

Application No. _____

Fee _____
To be paid to the Hendricks County Area
Plan Commission must accompany this application.

Receipt # _____

HENDRICKS COUNTY AREA PLAN COMMISSION

Exempt Subdivision

**APPLICATION FOR APPROVAL OF THE EXEMPT SUBDIVISION OF LAND WITHIN THE TERRITORIAL
JURISDICTION OF THE HENDRICKS COUNTY AREA PLAN COMMISSION.**

Name of Applicant _____ Phone No. _____
Address of Applicant _____ Fax No. _____
City, State, Zip _____ E-mail _____

I (We) hereby apply for approval of the following described exempt subdivision in accordance with the provisions of the county regulations. I (We) am (are) the owner (the owners, the duly authorized agents or trustees for the owners) of the real estate included in said exempt subdivision.

Name of Exempt Subdivision: _____
Location _____

(Give boundaries briefly, using names of streets, streams, major land lines, etc.)

Current Zoning District _____
Sewer Provider _____ Water Provider _____
Name of Township _____ Section No. _____ Township No. _____ Range _____

Dimensions of Subdivision _____ Area (in acres) _____
Parcel Number(s) _____

Miles or fraction thereof of new streets to be dedicated to the public _____
(Full width)

Name of registered engineer or surveyor preparing plans: _____
Engineer's Address _____ Phone No. _____
_____ Fax No. _____
_____ E-Mail _____

Attorney or Other Agents _____

STATE OF INDIANA)
) SS:
HENDRICKS COUNTY)

The undersigned, having been duly sworn, upon oath, says that the above information is true and correct as he is informed and believes.

Signature of Applicant _____
Title of Applicant _____

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

NOTARY PUBLIC

COUNTY OF: _____
MY COMMISSION EXPIRES: _____

Electronic alteration of this form is prohibited.

EXEMPT SUBDIVISION

The following requirements of the Hendricks County Subdivision Control Ordinance and Zoning Ordinance must be met before your application can be considered by the Hendricks County Planning & Building Department Staff. It is important that all requirements are met prior to applying for exempt subdivision approval. An incomplete application will not be scheduled for hearing. If you have any questions about these requirements, please consult Planning & Building Department staff at 317-745-9254.

This check-off list is to help you organize and complete your application. It is also to assist the staff in reviewing your submission. **PLEASE PUT A CHECK MARK BESIDE EACH REQUIREMENT AS IT IS MADE PART OF THE APPLICATION.**

A COMPLETED CHECKLIST MUST BE SUBMITTED WITH EACH APPLICATION.

ORDINANCE REQUIREMENTS

APPLICATION REQUIREMENTS (HCSCO)

The application for Exempt Subdivision approval shall include the following items:	
I. Submittal Requirements:	
✓	a. Application Materials:
	i. Completed application form;
	ii. Copy of the parent tract deed;
	iii. Parent tract labeled "Remainder;"
	iv. Fee - \$200.00;
	b. Subdivision Drawing – The subdivision drawing for an exempt subdivision shall include the following:
	i. North arrow;
	ii. Graphical scale;
	iii. Parent tract labeled "Remainder;"
	iv. Proposed lot with the following:
	1. Boundary lines and acreage thereof (proposed lot and remainder);
	2. Right-of-way;
	3. Building setback lines;
	4. Easements;
	5. Property address;
	v. Legal Description;
	vi. Surveyor's certification;
	vii. Drawings shall be a minimum of 8.5" x 14" in size, and a maximum of 18" x 24" in size (2 copies).
	c. Exempt Subdivision Requirements – The exempt subdivision application must contain the following information, which may be located on a separate sheet:
	i. Lot Boundaries;
	ii. Dimensions;
	iii. Easements;
	iv. Building setback lines;
	v. Street on which the proposed parcel has access/frontage;
	vi. Location of residence and all accessory structures;
	vii. Location of Driveway.
2. Review and Approval:	

HENDRICKS COUNTY AREA PLAN COMMISSION

	a. Review of an exempt subdivision application shall be completed within 14 calendar days of the submission of a complete application;
	b. Review shall be carried out by Planning & Building Department staff;
	c. Review shall consist exclusively of determining if the proposed exempt subdivision complies with the relevant development standards of the Zoning Ordinance and Subdivision Control Ordinance;
	d. An application fee shall be paid.
	3. Limit of One Exempt Subdivision Per Parent Tract -- Only one (1) exempt subdivision may be created from a parent tract.
	4. Disclaimer -- The intent of the exempt subdivision process is to provide a low-cost, administrative means of splitting off an existing, legally established residence from a larger parent tract. The cost of the process is kept low by limiting the subdivision review to conformance with zoning ordinance and subdivision control ordinance development standards <u>only</u> . Conformance with other standards, such as (but not limited to) septic system design, well location regulations, roadside ditch design, and adequate site drainage, are <u>not</u> part of the review. <i>Consequently, approval of an exempt subdivision does not guarantee that the resulting lot is in complete conformance with all Hendricks County development standards. (This statement must appear on the drawing submitted for recording)</i>

Hendricks County Planning & Building Dept.
 355 South Washington Street #212
 Danville IN 46122
 Phone: 317-745-9254
 Fax: 317-745-9347

Website: www.co.hendricks.in.us

ORDINANCE NO. 2014 - 48

AN AMENDMENT TO THE HENDRICKS COUNTY SUBDIVISION
CONTROL ORDINANCE BY AMENDING CHAPTER 5 MINOR
SUBDIVISIONS AND CHAPTER 12 DEFINITIONS

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana adopted the Hendricks County Subdivision Control Ordinance on December 21, 2004;

WHEREAS, the Hendricks County Area Plan Commission has recommended that the Subdivision Control Ordinance be amended:

WHEREAS, the Hendricks County Area Plan Commission has conducted a public hearing on the proposed amendment (TSA 01-14) and voted to forward a favorable recommendation to the County Commissioners;

WHEREAS, the County Commissioners have received and reviewed the Area Plan Commission's report, have considered the Area Plan Commission's recommendations, and find that the adoption of the recommended amendment would promote the health, safety and convenience of the people of Hendricks County; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HENDRICKS COUNTY, INDIANA AS FOLLOWS:

Amendment to Chapter 5 Minor Subdivisions as follows:

Add:

5.06 EXEMPT SUBDIVISION

The Exempt Subdivision procedure applies only to divisions of land for the purpose of splitting off an existing legally conforming residence and accessory structures from a parent tract of land, provided that (1) the new residential parcel meets all current development standards applicable to a residential parcel in the relevant zoning district, and (2) the remaining parent parcel is at least 20 acres in size.

1. Conditions of Eligibility – Before determining that an application is eligible to be considered as an exempt subdivision, the planning director shall find that all of the following criteria are satisfied:
 - a. Orderly Development – The subdivision will not impede orderly development of land or the provision of public services and improvements.
 - b. Comprehensive Plan – The subdivision will be consistent with the Comprehensive Plan.
 - c. Suitability – The lot will provide a suitable residential building site. Land suitability shall be determined by the criteria contained in this ordinance.

- d. Endangerment – the exempt subdivision will not be detrimental to, nor endanger, the public health, safety, or general welfare.
 - e. Residential Zoning – The property must be zoned to allow residential development as a permitted use.
 - f. Right-of-Way – Right-of-way dedication pursuant to the Hendricks County Thoroughfare Plan.
 - g. Development Standards – The lot shall meet all current development standards applicable to a residential parcel in the relevant zoning district.
 - h. Parent Parcel – The remaining parent parcel shall be at least 20 acres in size.
2. Submittal Requirements
- a. Application Materials. The application shall include the following
 - i. Completed application form
 - ii. Copy of the parent tract deed
 - iii. Subdivision plat drawing
 - iv. Fee – 200.00
 - b. Subdivision Plat Drawing – The subdivision plat drawing for an exempt subdivision shall include the following:
 - i. North arrow
 - ii. Graphical scale
 - iii. Parent tract labeled “Remainder”
 - iv. Proposed lot with the following:
 - 1. Boundary lines and acreage thereof (proposed lot and remainder)
 - 2. Right-of-way
 - 3. Building setback lines
 - 4. Easements
 - 5. Property address
 - v. Legal description
 - vi. Surveyor’s certification
 - vii. Plat drawings shall be a minimum of 8.5” x 14” in size, and a maximum of 18” x 24” in size.
 - c. Exempt Subdivision Requirements – The exempt subdivision application must contain the following information, which may be located on a separate sheet:
 - i. Lot boundaries
 - ii. Dimensions
 - iii. Easements
 - iv. Building setback lines
 - v. Street on which the proposed parcel has access/frontage
 - vi. Location of residence and all accessory structures
 - vii. Location of driveway
3. Review and Approval
- a. Review of an exempt subdivision application shall be completed within 14 calendar days of the submission of a complete application.
 - b. Review shall be carried out by Planning & Building Department staff.
 - c. Review shall consist exclusively of determining if the proposed exempt subdivision complies with the relevant development standards of the Zoning Ordinance and Subdivision Control Ordinance.

- d. An application fee shall be paid.
4. Limit of One Exempt Subdivision Per Parent Tract – Only one (1) exempt subdivision may be created from a parent tract.
 5. Disclaimer - The intent of the exempt subdivision process is to provide a low-cost, administrative means of splitting off an existing, legally established residence from a larger parent tract. The cost of the process is kept low by limiting the subdivision review to conformance with zoning ordinance and subdivision control ordinance development standards only. Conformance with other standards, such as (but not limited to) septic system design, well location regulations, roadside ditch design, and adequate site drainage, are not part of the review. *Consequently, approval of an exempt subdivision does not guarantee that the resulting lot is in complete conformance with all Hendricks County development standards.*

5.07 Expiration of Approval

Approval of an exempt subdivision shall be valid for two (2) years from the date of approval unless the Administrative & Plat Committee or the Plan Commission grants an extension. If not granted before the expiration of two (2) years, the approval shall be null and void.

Amendment to Chapter 12 Definitions as follows:

Add:

SUBDIVISION, EXEMPT: A subdivision of a parent tract of land for the purpose of splitting off an existing legally conforming residence and accessory structures, provided that (1) the new residential parcel meets all current development standards applicable to a residential parcel in the relevant zoning district, and (2) the remaining parent parcel is at least 20 acres in size.

APPROVED, by the Board of Commissioners of Hendricks County, Indiana this

23rd day of DECEMBER, 2014

BOARD OF COMMISSIONERS

Phyllis A. Palmer
Phyllis A. Palmer, President

Bob Gentry
Bob Gentry, Vice President

Matthew D. Whetstone
Matthew D. Whetstone, Member

Attest

Cinda Kattau
Cinda Kattau, Auditor

HENDRICKS COUNTY PLAT RECORDING PACKAGE

A. Verification of Plat:

- a. No plat shall be submitted for recording until it has been thoroughly checked by the design engineer or surveyor for completeness, accuracy, and compliance with the Subdivision Control Ordinance, Planning Commission stipulations and all other applicable rules, regulations, and laws
- b. Each page shall bear the signatures and seal of the Planning Commission and the Registered Land Surveyor (including their names printed below the signatures, these must match), also Design Engineers name, address and phone number.
- c. The plat shall contain signatures (with names printed below) of all owners as they are written on the current deed and shall be notarized and sealed by an appointed and commissioned Notary Public

B. Plat Requirements:

- a. Lot information
 - i. The acreage of each lot, the lot number, and the address (where applicable) shall be shown on the plat.
- b. Page numbers
- c. All plats shall contain the following statements:
 - i. Drainage Statement
 1. “A petition addressed to the Hendricks County Drainage Board has been filed in duplicate with the Drainage Board, requesting that the subdivision’s storm drainage system and its easements be accepted into the County’s regulated drainage system. The storm drainage system and its easements that are accepted into the County’s regulated drainage system are delineated on the plat as Regulated Drainage Easements (RDEs). All drainage improvements performed relative to the conveyance of stormwater runoff and the perpetual maintenance thereof, within the latter easements, shall be the responsibility of the owner or homeowner association. The Hendricks County Drainage Board assumes no responsibility relative to said improvements or the maintenance thereof. Specific definitions and requirements associated with these RDEs and noted storm drainage systems are contained in Hendricks County Stormwater Management Ordinance and in Hendricks County Stormwater Technical Standards Manual. This subdivision contains _____ linear feet of open ditches and _____ linear feet of subsurface drains that will be included in the County’s Regulated Drainage System.”
 2. A table representing the lengths of open ditches and subsurface drains is also required
 - ii. Affirmation Statement
 1. I affirm under penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law. (Name)

- iii. Prep Statement
 - 1. Prepared by (Name)
 - a. This must be the name of the person who prepared the document, not a company name
- C. **Submission of Plat:** After the design engineer or surveyor has checked the plat, a group of documents known as the recording package shall be submitted to the County Engineer for processing. The recording package shall consist of the following:
- a. Recording Fee
 - i. The estimated recording fee is \$25 for the first page of the plat, plus \$5 for each additional page. Additional fees will be added for other necessary documents included. In such cases, a blank check made to the order of Hendricks County Recorder's Office will be accepted.
 - ii. For more information on recording fees, please contact the Hendricks County Recorder's Office at 317-745-9224. Or see the "Fee Schedule" for the Recorder's Office at <http://www.co.hendricks.in.us/departments/index.php?structureid=20>
 - b. The plat and its reproductions in accordance with the following:
 - i. The original Mylar plat. (18" x 24")
 - ii. 2 Mylar copies. Copies must be no larger than 18" x 24" and no smaller than the standard "C" size Mylar (17" x 22"). All copies must be legible.
 - c. Documents
 - i. Copy of the receipt from the Office of the Auditor, Deeds and Cartography Division showing proof of payment for the Economic Development Charge - (the fee for this is \$50 per lot).
 - ii. The current deed to the property and/or proof of ownership including recording information for verification.
 - iii. Restrictive covenants, if any, to be recorded for the project.
 - iv. List of proposed lot values, lot numbers, and lot acreage as requested by the County Assessor.
 - v. Additional rights-or-way or easements, if any, to be recorded for the project.
 - vi. Copy of receipt(s) showing current Real Estate Taxes on all parcels of land have been paid.
 - vii. Any additional item or documentation required as a condition of the Plan Commission or Drainage Board Approval.

The County Engineer will process the package through the offices of Planning and Building, Surveyor, Environmental Health (if plat contains septic system), Auditor, and Recorder. The original should be recorded and ready to be picked up approximately 7 to 10 business days after submission barring any unforeseen problems.