



Town of Zionsville **Petition for Zone Map Change**

Application Packet And General Instructions

All materials submitted to the Town of Zionsville's Planning and Building Department are public documents. All materials will be retained either physically or electronically and available to be viewed by the general public.

Petition for Zone Map Change (“Rezoning”)

FILING PROCEDURES AND REQUIREMENTS:

1. **Pre-filing Meetings with Staff are required.** Contact Staff at least two (2) weeks prior to the filing deadline as published in the [Zionsville Plan Commission Deadlines and Meeting Dates](#) schedule (“PC Schedule”).
2. A complete Rezoning Petition, including required supporting information, must be submitted in accordance with the filing deadline noted in the PC Schedule. Packets for all Planning and Building Department Petitions are available on the Town of Zionsville’s website via the following link: <https://www.zionsville-in.gov/234/Permit-Applications-Forms>.
3. **Only complete applications will be placed on the agenda for the respective Plan Commission meeting.** If an application 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 application.
4. **Two (2) hard copies and a digital/electronic copy**, in the form of a forwardable link, of the following information must be submitted for Staff review:
 - ☐ Notarized Application/Petition Form
 - ☐ 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 recorded plat)
 - ☐ Proof of Ownership (copy of current deed)
 - ☐ Property Owner’s Authorization (required if Petitioner is not the current property owner)
 - ☐ Narrative of proposed development or improvements
 - ☐ Proposed Commitments (if proposed, use the [Commitment Form](#))
 - ☐ Application Fee: \$_____ (See the linked [Fee Schedule](#); checks should be payable to “*Town of Zionsville*”)

PLAN COMMISSION REVIEW PROCEDURES

1. Following the submittal of a Rezoning Petition packet, a Technical Advisory Committee (“TAC”) Review Meeting is held typically the third Wednesday of the month (see the published [Zionsville Plan Commission Deadlines and Meeting Dates](#) schedule (“PC Schedule”) for exact date) to evaluate the technical aspects of the project and completeness of the Petition. These TAC Meetings may be held in person or via electronic conferencing. The Petitioner or a representative should plan to attend this TAC meeting; specific meeting times will be assigned to each project.
2. Prior to the TAC Review, individual Department Comment Memos/Letters will be issued to the Petitioner and any additional contacts noted on the Application detailing items which need to be corrected or addressed. Petitioner will have approximately ten (10) business days following the TAC Review to respond and resubmit materials and drawings. Refer to the PC schedule to identify specific resubmittal deadlines. This resubmittal should consist of two (2) hard copies and a digital/electronic copy, in the form of a forwardable link.
3. After all TAC Comments have been addressed, the completed Petition 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 a local newspaper for publication and for mailing the Legal Notice to all Interested Parties.
4. After review of the resubmitted materials and drawings, a Staff Report will be generated. The Staff Report shall be made available to the Petitioner and all remonstrators of record, if any.
5. The Staff Report, the Petition, and all supporting materials will be provided to the Plan Commission members. Petitioner will be required to provide a digital/electronic link to all supporting materials and one (1) hard copy of the supporting materials for this distribution. The packets of supporting materials should include at a minimum:
 - A. Surveys and/or drawings when applicable (such as Site Plans, Landscaping, Lighting, Signage, and Building Elevations). All drawings should be provided on 11 x 17 sheets.
 - B. Proposed Commitments, if applicable.
 - C. Other project presentation materials you choose may be submitted but are not required.
6. The Plan Commission typically meets on the third Monday of each month at 6:30 p.m. in the Town Hall located at 1100 West Oak Street, Zionsville, Indiana 46077. See the published [Zionsville Plan Commission Deadlines and Meeting Dates](#) schedule.
7. The Petitioner or remonstrators may request a Continuance of the Public Hearing at or prior to the Plan Commission meeting in accordance with the process noted within the [Plan Commission's Rules and Procedures](#).
8. The Petitioner or a representative must be present at the Public Hearing to make a presentation of the Petition to the Plan Commission.
9. At the Public Hearing, the Plan Commission may continue the Petition or vote on a recommendation (favorable, not favorable, or no recommendation) to then be forwarded to the Town Council for their consideration and determination.
10. The Town Council will then schedule the requested Rezoning for a public hearing in accordance with their meeting schedule.

Office Use Only

Petition No.: _____

Hearing Date: _____

Town of Zionsville

Petition for Plan Commission Approval – Zone Map Change

1. SITE INFORMATION:

Address of Property: _____

Existing Use of Property: _____

Proposed Use of Property: _____

Current Zoning: _____ Requested Zoning: _____ Area in acres: _____

2. PETITIONER / PROPERTY OWNER:

Petitioner:

Name: _____

Address: _____

Phone: _____

E-Mail: _____

Property Owner (If different from Petitioner):

Name: _____

Address: _____

Phone: _____

E-Mail: _____

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

Attorney / Contact Person:

Name: _____

Address: _____

Phone: _____

E-Mail: _____

Project Engineer / Architect:

Name: _____

Address: _____

Phone: _____

E-Mail: _____

4. DETAILED DESCRIPTION OF REQUEST (Describe reason(s) for request / attach additional pages if necessary):

Project Description: _____

5. ATTACHMENTS:

- | | |
|---|--|
| ☐ Owner's Authorization (if Petitioner is not the owner) | ☐ Legal description of property |
| ☐ Proof of Ownership (copy of Deed) | ☐ Copies of the Preliminary Site Plan |
| ☐ Statement of Commitments (if proposed) | ☐ Draft of Proposed Legal Notice |
| ☐ Application Fee | |

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.

**Signature of Owner or
Attorney for Owner:** _____

Printed Name: _____

Date: _____

State of _____)

County of _____) **SS:**

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

_____/_____
Notary Public Signature Notary Public Printed

My commission expires: _____

My county of residence: _____ County.

My Commission No.: _____

OWNER'S AUTHORIZATION

Required if Petitioner is not the current property owner.

The undersigned, _____,
being the owner or an authorized representative of the owner of the property commonly known as

(Address of subject property)

hereby authorize(s) _____
(Name of Petitioner or Petitioner's Attorney)

to file a Petition for a (Zone Map Change / Development Plan Approval / Variance / Special Exception
/ Subdivision Plat Approval / Other) for the aforementioned property.

Corporately Owned:

- or -

Privately Owned:

(Printed Company name)

(Owner signature)

By: _____
(Authorized Representative Signature)

(Printed Owner name)

(Printed name)

(2nd Owner signature – if applicable)

(Title)

(Printed 2nd Owner name)

State of _____)

County of _____) **SS:**

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

Notary Public Signature / Notary Public Printed

My commission expires: _____

My county of residence: _____ County.

My Commission No.: _____

LEGAL NOTICE OF PUBLIC HEARING:
(to be completed and submitted after TAC Review Meeting)

Legal Notice of the Public Hearing for Plan Commission Approval is to be completed as set forth in the [Zoning Ordinance](#) and the [Plan Commission Rules and Procedures](#) and as referenced below.

1. Approval of Notice: The Petitioner shall submit a proposed Notice of Public Hearing following the TAC Review meeting for review and approval by the Secretary of the Plan Commission.
2. Notice by Publication: The Petitioner shall submit the approved Notice of Public Hearing to a local newspaper to be published at least fourteen (14) days prior to the Public Hearing. **The Petitioner shall bear the cost of publishing the Legal Notice.** The Petitioner is responsible for contacting the local newspaper to identify the filing and publication deadlines for the Legal Notice.
3. Notice by Mailing: The Petitioner is to mail the approved Notice of Public Hearing to all Interested Parties at least fourteen (14) days prior to the Public Hearing (does not include the date of the hearing). Interested Parties are defined within the [Plan Commission Rules and Procedures](#). Any property owner within the subject site identified in the Petition who is not included as a Petitioner shall also be mailed the Legal Notice. Please review the [Plan Commission Rules and Procedures](#) to ensure proper notification is given. The names and mailing addresses of Interested Parties shall be obtained from the Boone County Auditor's Office.

The Rules of Procedure for the Plan Commission allow this mailing is to be completed via either Certified Mail with return receipt requested or First-Class Mail.

4. Notice by Sign Posting: A Notice sign, provided by Staff in a form approved by the Secretary of the Plan Commission, shall be posted by the Petitioner in a conspicuous place on the subject property, outside of any public right-of-way, at least fourteen (14) days prior to the date of the public hearing.
5. 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. If Certified Mail is utilized, copies of all "Receipt for Certified Mail" (white slips) shall be filed with the Affidavit of Notice of Public Hearing. If First-Class mailing has been utilized, copies of the envelopes should be provided with the Affidavit of Notice.

**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, _____, 20____, at 6:30 p.m. in the Zionsville Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077 to consider the following Petition:

Petition # _____, filed by _____,
requests a Zone Map Change to **REZONE** _____ acres from the _____
District to the _____ **District** to allow for:

The property involved is commonly known as: _____
(COMMON ADDRESS)

and is legally described as:

(INSERT OR ATTACH LEGAL DESCRIPTION OF PROPERTY)

A copy of the Petition for Zone Map Change, and all plans pertaining thereto are on file and may be examined prior to the Public Hearing at Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077 or at: <https://www.zionsville-in.gov/538/Current-Petitions-Plan-Commission-Board->. Written comments in support of or in opposition to the Petition must be filed with the Secretary of the Town of Zionsville Plan Commission at least 24 hours before the Public Hearing. The Public Hearing is open to the public. Oral comments to the Petition will be heard at the Public Hearing. The Public Hearing may be continued from time to time as may be necessary.

Further, and as allowed by the laws of the State of Indiana, members of the public will be afforded the opportunity to attend the Plan Commission Public Meetings via a form(s) of electronic communication IF indicated in the Agenda (as amended from time to time) associated with the Plan Commission Meeting.

Additionally, upon request, the Town of Zionsville will provide auxiliary aids and services in association with meetings and hearings occurring in-person. Please provide advance notification to Roger Kilmer, at rkilmer@zionsville-in.gov or 317-344-1164, to ensure the proper accommodations are made prior to the meeting.

(President)

Mike Dale

(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 TO INTERESTED PARTIES OF THE PUBLIC HEARING TO BE HELD BY THE TOWN OF ZIONSVILLE PLAN COMMISSION, to consider:

Petition # _____, filed by _____

Requesting a _____

For property located at _____

was sent to the last known address of each of the following entities at the following addresses:

OWNERS

ADDRESS

See attached List of Adjoiners

And that said Legal Notices were sent by (select one of the following):

☐ First Class Mail or ☐ Certified Mail

on or before the _____ day of _____, 20____, being at least fourteen (14) days prior to the date of the Public Hearing (Copies of "First Class Mail" envelopes or original Certified Mail white slips attached);

And that a Legal Notice sign was posted in a conspicuous place on the property described in the Petition on or before the _____ day of _____, 20____, being at least fourteen (14) days prior to the date of the Public Hearing;

And that said Legal Notice was published in a newspaper of general circulation at least fourteen (14) days prior to the date of Public Hearing (Proof of Publication attached).

Affiant Signature

Affiant Printed Name

State of _____)

County of _____) **SS:**

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public Signature

Notary Public Printed

My Commission No: _____

My Commission Expires: _____

My County of Residence is _____ County