy of the Site Plan, which includes the following information:

   _______ Aerial photograph, Hendricks County property map, and/or concept plan of proposed development on the site.
   _______ Conceptual Plan

7. ________ Supporting Documentation

   _______ Traffic study
   _______ Wetland Mitigation Plan
   _______ Environmental studies
   _______ Environmental Impact Study
   _______ Letter of Intent from appropriate sanitary sewer utility

8. ________ Professional Seal of engineer/architect who prepared the site plan.

9. ________ One (1) completed Conflict of Interest from.

10. _______ Adjacent property owners list and completed sample notification letter.

11. _______ Nonrefundable application fee. (Check must be made payable to “Town of Avon”)

12. _______ Traffic Study review fee. (Check must be made payable to “The Schneider Corporation”)

Signature of Person Completing Application __________________________ Date __________________________
APPLICATION FOR
ZONING AMENDMENT
(Page 1)

Project Name: __________________________

Applicant(s): __________________________ Telephone: __________________________
Address: __________________________ Fax: __________________________
Owner(s): __________________________ Telephone: __________________________
Address: __________________________

Applicant’s Attorney
Name: __________________________
Address: __________________________ Telephone: __________________________

Applicant’s Registered Land Surveyor
Name: __________________________
Address: __________________________ Telephone: __________________________

Property Information:

Street Address: __________________________
Nearest Street Intersection: __________________________
Section: ________ Township: ________ Range: ________
Key/Parcel Number(s): __________________________
Area: ________ acres  Number of Lots/Parcels: ________

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 ________

Proposed Zoning Classification: __________________________

Proposed Land Use: __________________________
The undersigned, having been duly sworn on oath states the above information is true and correct as (s)he is informed and believes.

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
ZONING AMENDMENT
AVON PLAN COMMISSION
TOWN OF AVON, INDIANA

I (We) do hereby grant authority to ________________________________

(Name of agent)
to seek a Zoning Amendment 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 Zoning Amendment.

__________________________________________  __________________________

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 FOR
ZONING AMENDMENT
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
AFFIDAVIT OF NOTICE TO INTERESTED PARTIES
FOR ZONING AMENDMENT
AVON PLAN COMMISSION
TOWN OF AVON, INDIANA

STATE OF INDIANA )
COUNTY OF HENDRICKS ) SS:

(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 site plan, Project
Number ____________________, being the application for ____________________________ was
(Case Number) (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):

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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 )
COUNTY OF HENDRICKS ) SS:

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
FOR ZONING AMENDMENT

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 to amend the zoning district classification of a project to be known as (Case Number, Case Name and a brief description of the Project), a (Number of Acres) acre parcel(s) in the Town of Avon, Indiana, in Section _____, Township _____, Range _____, located near (Give the Location of the Property to be Rezoned in Relationship to the Nearest Street Intersection). This proposed zoning amendment would change the current zoning classification of the above referenced property from (Existing Zoning Classification) to (Proposed Zoning Classification).

A copy of this application, legal description, and all development plans pertaining to this proposed site plan are on file and available for examination prior to the public hearing in the office of the Planning and Zoning 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 above address and such objections will be considered.

The Avon Plan Commission will hold a public hearing on this proposed site 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 P.M.

Very truly yours,

(Name and Signature of Applicant or Agent for the Applicant)
AFFIDAVIT OF SIGN POSTING
ZONING AMENDMENT
AVON PLAN COMMISSION
TOWN OF AVON, INDIANA

Affidavit must be submitted prior to the scheduled public hearing.

STATE OF INDIANA     )
COUNTY OF HENDRICKS   )
SS:                  )

RE: Request for a Zoning 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 zoning amendment, 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       )
COUNTY OF HENDRICKS     )
SS:                     )

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

Notary Public: Signature

Residing in __________________________ County

Notary Public: Printed Name

Application for a Zoning Amendment
Town of Avon, Indiana
Revised 10-14-11
T:\Planning and Building\Planning\Applications\2011 Updated Applications Online
NOTICE OF PUBLIC HEARING

The Avon Plan Commission will consider

__________________________
(Case Number)

__________________________
(Case 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