

Development Plan Review Application

Town of Avon, Indiana

Avon Plan Commission



APPLICATION PROCEDURES

DEFINITION

The Plan Commission shall have exclusive authority to review and approve or disapprove those development plans specifically assigned to the Plan Commission for review for all items identified in the Town of Avon Unified Development Ordinance.

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. Paper and electronic copies of all development plans;
4. A completed **Findings** for any requested waivers of development standards or design standards;
5. A **Letter of Intent** which identifies the scope and nature of the proposed project;
6. If the applicant is not the owner, a signed and notarized **Letter Granting Authority to an Agent**;
7. A **sample letter** for the written notification requirements;
8. 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. **Design Review Fee** by check made payable to Crossroad Engineers, PC
4. Any review fee associated with TAC review by an outside agency must be provided to that agency.

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

WAIVERS

Where compliance with the Subdivision Regulations in Chapter 7 of the Town of Avon Unified Development Ordinance cannot be achieved, an application for a Waiver of Design Standards may be submitted with a development plan review. Such application shall be submitted on the form available at avonindiana.gov/planning and is subject to an additional fee by check made payable to Crossroad Engineers, PC.

Where compliance with the dimensional and quantitative development standards of the Town of Avon Unified Development Ordinance cannot be achieved, but can be met to within at least 65% of the standard, an application for a Waiver of Development Standards may be submitted with an application for a Development Plan Review.

A separate waiver must be submitted for each item intended to be waived and must detail the standard that cannot be met and how the proposal will meet the required Findings of Fact.

PUBLIC NOTIFICATION

1. NEWSPAPER NOTIFICATION: Town Staff will submit legal notices for publication at least ten (10) days prior to the date of the Plan Commission 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 Plan Commission public hearing. Interested parties are defined as all

Development Plan Review Application

Town of Avon, Indiana

Avon Plan Commission



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 Avon Plan Commission 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 MEETING

The Avon 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.

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></td> <td>Project Name</td> <td></td> <td>Acreage</td> </tr> <tr> <td></td> <td>Project Address</td> <td></td> <td>Nearest Intersection</td> </tr> <tr> <td></td> <td>Parcel Number(s)</td> <td></td> <td>Current Zoning Classification</td> </tr> <tr> <td></td> <td>Existing Land Use</td> <td></td> <td>Proposed Land Use</td> </tr> <tr> <td></td> <td>Previous Land Use Approvals</td> <td></td> <td></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		
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	Existing Land Use		Proposed Land Use																			
	Previous Land Use Approvals																					
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) copy of the Letter of Intent . This should include a brief description identifying the scope and nature of the request.																				
7.		A completed Waiver Application , if any waivers of development standards or design standards are to be included.																				
8.		Two (2) paper copies of all development plans, including architectural plans showing exterior elevations, floor plans, and building materials used (all sides and roof), and site plans including: a) General vicinity map; b) Property boundary lines including any easements; c) Elevation marks and contours; d) Traffic and circulation plan, including a Traffic Impact Study or Analysis, when required; e) Pedestrian circulation plan; f) Adjacent streets;																				

Development Plan Review Application

Town of Avon, Indiana

Avon Plan Commission



		g) Parking and loading plan; h) Landscaping plan, indicating plant types, numbers, location, size, and method of installation. A tree survey and replacement plan must be provided if trees are proposed to be removed; i) Grading and surface drainage plan in accordance with the Stormwater Management Ordinance and the Unified Development Ordinance (UDO); j) Utilities plan (existing and proposed) showing location and size; k) Signage plan showing location and size; l) Lighting plan in accordance with Chapter 6.10(K) of the UDO; m) Open space and recreation plan; n) Refuse and storage areas, including elevations and building materials; o) Proposed improvements showing location, dimensions and configuration of existing and proposed buildings, structures, and uses; p) Floor plans, building plans and elevations of all structures; q) Fire Protection Plan showing fire hydrant location, water main size and details of installation, location of remote connection to sprinkler system (if provided), fire flow calculations, and the location of fire lanes and emergency access roads (when required; and r) Development summary indicating lot area, building square footage, lot coverage, building height, number and size of dwelling units and structures, and the number of parking spaces required and provided. The Planning Director or the Plan Commission may require additional information including, but not limited to, a traffic study, a wetland mitigation plan, environmental studies, and/or a market study. The Planning Director shall inform the petitioner of such requirements during the pre-application meeting. However, this shall not preclude the Plan Commission from requesting additional information which they find necessary for their review of the proposed development.
9.		All stormwater drainage submittal requirements per Chapter 6 of the Stormwater Management Ordinance.
10.		One (1) completed sample Public Notification Letter to be sent to adjacent property owners.
11.		A list of adjacent property owners .
12.		Two (2) electronic copies of all plans and application documents submitted on thumb drives .
13.		Nonrefundable application fee . (Check must be made payable to the "TOWN OF AVON").
14.		Nonrefundable legal advertisement fee, if applicable . (Check must be made payable to the "TOWN OF AVON").
15.		Nonrefundable design review fee (Check must be made payable to Crossroad Engineers, PC)
16.		Additional fees for traffic study and/or review, if applicable .

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

Development Plan Review Application

Town of Avon, Indiana

Avon Plan Commission



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:	
Brief description of proposed improvements:		Previous zoning approval cases:	
<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 _____ }			
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	

Development Plan Review Application
Town of Avon, Indiana
Avon Plan Commission



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 Plan Commission Staff Letters and Recommendations, and to receive the Plan Commission's' Findings-of-Fact.</i>	
Please type or print legibly.	
Business Name:	
Contact Person:	
Address:	
Phone Number:	
Email:	

Development Plan Review Application

Town of Avon, Indiana

Avon Plan Commission



LETTER GRANTING AUTHORITY TO AN AGENT

I (We) do hereby grant authority to _____
Name of Agent
to seek a Development Plan Review approval from the Town of Avon Plan Commission
for or the property located at _____
Property Address or Parcel ID number(s)
I (We) am (are) the owner(s) of the real estate included the proposed Development Plan Review.

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

Development Plan Review Application

Town of Avon, Indiana

Avon Plan Commission



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 for a Development Plan Review to be known as **(Case Number, Case Name and a brief description of the Project)** 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)**.

A copy of this application, legal description, and all plans pertaining to this proposed Development Plan Review 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 Development Plan Review 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
DEVELOPMENT PLAN REVIEW
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: _____
(State Variance Request and Cite Section(s) of the Unified Development Ordinance)

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