



Town of Zionsville **Petition Packet for** **Subdivision Plat Approval**

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 SUBDIVISION PLAT APPROVAL

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. The subdivision of property is a two-step process:
 - A. Plan Commission Approval of a Primary Plat or a Primary Plat Amendment (requires a public hearing)
 - B. Administrative review and approval of a Secondary Plat (no public hearing)
3. A complete Subdivision Plat Approval Petition for a Primary Plat, including required supporting information, must be submitted in accordance with filing deadline noted in [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>.
4. **Only complete applications for a Primary Plat 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.
5. **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(s) of all property involved in the Primary Plat)
 - ☐ Property Owner's Authorization (required if Petitioner is not the current property owner)
 - ☐ Narrative of proposed development or improvements
 - ☐ Required Plat (see [Section 193.036](#) for minimum drawing requirements)
 - ☐ Covenants and or Commitments (if proposed)
 - ☐ List of proposed addresses for new lots
 - ☐ 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 Plan Commission Approval 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 distributed to the Petitioner and posted on the Town’s website.
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. The proposed Primary Plat and any related drawings. All drawings should be provided on 11 x 17 sheets.
 - B. Proposed Covenants and/or 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](#).
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 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, approve, or deny the Petition.
10. If the Primary Plat is approved by the Plan Commission, the Petitioner can then submit an Application for administrative approval of a Secondary Plat for the Subdivision.

Office Use Only

Petition No.: _____

Hearing Date: _____

Town of Zionsville

Petition for Plan Commission Approval – Subdivision Plat

1. SITE INFORMATION:

Address of Property: _____

State Parcel Number(s): _____

Existing Use of Property: _____

Current Zoning: _____ Name of Subdivision: _____

Area in acres: _____ Current Number of Lots: _____ Proposed Number of lots: _____

2. PETITIONER / PROPERTY OWNER CONTACT INFORMATION:

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. APPROVALS REQUESTED (select all that apply):

☐ Primary Plat

☐ **Minor Subdivision** (3 or fewer lots and not resulting in the creation of any new roads or extension of utilities)

☐ **Major Subdivision** (4 or more lots)

☐ **Primary Plat Amendment** (revisions to a previously approved Subdivision)

☐ **Secondary Plat** (for a previously approved Primary Plat)

☐ **Waivers of Subdivision Control Ordinance:** *Identify specific waivers requested and reasons for each request. Attach additional pages if necessary.*

Project Description: _____

5. ATTACHMENTS:

☐ Owner's Authorization (if Petitioner is not the owner)

☐ Proof of Ownership (copy of current Deed)

☐ Copy of Covenants (if proposed)

☐ Filing Fee

☐ Legal description of property

☐ The Proposed Plat and related drawings

☐ Narrative of Proposed Development

☐ List of proposed addresses for new lots

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.

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 Petitioner or
Attorney for Petitioner:** _____

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.: _____

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

FINDINGS OF FACT

The Town of Zionsville Plan Commission (the "Commission"), after a Public Hearing held on Monday _____, 20____, has determined that the Primary Plat **is / is not** in full compliance with all terms and provisions of the Town of Zionsville Subdivision Control Ordinance and the Town of Zionsville Zoning Ordinance.

The Town of Zionsville Plan Commission finds that:

- a. Adequate provisions have been made for regulation of minimum lot depth and minimum lot area;
- b. Adequate provisions have been made for the widths, grades, curves and coordination of subdivision public ways with current and planned public ways; and,
- c. Adequate provisions have been made for the extension of water, sewer, and other municipal services.

TOWN OF ZIONSVILLE PLAN COMMISSION - DECISION

It is therefore the decision of the Plan Commission that this Primary Plat is APPROVED / DENIED on the _____ day of _____, 20____, subject to any conditions agreed to at the public hearing.

President, Town of Zionsville Plan Commission

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: 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 should 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 **Primary Plat Approval** for the division of _____ acres into _____
lots for a subdivision to be known as _____
(including Waiver(s) of the Subdivision Control Ordinance to allow for: (DESCRIPTION OF WAIVER)

The property involved more commonly known as: _____,
and is legally described as:

(INSERT OR ATTACH LEGAL DESCRIPTION OF PROPERTY)

A copy of the Petition for Primary Plat Approval, 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 for Primary Plat Approval 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 for Primary Plat Approval 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.

Dave Franz
(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