



PLAN COMMISSION

Secondary Plat Application

Provisions for Filing:

I) APPLICANT SUBMITTAL REQUIREMENTS:

- A) A completed application form, including notarized signatures of owner(s) and applicants(s).
- B) A non-refundable filing fee. Please contact the Planning Department at 765-778-8370 to determine the filing fee. The Planning Department accepts cash, credit cards, or check. Checks can be made payable to the "Town of Pendleton".
- C) One (1) complete set of the proposed scaled drawings (no larger than 24" by 36") and one reproducible 11" by 17" drawing which must include the following items:
 - 1) The proposed name of the subdivision, followed by the words "Secondary Plat."
 - 2) The name and address of the owner and the subdivider.
 - 3) North arrow, scale, and date.
 - 4) A description of the portion of the overall primary plat intended to be filed for record, including a program for the progressive development of the entire area contained in the overall primary plat. The secondary plat may include all or any part of the overall primary plat which has received approval.
 - 5) A statement of the estimated amount of money sufficient to complete the improvements and installations by the subdivider and attested to by a registered land surveyor or registered professional engineer.
 - 6) Accurate boundary lines, with dimensions and angles, providing a survey of the tract, closing with an error of not more than one foot in 5,000 feet.
 - 7) Accurate distances and directions to the nearest established street corners or official monuments.
 - 8) Reference corners shall be accurately described on the plat.
 - 9) Location, type, material, and size of all monuments and lot markers.
 - 10) Accurate locations of all existing and recorded streets intersecting the boundaries of the tract.
 - 11) Street lines with accurate dimensions in feet and hundredths of feet, with angles to street, alley, and lot lines.
 - 12) Lot numbers and dimensions. Include square feet and acreage.
 - 13) Easements, including locations, widths, and purpose.
 - 14) Building setback lines and dimensions.
 - 15) Floodplain boundaries and base flood elevations or a statement that the subdivision is not in a special flood hazard area.
 - 16) Accurate dimensions for any property to be dedicated or reserved for public, semi-public, or community use.
 - 17) Restrictions of all types which will run with the land and become covenants in the deeds for lots.
 - 18) Profiles, typical cross-sections, and specifications for proposed street improvements.
 - 19) Profiles, locations, and other explanatory data concerning the installation of sanitary and storm sewerage systems and water distribution system.
 - 20) Profiles, locations, and other explanatory data concerning the installation of electric and other similar utility systems.
 - 21) Certification of dedication of streets and other public property.
 - 22) Certification by a registered land surveyor.
 - 23) Certificates for approval by the Plan Commission, Madison County Auditor, and the Madison County Recorder.
 - 24) Recorded plats must be submitted in PDF form to the Planning and Zoning Administrator, along with a .DWG file containing plat and utility information.

II) CERTIFICATIONS TO BE USED IN SECONDARY PLATS: The following certifications shall be used in secondary plats:

A. PLAN COMMISSION CERTIFICATE

“UNDER AUTHORITY PROVIDED BY IC 36-7-4-700 et seq., AS AMENDED AND PENDLEOTN CODE 36-7-4-700 et seq., AS AMENDED, THIS PLAT WAS GIVEN APPROVAL BY THE TOWN OF PENDLETON, AS FOLLOWS:

Approved by the Plan Commission at a meeting held _____, 20____.

PENDLETON TOWN PLAN COMMISSION
PENDLETON, INDIANA

President

Secretary

B. REGISTERED LAND SURVEYOR’S CERTIFICATE

“I, _____, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA.

THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY COMPLETED BY ME ON _____, 20____; THAT ALL THE MONUMENTS SHOWN THEREON ACTUALLY EXIST; AND THAT ALL OTHER REQUIREMENTS SPECIFIED HEREIN, DONE BY ME, HAVE BEEN MET.

Signature

C. DEED OF DEDICATION

“We the undersigned _____, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted and subdivided, and hereby lay off, plat and subdivide, said real estate in accordance with the accompanying plat. We do further certify that this plat is made and submitted with our free consent and desires.

This subdivision shall be known and designated as _____, an Addition to _____. All streets and alleys shown and not heretofore dedicated, are hereby dedicated to the public.

Front yard building setback lines are hereby established as shown on this plat. No building or structure shall be erected or maintained between the setback lines and the property lines of the street.

A perpetual easement is hereby granted to any local public utility or municipal department, their successors and assigns, within the area shown on the plat and marked “Easement,” to install, lay, construct, renew, operate, maintain, and remove conduits, cables, pipes, poles and other wires, overhead and underground, with all necessary braces, guys, anchors, and other equipment for the purpose of serving the subdivision and other property with telephone, electric, gas, sewer, and water service as a part of the respective utility system.

The right to place aerial service wires above the streets and lots to serve adjacent lots is granted subject to the prior rights of the public. Trees, shrubs, or any other plants which interfere or threaten to interfere with any public utility equipment necessary to exercise this right may be trimmed or altered to the extent necessary to prevent the interference. The right is hereby granted to enter upon the lots at all times for all of the purposes aforesaid. No permanent buildings or trees shall be placed on the area as shown on the plat marked “Easement,” but that area may be used for gardens, shrubs, landscaping, and other purposes that do not then or subsequently interfere with the uses or rights herein granted.

(Additional dedication and protective covenants, or private restrictions are inserted here upon the subdivider's initiative or the recommendations of the Commission; important provisions are those specifying the use to be made of the property and, in the case of a residential use, the minimum habitable floor area).

The foregoing covenants (or restrictions) are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 20____ (a twenty-five (25) year period is anticipated), at which time said covenants (or restrictions) shall be automatically extended for successive periods of ten (10) years unless changed by vote of a majority of the owners of the building sites covered by these covenants or restrictions, in whole or in part. Invalidation of any one of the foregoing covenants or restrictions, shall not invalidate any remaining covenants or restrictions, which shall remain in full force and effect.

The right to enforce these provisions by injunction, together with the right to cause the removal, by due process of law, of any structure or part thereof erected, or maintained in violation hereof, is hereby dedicated to the public, and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns.

Witness our Hands and Seals this _____ day of _____, 20_____.

Signature

Signature

State of Indiana)
) SS:
County of Madison)

Before me the undersigned Notary Public, in and for the County and State, personally appeared _____, _____, and each separately and severally acknowledged the execution of the foregoing instrument as his or her voluntary act and deed, for the purposes therein expressed.

Witness my Hand and Notarial Seal this _____ day of _____, 20_____.

Notary Public

III) NOTICE REQUIREMENTS:

A) Newspaper Publication

- 1) A legal notice of the scheduled public hearing will be prepared and submitted by the Planning and Zoning Administrator to the local newspaper in sufficient time to meet the notice deadlines. A portion of your filing fee will be used to pay for this publication.

B) Certified Mail Notification

- 1) Written notice shall be prepared by the Planning and Zoning Administrator.
- 2) The applicant is responsible for the following tasks prior to the public hearing:
 - (a) Identifying Affected Property Owners: The applicant shall contact the Madison County Auditor's Office (located in the Madison County Government Center) in order to obtain the names and mailing addresses of all property owners within a 300-foot radius of the subject tract(s) in subdivisions and a 150-foot radius of the subject tract(s) for all other areas.

**Madison County Government Center
Auditor's Office
16 East 9th Street
Anderson, IN 46016
Phone: (765) 641-9419**

(b) Mailing Legal Notices

- (i) The applicant shall mail legal notice of the public hearing, via certified mail with return receipt, to property owners of record within a distance of 300 feet of subject property.
- (ii) The applicant is responsible for payment of certified mailing fees.

- (iii) The applicant shall submit all certified mail return receipts and any undeliverable letters (such letters should remain unopened) to the Planning and Zoning Administrator five days prior to the scheduled public hearing.
- (iv) Completion of Petitioner's Affidavit: An affidavit entitled "Petitioner's Affidavit of Notice of Public Hearing" is attached to this application. The affidavit shall be completed by the applicant and submitted to the Planning and Zoning Administrator five days prior to the scheduled public hearing.

IV) PUBLIC HEARING:

- A) A. Meetings start promptly at 7 pm at the Pendleton Town Hall, located at 100 West State Street.
- B) Applicant may appear on their own behalf or be represented by counsel or an agent.
- C) The public hearing procedure is as follows:
 - 1) The President gives a restatement of the case as an introduction to the item.
 - 2) The Staff presents evidence and offers a recommendation.
 - 3) The Commission members examine the Staff.
 - 4) The Applicant presents evidence and any necessary witnesses.
 - 5) The Commission members examine the Applicant and any witnesses.
 - 6) The President asks for any Objectors to present evidence.
 - 7) The Commission members examine the Objectors.
 - 8) The Applicant is given a rebuttal period.
 - 9) The Commission discusses information that has been presented and asks any additional questions.
 - 10) Commission votes on the agenda item.

- V) AFTER THE PUBIC HEARING: If approved by the Planning Commission, the Secondary Plat must be recorded at the Madison County Government Center at 16 East 9th Street in Anderson, Indiana. A final, recorded copy of the Secondary Plat should be submitted to the Town of Pendleton Planning Department.

**Plan Commission
Meeting Schedule
7 p.m. at Town Hall**

MEETING DATES	FILING DEADLINES
January 9, 2019	December 10, 2018
February 13, 2019	January 14, 2019
March 13, 2019	February 11, 2019
April 10, 2019	March 11, 2019
May 8, 2019	April 8, 2019
June 12, 2019	May 13, 2019
July 10, 2019	June 10, 2019
August 14, 2019	July 15, 2019
September 11, 2019	August 12, 2019
October 9, 2019	September 9, 2019
November 13, 2019	October 15, 2019
December 11, 2019	November 12, 2019



Secondary Plat Application

1. PROPERTY INFORMATION

Property Location

Circle one: RESIDENTIAL

NON-RESIDENTIAL

Proposed Name of Subdivision Plat

16-digit Parcel ID

Township Name

Present Zoning

Proposed Zoning

Acreage

Proposed Number of Lots

Acreage of Open Space

Proposed Open Space %

2. APPLICANT INFORMATION

Name of Applicant

Applicant Email Address

Applicant Phone Number

Applicant Address

City/Town

State

Zip code

3. OWNER INFORMATION

Name of Property Owner

Property Owner Email Address

Property Owner Phone Number

Property Owner Address

City/Town

State

Zip code

4. ATTORNEY INFORMATION

Name of Company

Contact Name

Contact Email Address

Contact Phone Number

Attorney Address

City/Town

State

Zip code

5. ENGINEER INFORMATION

Name of Company

Contact Name

Contact Email Address

Contact Phone Number

Engineer Address

City/Town

State

Zip code

6. SURVEYOR INFORMATION

Name of Company

Contact Name

Contact Email Address

Contact Phone Number

Surveyor Address

City/Town

State

Zip code

7. ATTEST AND SIGNATURES

The above information, to my knowledge and belief, is true and correct.

Signature of Applicant

Signature of Property Owner

State of Indiana, County of Madison

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

My Commission expires:

Notary's Signature

A resident in the County of:

Type or Print Name

Planning Department Use Only

Petition Number

Check Number

Receipt Number

Primary Plat Petition Number

Primary Plat Approval Date

Date Filed

Meeting Date



Petitioner's Affidavit of Notice of Public Hearing

STATE OF INDIANA)
COUNTY OF MADISON)

I, _____, being first duly sworn upon oath according to law, deposes and says that after a diligent search of the records of Madison County, Indiana, a list was compiled of the names and addresses of all property owners of the real estate within a 300-foot radius of the subject tract(s) in subdivisions and a 150-foot radius of the subject tract(s) for all other areas for which a Secondary Plat is sought; that said legal owners of the land are the persons set forth on the transfer book in the office of the Auditor of Madison County, that a notice of public hearing was sent to all of said property owners by certified mail, that receipts for said certified mail and list of legal owners are listed below and made a part hereof.

Owner's Names

Addresses

Dated this _____ day of _____, 20__.

Signature of Petitioner or Authorized Representative

Type or Print Name

SUBSCRIBED AND SWORN TO ME THIS _____ DAY OF _____, 20__.

MY COMMISSION EXPIRES

NOTARY'S SIGNATURE

A RESIDENT IN THE COUNTY OF

TYPE OR PRINT NAME