

Zoning Amendment Application

Town of Avon, Indiana

Avon Plan Commission



APPLICATION PROCEDURES

DEFINITION

To amend or change the zoning district classification of a particular lot(s) or parcel(s) of land to another zoning classification.

APPLICATION

*All preliminary consultations and in-person application submittals are by appointment only. Please reach out to Planning department staff prior to application submittal. **Preliminary consultations must occur at least two weeks prior to the filing deadline.** Complete applications, supporting documents, and payment may be mailed prior to the application deadline. Failure to provide a complete submittal will result in the scheduling of your petition to the following Plan Commission meeting date.*

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 deadline and must be completed on town forms. All applications will be reviewed for completeness and accuracy prior to acceptance.

1. A **notarized application** filed at least fifty-two (52) days before the date of the Plan Commission public hearing;
2. A **legal description** of the property;
3. A **site map** of existing conditions and/or copies of **any proposed development plans**;
4. A **Written Statement** of how the proposed amendment relates to the Avon Comprehensive Plan;
5. If the applicant is not the owner, a signed and notarized **Letter Granting Authority to an Agent**;
6. A **sample letter** for the written notification requirements;
7. A **list of adjacent property owners** within six hundred sixty (660) feet but no more than two (2) property owners in depth;

FEES

The following fees apply to a Variance of Development Standards review:

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. **Traffic Study Review Fee** by check made payable to Shrewsberry, if applicable.
4. **Design Review Fee** by check made payable to Crossroad Engineers, PC, if applicable.

*Fees are nonrefundable and are due at time of application. See *Fee Schedule* for more details.*

TAC SUBMITTAL AND REVIEW

The applicant shall be responsible for the submittal of any proposed project with 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 avonindiana.gov 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.

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PUBLIC NOTIFICATION

1. NEWSPAPER NOTIFICATION: Town Staff will submit legal notices for publication at least ten (10) days prior to the date of the Board of Zoning Appeals public hearing.

2. WRITTEN NOTIFICATION: The applicant must mail first class letters to all interested parties at least ten (10) days prior to the date of the Board of Zoning appeals public hearing. Interested parties are defined as all persons with a legal interest in the property and all owners of real property within six hundred and sixty (660) feet or a depth of two (2) ownerships, whichever is less, of the applicant's property. An adjacent property owner must not include properties of common ownership relative to the subject parcel and notice must be provided in accordance with the standards above beyond common ownership parcels. The applicant may follow the sample written notification letter. The provided Affidavit of Notice to Interested Parties must be signed and notarized attesting to the mailings and submitted to the Town with a copy of a sample mailing seven (7) days prior to the public hearing. (See attached sample letter and affidavit form.)

3. POSTING OF PROPERTY: Town Staff will post a public hearing sign at the subject property at least ten (10) days prior to the date of the Board of Zoning Appeals public hearing. Applicants should advise the property owner/manager and/or tenants not to remove or obscure the sign and to notify staff if it is removed or damaged prior to the hearing.

PLAN COMMISSION REVIEW

The Avon Plan Commission must hold a public hearing to consider the request for the zoning amendment. The Plan Commission will forward to the Avon Town Council its recommendation on the proposed amendment as being favorable, unfavorable, or no recommendation. Plan Commission meetings are held at 6:30 p.m. on the fourth Monday of every month in the Avon Town Hall, located at 6570 East U.S. Highway 36, Avon, Indiana 46123, unless indicated otherwise.

TOWN COUNCIL REVIEW

The Town Council must consider the Plan Commission's recommendation within ninety (90) days of the Plan Commission hearing.

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APPLICATION CHECKLIST

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 twenty-nine (50) days before the date of the Plan Commission meeting. If application is incomplete, the petition will not be docketed. Be sure to include:										
		<table border="1"> <tr> <td>Project Name</td> <td>Acreage</td> </tr> <tr> <td>Project Address</td> <td>Nearest Intersection</td> </tr> <tr> <td>Parcel Number(s)</td> <td>Current Zoning Classification</td> </tr> <tr> <td>Existing Land Use</td> <td>Proposed Land Use</td> </tr> <tr> <td>Previous Land Use Approvals</td> <td>Proposed Zoning</td> </tr> </table>	Project Name	Acreage	Project Address	Nearest Intersection	Parcel Number(s)	Current Zoning Classification	Existing Land Use	Proposed Land Use	Previous Land Use Approvals	Proposed Zoning
Project Name	Acreage											
Project Address	Nearest Intersection											
Parcel Number(s)	Current Zoning Classification											
Existing Land Use	Proposed Land Use											
Previous Land Use Approvals	Proposed Zoning											
3.		If the applicant is not the owner, one (1) signed and notarized copy of the Letter Granting Authority to an Agent.										
4.		One (1) completed Contact Information form.										
5.		One (1) copy of the legal description of property.										
6.		One (1) Written Statement of how the proposed amendment relates to the Avon Comprehensive Plan.										
7.		Two paper copies of a site plan (may be conceptual) showing property lines, dimensions, street rights-of-way, and existing zoning and land use of the property.										
8.		Any supporting documentation , such as: traffic study, wetland mitigation plan, environmental impact study, letter of intent from appropriate sanitary sewer utility.										
9.		One (1) completed sample Public Notification Letter to be sent to adjacent property owners.										
10.		A list of adjacent property owners .										
11.		Two (2) electronic copies of all plans and application documents submitted on thumb drives.										
12.		Nonrefundable application fee . (Check must be made payable to the "TOWN OF AVON").										
13.		Nonrefundable legal advertisement fee . (Check must be made payable to the "TOWN OF AVON").										
14.		Additional fees for traffic study and/or design review, if applicable .										

*Fees are nonrefundable. See *Fee Schedule* for more details.*

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Proposed Name of Project:			
Applicant(s):		Address:	
Telephone:		Email:	
Owner(s):		Address:	
Telephone:		Email:	
Attorney:		Address:	
Telephone:		Email:	
Surveyor/Engineer:		Address:	
Telephone:		Email:	
Property Location			
Street Address:		Nearest Intersection:	
Parcel ID:		Acreage:	
Existing Zoning:		Existing Land Use:	
Existing Overlay (e.g. corridor or flood plain)		Surrounding Land Use:	North: _____ South: _____
Proposed Zoning:			West: _____ East: _____
<i>The undersigned, having been duly sworn on oath states the above information is true and correct as (s)he is informed and believes.</i> <i>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, inspection, reports, and the like required by the Town.</i>			
Date		Printed Name & Title / Company (if applicable)	
		Signature of Owner(s) or Agent	
}			
STATE OF _____		SS:	
}			
COUNTY OF _____			
}			
Subscribed and sworn to before me this _____ day of _____, 20____.			
Notary Public Signature		Notary Public: Printed Name	
My Commission Expires: _____		Residing in: _____ County	

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CONTACT INFORMATION	
<i>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.</i>	
<i>Indicate the Contact Person to be notified to request additional information, schedule meetings, receive Avon Plan Commission Staff Letters and Recommendations.</i>	
<u>Please type or print legibly.</u>	
Business Name:	
Contact Person:	
Address:	
Phone Number:	
Email:	

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LETTER GRANTING AUTHORITY FOR AN AGENT

I (We) do hereby grant authority to _____
to seek a Zoning Amendment approval from the Town of Avon Plan Commission
for the property located at:

Name of Agent

Property Address or Parcel ID number(s)

I (We) am (are) the owner(s) of the real estate included the proposed Zoning Amendment.

Date

Printed Name & Title / Company (if applicable)

Signature of Owner(s)

STATE OF _____ }

COUNTY OF _____ }

SS:

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

Notary Public Signature

Notary Public: Printed Name

My Commission Expires: _____

Residing in: _____ County

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SAMPLE NOTIFICATION LETTER

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 to amend the zoning classification for a project to be known as **(Case Number, Case Name and a brief description of the Project)** a **(Number of Acres)** acre parcel(s), located at **(insert address if known, or parcel number)**, in the Town of Avon, Indiana, located near **(Give the Location of the Project in Relationship to the Nearest Street Intersection)**. This proposed zoning amendment would change the current zoning classification of the above referenced property from **(Existing Zoning Classification)** to **(Proposed Zoning Classification)**.

A copy of this application, legal description, and all plans pertaining to this proposed Zoning Amendment 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-11:30 AM and 12:30-4:00 PM, Monday through Friday. Written objections to a proposal may be filed with the Planning Staff up to and including the date of the public hearing 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 Zoning Amendment in the Avon Town Hall located at 6570 East U.S. Highway 36, Avon, Indiana, 46123 on **(Date of the Public Hearing)** at 6:30 PM.

Very truly yours,

(Name and Signature of Applicant or Agent for the Applicant)

**AFFIDAVIT OF NOTICE TO INTERESTED PARTIES
FOR ZONING AMENDMENT
AVON PLAN COMMISSION
TOWN OF AVON, INDIANA**



Affidavit to be submitted one week prior to the scheduled public hearing.

I, _____ do hereby certify that notice to interested parties of the date, time,
(Name of Person Mailing Letters)

and place of the public hearing for the application of:

(Case Number & Case Name)

Requesting: _____
(Describe Zoning Amendment Proposal)

Located at: _____
(Street Address and Give the Location in Relationship to the Nearest Intersection)

was mailed to the last known address of each of the following interested persons owning property affected by this petition as defined in the Avon Unified Development Ordinance (attach additional sheets, if necessary):

OWNER

ADDRESS

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

And, that said notices were sent by certified, registered, or first-class mail on or before the _____ day of _____, 20____, being at least ten (10) days prior to the date of the public hearing.

(Signature of Applicant 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