APPLICATION PROCEDURES
MINOR SUBDIVISION

DEFINITION: The subdivision of a parcel of land into not more than three (3) residential, commercial or industrial lots. Any division which involves a new street or easement of access shall not be considered a minor subdivision.

PRELIMINARY APPLICATION: Prior to submitting an application for a minor subdivision, the applicant must schedule an appointment with the Plan Commission Staff for a preliminary consultation to discuss the proposed 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 final plat and development plan including the topographic overlay and area map;
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. An application fee payable by check to the Town of Avon.

FEES: *Fees are nonrefundable* The following fees apply to a minor subdivision 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. Design Review Fee by check made payable to Crossroads Engineering

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
MINOR SUBDIVISION

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.

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 Crossroads Engineering.

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 made payable to DLZ.
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. ______ 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.

6. ______ One (1) copy of the Construction Plans, which include 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
      - Cross section of existing streams and floodplains
REQUIREMENTS FOR FILING
MINOR SUBDIVISION
CHECKLIST (Cont’d)

____ Landscape Plan
____ Signage Plan: Temporary and Permanent
____ Open Space Plan (residential only)

C. SUPPORTING DOCUMENTATION (may be required)

____ Traffic study
____ Wetland Mitigation Plan
____ Environmental studies
____ Environmental Impact Study
____ Letter of Intent from appropriate sanitary sewer utility
____ 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 (required)
____ Statement of commitments (if any)
____ Proposed covenants (if any)

7. ______ Professional Seal of engineer/architect who prepared the plat.

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

9. ______ Adjacent property owners list and completed sample notification letter.

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. ______ Waiver Application & fee. (Check must be made payable to “Crossroads Engineering.”)

Signature of Person Completing Application

Date
APPLICATION FOR A
MINOR SUBDIVISION
(Please 1)

Name of Subdivision: ____________________________  Section No. __________________

Applicant(s): ____________________________  Telephone: __________________
Address: ____________________________  Fax: __________________
Owner(s): ____________________________  Telephone: __________________
Address: ____________________________

Applicant's Attorney

Name: ____________________________  Applicant's Registered Land Surveyor
Address: ____________________________  Name: ____________________________
Telephone: ____________________________  Address: ____________________________

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 __________________________ 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 #: _______________________________
I (We) do hereby grant authority to ____________________________ (Name of agent)
to seek Minor 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 owner(s) of the real estate included in the proposed Minor 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
DISCLOSURE STATEMENT
MINOR SUBDIVISION 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 ______________________________
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
MINOR SUBDIVISION
AVON PLAN COMMISSION
TOWN OF AVON, INDIANA

Affidavit must be submitted prior to the scheduled public hearing.

STATE OF INDIANA  
COUNTY OF HENDRICKS  

RE: Request for Minor 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
(Case Number)  (Name of Subdivision)
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):

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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  

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
MINOR SUBDIVISION PLAT

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 (Number of Lots) lot(s) minor (Type of Use) 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 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 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 minor 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)
AFFIDAVIT OF SIGN POSTING
MINOR SUBDIVISION PLAT
AVON PLAN COMMISSION
TOWN OF AVON, INDIANA

STATE OF INDIANA  )
     ) SS:
COUNTY OF HENDRICKS )

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

(Please fill in 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