

PROCEDURES AND APPLICATIONS FOR FILING PRIMARY SUBDIVISION PLATS

PRIMARY PLAT APPROVAL

Step 1. Pre-Filing Conference - The applicant should have a pre-filing conference with the Area Plan Commission Executive Director and/or staff about the conceptual subdivision plan and how it relates to the objectives of the Subdivision Ordinance.

Step 2. Information Needed to File - Submit the following information to the Area Plan Commission office:

A. Subdivision Application Form and Checklist

1. The application for plat approval must be completed and submitted along with the subdivision plat and other required attachments at the time of filing. All applications must be filed in their entirety on or before the posted filing deadline. Omission of any required items could result in a delay of the review process. Application fees are not subject to refund. Shaded portions of the Subdivision Application Form and the Attachments are reserved for Area Plan Commission use only.

2. A completed APC subdivision checklist confirming that each applicable required entry is included on the proposed subdivision plat; and

B. 20 folded copies of the proposed new subdivision plat on any paper cut to sheet size A through E (minor plats should use APC form or other paper acceptable to APC);

C. A copy of your list of abutting property owners; this list should include the tax code, name, and mailing address of each abutting property owner.

D. Cash or check for the filing fee (see fee schedule).

Step 3. Filing Primary Plat - Upon submittal of a primary plat, a docket number will be assigned. If the plat is complete including all the required information, the APC staff will place the plat on the Subdivision Review agenda and confirm the date, time and location for this meeting (see attached meeting schedule). Schedules for public hearings on subdivision drainage plans and the APC hearings on subdivision plats are also included on the attached schedule.

Step 4. Subdivision Review Committee - The Subdivision Review Committee is established by the Area Plan Commission to assist with the technical evaluation of subdivisions and to make technical recommendations to the Area Plan Commission. The Committee meets monthly (see attached meeting schedule). The applicant or a representative must attend the Subdivision Review Committee meeting at which the plat will be discussed to answer questions that may arise and to track all changes or recommendations made by the Committee.

A determination will be made at the Committee meeting whether minor subdivision plats must be heard at an Area Plan Commission hearing, or proceed through the technical plat review process. The Executive Director has the authority to grant primary approval for minor subdivisions after the Technical Review Committee has approved the minor subdivision and as delegated by the Subdivision Control Ordinance.

Subdivision Review Committee may determine that a subdivision is not ready to move forward to Area Plan Commission. After a simple majority vote by Subdivision Review, a subdivision shall return to Subdivision Review for further consideration before proceeding to Area Plan Commission.

Step 5. Drainage Plan - Submit a drainage plan in accordance with the deadlines of the City Board of Public Works or the County Drainage Board, whichever is applicable. Drainage plans for property in the City are reviewed for approval by the Board of Public Works, and by the Drainage Board when County land is involved (see attached meeting schedule). Preliminary approval of drainage plans is required for a subdivision to be heard by the Area Plan Commission.

Step 6. Notice - Notice of both the Area Plan Commission meeting and the meeting where the subdivision drainage plan will be discussed must be provided to adjacent property owners in accordance with the following requirements. This notice must be postmarked no later than 12 days before the APC meeting. The notice by the applicant must be sent CERTIFIED MAIL, RETURN RECEIPT REQUESTED (see attached sample letter) to each landowner whose property abuts the proposed subdivision or any additional land owned by the applicant adjacent to the subdivision. Names and tax codes of abutting property owners must be obtained from the official owners of record on file at the Assessor's office. The mailing addresses for the owners of record can be found by referencing the tax codes at the Treasurer's office. (Occasionally the names of the owners of record in the Assessor's office do not correspond with the names of the Treasurer's records; if this situation occurs, send notice to both parties. Please bring any irregularities or problems to the attention of the APC staff PRIOR to mailing said notice(s).) Additionally, within the limits of the City of Evansville, you must check with the City Clerk's office to determine if the subject property lies contiguous to a Registered Neighborhood Association.

To clarify notice requirements, abutting property is defined as any property which would touch at any point the property that contains in whole or in part the subdivision, disregarding separations caused by streets, alleys, easements, etc. Therefore, owners across streets, alleys and easements must also be notified.

For minor subdivisions that are not heard by the APC, the notice to adjacent property owners should not include a date for a Plan Commission meeting. All other subdivisions shall notify of the meeting date(s) and comply with these notice procedures (see attached sample notice letters for minor subdivisions not heard by APC, and for minor and major subdivisions to be heard at a public meeting).

Step 7. Documenting Notice - Submit a notarized affidavit using the attached forms, along with one copy of the notice and the green receipts (explain any un-returned receipts) to the Plan Commission by 12:00 noon the Monday before the APC meeting. It is suggested that

the copy of the certified letter receipt be filled out completely and stamped by the Post Office at the time the notice is mailed. In the event that the green copy is not returned prior to the meeting, bring the receipt and/or the returned letter itself to the Plan Commission as proof that the letter was sent. If these requirements are not met, the subdivision will be continued until the next regularly scheduled meeting, and the notification process must be repeated for that meeting.

Step 8. APC Meeting - The policy of the Plan Commission is that plats to be considered at an APC meeting must be in final form. Revised plats or other information received after technical subdivision review without adequate time for review by the Commission and appropriate technical staff, will not be considered by the Plan Commission. The applicant or a representative is required to attend the Area Plan Commission meeting at which the proposed subdivision will be heard. The Plan Commission has sole authority for approving or denying subdivisions.

DUTY TO DISCLOSE - The Area Plan Commission may rely on the truth of all representations made concerning the subdivision plat and supporting documents. If any condition exists or arises or if any event occurs after filing the subdivision which makes any representation false, inaccurate, misleading or incomplete, and such fact is known by the applicant or a representative of the petitioner (collectively known as "the applicant"), it is the responsibility of the applicant to disclose such fact promptly to the Area Plan Commission at or before the public hearing. Failure to make such disclosure may result in subdivision denial or delay in APC action on the subdivision.

IF ALL OF THESE STEPS ARE NOT COMPLETED AS DETAILED IN THESE INSTRUCTIONS, THE PROPOSED SUBDIVISION CANNOT BE HEARD AT THE REGULARLY SCHEDULED MEETING.

**NOTICE OF PUBLIC HEARING
FOR MAJOR SUBDIVISION PLATS
AND MINOR SUBDIVISION PLATS (GOING TO PUBLIC HEARING)**

TO: (here insert abutting property owners)
FROM: (here insert name of developer or subdivision)
DATE: (insert date of letter)
SUBJECT: (notice of public hearing on subdivision plat)

Notice is hereby given that the Area Plan Commission, on Thursday, the _____ day of _____, 20__ at 4:00 p.m. in the City Council Chambers (Room 301): City-County Building, Civic Center Complex, Evansville, will hold a public hearing on (Name of Subdivision) for primary approval. The proposed subdivision involves (# of lots) located on (commonly known address) between (street or road) and (street or road) in Vanderburgh County. A reduced copy of the plat is enclosed, along with an Area Plan Commission (APC) subdivision comment form. The purpose of the form is to provide an opportunity for public comment on the proposed subdivision prior to the APC meeting. Comments can be placed on the form and sent by mail to the Area Plan Commission, or the form can be downloaded from the APC website (www.evansvilleapc.com) and e-mailed to the APC office. Click on the "Contact Us" button on the APC website to e-mail digital comments. You can also call the APC staff at (812) 435-5226 prior to the Plan Commission meeting to ask questions or express any concerns.

Be advised that, according to State law, the Area Plan Commission can only consider comments relating to the standards and requirements in the Subdivision Code. This Code is available for review in the APC office at the Civic Center, Room 312; and is also on the APC website.

The drainage plan for the (name of subdivision) will be reviewed by the (City Board of Public Works [Room 301] or the County Drainage Board [Room 307], Civic Center Complex on the _____ day of _____, 20__ at _____ a.m./p.m. This meeting is the forum for the public to express drainage concerns.

Developer of Subdivision
(Type Name of Contact Person & Phone Number)

Enclosures

cc: Pat Keepes (City Engineer) OR John Stoll (County Engineer)

(MINOR SUBDIVISION PLATS GOING TO PUBLIC HEARING SHOULD LEAVE OUT LAST PARAGRAPH REGARDING DRAINAGE MEETING.)

NOTICE OF MINOR SUBDIVISION

TO: (here insert abutting property owners)
FROM: (here insert name of developer or subdivision)
DATE: (insert date of letter)
SUBJECT: (notice of proposed subdivision plat)

Notice is hereby given that the Technical Review Committee of the Area Plan Commission is reviewing for approval (Name of Subdivision) subdivision, a (# of lots) lot subdivision located at (commonly known address) between (street or road) and (street or road) in Vanderburgh County. A reduced copy of the plat is enclosed along with an Area Plan Commission subdivision comment form.

If you have any questions or comments, please contact the Area Plan Commission office within ten (10) days of the postmark date of this letter. Be advised that, according to State law, the Area Plan Commission can only consider comments relating to the standards and requirements in the Subdivision Code. This Code is available for review in the APC office at the Civic Center, Room 312; and is also on the APC website (evansvilleapc.com).

(Developer of Subdivision)
(Type Name of Contact Person & Phone Number)

Enclosure

AREA PLAN COMMISSION
EVANSVILLE-VANDEBURGH COUNTY
*Room 312 Civic Center Complex
1 N. W. Martin Luther King, Jr. Blvd.
Evansville, IN 47708
Phone (812) 435-5226*

AREA PLAN COMMISSION SUBDIVISION COMMENT FORM

Proposed subdivision name: _____

Date: _____

Your Name: _____

Phone Number: _____

Your Mailing Address: _____

E-Mail Address: _____

Comments: _____

The Area Plan Commission can only consider comments that relate to the specific standards and requirements in the Subdivision Code.

This form can be sent to us by mail, fax, or e-mail at contactus@evansvilleapc.com. Forms will be available on our website (www.evansvilleapc.com).

Thank you for your comments.

SUBDIVISION AFFIDAVIT

STATE OF INDIANA)
) SS: Date: _____
 COUNTY OF VANDERBURGH)
 Docket Numbers: _____

I, (PRINTED name) _____, hereby affirm under the penalties of perjury that I have mailed letters containing required information about a subdivision at (Address) _____, to the following property owners on (Date) _____.

I hereby certify that, to the best of my knowledge, the following (or attached) is a complete and accurate list of all abutting property owners whose properties touch at any point the owner's property, included in whole or in part in the ordinance for rezoning stated above. I obtained said list by looking up the tax codes and abutting property owners on the records and/or plat maps in the office of the Assessor and receiving a printout of the current owners of record and their most recent mailing addresses as listed on the records in the office of the Treasurer of Vanderburgh County on (Date) _____.

Letters were sent to:

Name	Address	Tax Code

The letters were sent CERTIFIED MAIL, RETURN RECEIPT SERVICE. The green receipts **AND ONE SAMPLE LETTER** are attached.

 Affiant's signature (Petitioner, attorney, or representative)

Subscribed and sworn to before me, a Notary Public in and for said County and State this _____ day of _____, _____.

 (Notary Public)

My Commission expires: _____

Residence of Notary: _____ County, Indiana

NOTE: THIS AFFIDAVIT MUST BE FILED IN THE OFFICE OF THE AREA PLAN COMMISSION BY NOON OF THE DAY BEFORE THE AREA PLAN COMMISSION MEETING.