

Town of Zionsville
Petition for Development Plan
Approval

Application Packet
And
General Instructions

Town of Zionsville

Petition for Plan Commission Approval

Office Use Only

Petition No.: _____

Hearing Date: _____

Recommendation: _____

1. SITE INFORMATION:

Address of Property: _____

Existing Use of Property: _____

Proposed Use of Property: _____

Current Zoning: _____ Area in acres: _____

2. PETITIONER/PROPERTY OWNER

Petitioner:

Owner (If different from Petitioner):

Name: _____

Name: _____

Address: _____

Address: _____

Phone: _____

Phone: _____

Fax: _____

Fax: _____

E-Mail: _____

E-Mail: _____

3. PETITIONER'S ATTORNEY/CONTACT PERSON AND PROJECT ENGINEER (IF ANY):

Attorney / Contact Person:

Project Engineer / Architect:

Name: _____

Name: _____

Address: _____

Address: _____

Phone: _____

Phone: _____

Fax: _____

Fax: _____

E-Mail: _____

E-Mail: _____

4. DETAILED DESCRIPTION OF REQUEST (Check all that apply)

(Describe reason(s) for request / attach additional pages if necessary):

- Development Plan Modification of Development Plan Waiver of Development Requirement(s)
 Termination of Development Plan Modification of Commitments Termination of Commitments

5. ATTACHMENTS:

- Legal description of property Proof of Ownership (copy of Warranty Deed)
 Owner's Authorization (if petitioner is not the owner) Copies of the Site Plan (if applicable)
 Statement of Proposed Modification or Termination Of Commitments Proposed Development Plan / Proposed Modification of Development Plan / Statement of Termination of Development Plan
 Proposed Findings (if a Development Plan)
 Road Impact Calculation Form

The undersigned, having been duly sworn on oath states the above information is true and correct as (s) he is informed and believes. Further, the applicant understands that this project may be assigned Engineering review fees, which are payable upon invoicing. Road Impact Fees are payable upon Improvement Location Permit release.

Signature of Owner or Attorney for Owner: _____

Date: _____

State of _____)

County of _____) SS:

Subscribed and sworn to before me this . day of _____ , _____ .

Notary Public Signature / _____
Notary Public Printed

My commission expires _____

My county of residence is _____ County.

My Commission No. is _____

PROCEDURES AND REQUIREMENTS:

1. A complete Petition for Plan Commission Approval (“petition”) must be submitted by **3:00 PM** a minimum of **31 days** prior to the initial hearing before the Plan Commission.
2. **Only complete Petitions will be placed on the agenda for the next Plan Commission meeting.** If a Petition is incomplete 31 days prior to the next Plan Commission meeting, the Petition will not be placed on an agenda until the Petitioner submits a complete Petition.
3. **Fifteen sets** of the following information must be submitted, with the notarized Petition, for internal staff review:
 - Legal description of property (Metes and bounds description must include a perimeter survey, drawn to scale – or – recorded subdivision legal description must include lot number, section number, subdivision name, either the plat book number of the recorded instrument number and a copy of the plat map.)
 - Proof of Ownership (copy of deed)
 - Owner’s Authorization (if Petitioner is not the owner)
 - Site Plan (if applicable)
 - Proposed findings (if a Development Plan)
 - Statement of Modification or Termination of Commitments (if proposed)
 - Proposed Development Plan / Proposed Modification of Development Plan (if proposed)
 - Draft of Proposed Legal Notice
 - Application Fee: \$ _____ (Checks should be payable to *Town of Zionsville*)

PUBLIC HEARING NOTIFICATION:

Notice of Public Hearing for Plan Commission Approval is to be completed as set forth in the Zoning Ordinance and Rules of Procedure for the Plan Commission. The procedures relating to notification of public hearings that are contained in this Packet are provided for convenience purposes only.

1. Approval of Notice: The Petitioner shall submit a proposed Notice of Public Hearing with its petition for review and approval by the Secretary of the Plan Commission.
2. Notice by Publication: Petitioner shall submit the approved Notice of Public Hearing to the Zionsville Times Sentinel to be **published at least 10 days prior** to the Public Hearing. **The petitioner shall bear the cost of publishing the Legal Notice.** The Secretary of the Plan Commission will provide the Petitioner with the filing and publication deadlines for the Legal Notice.
3. Notice by Mailing: The Petitioner is to send the approved Notice of Public Hearing to each interested party via certified mail with return receipt requested at least ten (10) days prior to the Public Hearing. Generally, all owners of adjoining parcels to a depth of one (1) ownership surrounding the perimeter of the area described in the Petition, and any owners of property within the area included in the Petition who are not Petitioners are to be notified. Please review the Rules of Procedure of the Plan Commission to ensure proper notification is given. The names and addresses of Interested Parties should be obtained from the Boone County Auditor's Office.
4. Affidavit of Notice: At least three (3) days prior to the Public Hearing, an Affidavit of Notice of Public Hearing must be completed and submitted to the Secretary of the Plan Commission. Copies of all "Receipt for Certified Mail" (white slips) shall be filed with the Affidavit of Notice of Public Hearing. The originals of the "Domestic Return Receipts" (green cards) shall be filed with the Secretary upon the later of: the public hearing or receipt by the Petitioner.

PETITION REVIEW PROCEDURES

1. An Internal Review Meeting is typically held the second Tuesday of the month, after the filing deadline, to evaluate the technical aspects of the project and completeness of the petition. Petitioner/applicant may need to attend these Internal Review meetings; meeting times will be assigned to each project/petitioner on the filing deadline date.
2. Once the Petition is complete, it will be placed on the next available Plan Commission agenda. The petitioner shall be responsible for delivering the Legal Notice (after it has been approved) to the Zionsville Times Sentinel for publication and for sending the Legal Notice to all Interested Parties.
3. The Petition and all supporting documentation will be forwarded to the Plan Commission members. *Please supply ten (10) packets of the supporting documentation for this distribution.*
4. The Secretary, members of the Plan Commission's staff or advisors to the Plan Commission may submit a written report, stating any facts concerning the physical characteristics of the area involved in the Petition, together with a recital of surrounding land use and public facilities available to service the area, or other pertinent facts. A copy of such statement shall be made available to the Petitioner and all remonstrators of record, if any.
5. The Plan Commission typically meets on the third Monday or each month at 7:00 p.m. in the Town Hall located at 1100 West Oak Street, Zionsville, Indiana 46077.
6. The Petitioner or remonstrators may request continuation of the Public Hearing at or one week prior to the Plan Commission meeting.
7. The Petitioner, Petitioner's attorney, or someone authorized by the Petitioner must be present at the Public Hearing to make a presentation of the Petition to the Plan Commission.
8. At the Public Hearing, the Plan Commission may continue the Public Hearing or may approve or deny the Petition.

OWNER'S AUTHORIZATION

The undersigned, _____, being the owner of the property commonly known as _____, hereby authorize(s) _____ to file a Petition for (zone map change / variance / special exception / subdivision plat approval / other) for the aforementioned property.

(company name)

(owner signature)

By: _____
(authorized signature)

- or - _____
(print owner name)

(printed name)

(title)

State of _____)

County of _____) **SS:**

Subscribed and sworn to before me this _____ day of _____, _____.

Notary Public Signature / _____
Notary Public Printed

My commission expires _____

My county of residence is _____ County.

My Commission No. is _____

**NOTICE OF PUBLIC HEARING
BY THE TOWN OF ZIONSVILLE PLAN COMMISSION**

Notice is hereby given of a Public Hearing to be held by the Town of Zionsville Plan Commission

On Monday, _____ at 7:00 p.m. in the Zionsville Town Hall, 1100 West
(DATE OF PUBLIC HEARING)

Oak Street, Zionsville, Indiana 46077 to consider the following:

- PLAN COMMISSION APPROVAL** for a Development Plan Modification of a Development Plan
 Waiver of Development Requirement(s) Termination of Development Plan
 Modification of Commitments Termination of Commitments) to allow for:

(BRIEF DESCRIPTION OF REQUEST)

The property involved commonly known as:

(COMMON ADDRESS)

is currently zoned to the _____ zoning district, and is legally described as:

(INSERT LEGAL DESCRIPTION OF PROPERTY)

A copy of the Petition for Plan Commission Approval and all plans pertaining thereto are on file and may be examined prior to the Public Hearing from 8:00 a.m. to 4:00 p.m. Monday through Friday, except for holidays, in the Office of Planning and Development at the Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077. Written comments in support of or in opposition to the Petition for Plan Commission Approval are filed with the Secretary of the Town of Zionsville Plan Commission prior to the Public Hearing will be considered. The Public Hearing is open to the public. Oral comments to the Petition for Plan Commission Approval will be heard at the Public Hearing.

The Public Hearing may be continued from time to time as may be found necessary.

Upon request, the Town of Zionsville will provide auxiliary aids and services. Please provide advance notification to the Technology Department, assistance@zionsville-in.gov or 317-873-1577, to ensure the proper accommodations are made prior to the meeting.

(President)

(Secretary)

PUBLISH: Newspaper of General Circulation

**AFFIDAVIT OF NOTICE OF PUBLIC HEARING
OF THE TOWN OF ZIONSVILLE PLAN COMMISSION**

STATE OF _____)

COUNTY OF _____) SS:

I, DO HEREBY CERTIFY THAT LEGAL NOTICE

(Name of person mailing letters)

TO INTERESTED PARTIES OF THE PUBLIC HEARING TO BE HELD BY THE TOWN OF ZIONSVILLE
PLAN COMMISSION, to consider the application of _____

(Name of person on Petition)

Requesting: _____

was sent by CERTIFIED MAIL, RETURN RECEIPT REQUESTED, to each of the following property owners
at the following addresses:

OWNER

ADDRESS

and that said Legal Notices were sent by Certified Mail, Return Receipt Requested on or before the ____
day of _____, 20____, being at least ten (10)days prior to the date of the Public Hearing
(copies of the "Receipt for Certified Mail" (white slips) attached).

and that said Legal Notice was published in a newspaper of general circulation at least ten (10) days prior to
the date of Public Hearing (Proof of Publication attached).

(Name of person mailing letters)

State of _____)

County of _____) SS:

Subscribed and sworn to before me this . day of _____ , _____ .

Notary Public Signature

Notary Public Printed

My commission expires _____

My county of residence is _____ County.

My Commission No. is _____

**TOWN OF ZIONSVILLE PLAN COMMISSION
BOONE COUNTY, INDIANA**

**PETITION FOR PLAN COMMISSION APPROVAL
OF A DEVELOPMENT PLAN / MODIFICATION OF DEVELOPMENT PLAN**

FINDINGS

1. The Development Plan/Modification of Development Plan **(is/is not)** compatible with surrounding land uses because:

2. The Development Plan/Modification of Development Plan **(does/does not)** demonstrate availability and coordination of water, sanitary sewers, storm water drainage, and other utilities because:

3. The Development Plan/Modification of Development Plan **(does/does not)** demonstrate the management of traffic in a manner that creates conditions favorable to health, safety, convenience and the harmonious development of the community because:

4. The Development Plan/ Modification of Development Plan **(does/does not)** utilize building materials and building style compatible with the Zionsville theme because:

5. The Development Plan/Modification of Development Plan **(does/ does not)** provide for the calculation of storm water runoff because:

6. The Development Plan/Modification of Development Plan **(does/does not)** provide for current and future right-of-way dedications because:

7. The Development Plan/Modification of Development Plan **(does/does not)** provide for building setback lines, coverage, and separation; vehicle and pedestrian circulation; parking; landscaping; recreation area or green space; outdoor lighting because:

DECISION

It is therefore the decision of this body that this Development Plan/Modification of Development Plan is **APPROVED / DENIED.**

Adopted this _____ day of _____, 20____.

