APPLICATION PROCEDURES
FOR A MAJOR SUBDIVISION
PRELIMINARY PLAT

DEFINITION: The subdivision of a tract of land into at least three (3) residential, commercial, or industrial parcels, including the remainder of the original parcel, fronting upon an existing street; and/or any division or portion of land into parcels of less than twenty (20) acres involving new streets or easements of access.

PRELIMINARY APPLICATION: Prior to submitting an application for a major subdivision (preliminary), 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. 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. Five (5) copies of the preliminary plan including the topographic overlay and area map (see attached checklist for required information);
3. A legal description of the property;
4. A list of adjacent property owners within six hundred 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. Application fees as set forth below.

FEES: *Fees are nonrefundable* The following fees apply to a major subdivision review (preliminary):

(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. Design Review Fee by check made payable to Crossroads Engineering.
4. Traffic Study Review Fee by check made payable to The Schneider Corporation.

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 Crossroads Engineering.

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.
APPLICATION PROCEDURES FOR A MAJOR SUBDIVISION PRELIMINARY PLAT

PUBLIC NOTIFICATION: The following public notification is required:

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 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.
REQUIREMENTS FOR FILING
MAJOR SUBDIVISION
PRELIMINARY PLAT
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 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

3. One (1) copy of the Letter Granting Authority for an Agent (If applicant is not the owner).

4. One (1) copy of the Legal Description of the property.

5. One (1) copy of the Letter of Intent.

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

   A. EXISTING CONDITIONS
      - Area vicinity map
      - Topography (two [2] foot)
      - Location of existing streams, lake ditches, etc. showing one hundred (100) year flood elevation
      - Location of all surface and subsurface drains
      - Location of existing storm and sanitary sewers
      - Existing buildings and structures
      - Identification of jurisdictional wetlands
      - Boundary lines and acreage of property

   B. SITE IMPROVEMENTS
      - Proposed changes in streams, lakes, floodplains, etc.
      - Proposed location of surface and subsurface drains
      - Proposed location of storm and sanitary sewers
      - Building/Structures to be removed or relocated
      - Location and design of proposed street
      - Cross section of existing streams and floodplains
      - Landscape Plan (for residential projects only)
      - Signage Plan: Temporary and Permanent (for residential projects only)
      - Open Space Plan (residential only)
C. SUPPORTING DOCUMENTATION
   ____ Traffic study
   ____ Wetland Mitigation Plan
   ____ Environmental studies
   ____ Environmental Impact Study
   ____ Letter of Intent from appropriate sanitary sewer utility (required for all preliminary plats)
   ____ Location of proposed model homes
   ____ Location of temporary sales office
   ____ Development Summary showing all development standards for the zoning district and the proposed development standards for the project
   ____ Statement of commitments (if any)
   ____ Proposed covenants (if any)

7. _____ Professional Seal of engineer/land surveyor who prepared the plat.

8. _____ One (1) completed Conflict of Interest form.

9. _____ Adjacent property owners list.

10. ____ Plat map page(s).

11. ____ Nonrefundable preliminary application fee. (Check must be made payable to the "Town of Avon").

12. ____ Design review fee. (Check must be made payable to "Crossroads Engineering")

13. ____ Traffic Study review fee, if traffic study is required. (Check must be made payable to "The Schneider Corporation")

14. ____ Waiver Application & fee. (Check must be made payable to "Crossroads Engineering")

Signature of Person Completing Application

Date
APPLICATION FOR A
MAJOR SUBDIVISION
PRELIMINARY PLAT
(Page 1)

Name of Subdivision: ___________________________  Section No. ______________

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

Applicant’s Attorney  Applicant’s Registered Land Surveyor/Engineer
Name: ___________________________  Name: ___________________________
Address: ___________________________  Address: ___________________________
Telephone: ___________________________  Telephone: ___________________________

Property Location:

Street Address: __________________________________________________________
Nearest Street Intersection: __________________________________________________
Section: _______ Township: _______ Range: _______
Key/Parcel Number(s): ______________________________________________________
Area: _______ acres  Number of Lots: _______
Miles of New Streets to be dedicated to the Public: _______ nearest fraction
(full width) (half width)

Existing Zoning Classification:

_____ 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 _______

Legal Description of the subdivision must be attached to the application.
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 ____________________ Count

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
MAJOR SUBDIVISION
PRELIMINARY PLAT
AVON PLAN COMMISSION
TOWN OF AVON, INDIANA

I (We) do hereby grant authority to ______________________________________________________
(Name of agent)
to seek Preliminary Major Subdivision Plat approval from the Avon Plan Commission for the property located at [Property address or parcel ID number(s)]

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

Date ____________________________ Signature of Owner(s) or Agent ____________________________

STATE OF INDIANA }     
} SS:
COUNTY OF HENDRICKS  

Subscribed and sworn in before me this _____day of ____________________, 20___.

Notary Public: Signature ____________________________ Notary Public: Printed Name ____________________________

My Commission Expires: ____________________________ Residing in ____________________________ County
DISCLOSURE STATEMENT
MAJOR SUBDIVISION
PRELIMINARY PLAT
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

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: ________________________________

For Office Use Only
Application #: __________________
Fee Paid: __________________
Received By: __________________
Hearing Date: _________________
Action Taken: _________________
AFFIDAVIT OF NOTICE TO INTERESTED PARTIES
MAJOR SUBDIVISION PRELIMINARY PLAT
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 Major Subdivision Review before the Avon Plan Commission

(Name of Subdivision)

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 subdivision, Project
Number ____________________, being the application for _____________________ was
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 Subdivision Control Ordinance (attach additional sheets, if
necessary):

OWNER(S) ADDRESS
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 )
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
MAJOR SUBDIVISION
PRELIMINARY PLAT

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 (Number of Lots) lot(s) major residential, commercial or industrial subdivision 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 Subdivision in Relationship to the Nearest Street Intersection).

A copy of this application, legal description, and all development plans pertaining to this proposed subdivision 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 major subdivision 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)
STATE OF INDIANA ) ) SS:
COUNTY OF HENDRICKS ) )

RE: Request for Major Subdivision Review before the Avon Plan Commission

(Project Number)

I, ________________________________, after being first duly sworn states:

(Name of Person Posting Sign)

1. That the Avon Subdivision Control Ordinance which requires the posting of sign on the property being considered for minor subdivision 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 Subdivision Control 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)

(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