

PC \_\_\_\_\_ - \_\_\_\_\_

DATE \_\_\_\_\_

FEE \$ \_\_\_\_\_

## TOWN OF PORTER APPLICATION FOR SUBDIVISION APPROVAL

NOTE: APPLICATION MUST BE COMPLETED AND FILED WITH THE CLERK-TREASURERS OFFICE, 303 FRANKLIN STREET, PORTER, INDIANA, AT LEAST 10 DAYS PRIOR TO PLAN COMMISSION MEETING AT WHICH THE COMMISSION IS TO CONSIDER SUCH APPLICATION. IF THE APPLICANT IS OTHER THAN THE OWNER OF THE PROPERTY, OWNER MUST ALSO SIGN THE APPLICATION, OR SUBMIT A LETTER AUTHORIZING APPLICANT TO ACT ON OWNER'S BEHALF.

DEVELOPMENT  
NAME \_\_\_\_\_

PETITIONER \_\_\_\_\_ PHONE \_\_\_\_\_

ADDRESS \_\_\_\_\_

PROPERTY OWNER \_\_\_\_\_ PHONE \_\_\_\_\_

OWNER'S ADDRESS \_\_\_\_\_

GENERAL LOCATION OF SUBJECT PROPERTY \_\_\_\_\_

LEGAL DESCRIPTION OF PROPERTY \_\_\_\_\_

AREA \_\_\_\_\_ ACRES      NO. OF LOTS \_\_\_\_\_      CURRENT ZONING \_\_\_\_\_

ARE MODIFICATIONS TO THE SUBDIVISION OR ZONING REGULATIONS BEING REQUESTED? \_\_\_\_\_ YES \_\_\_\_\_ NO

IF SO, PLEASE EXPLAIN \_\_\_\_\_

PLEASE PROVIDE A BRIEF DESCRIPTION OF PROPOSED IMPROVEMENTS:

DRAINAGE \_\_\_\_\_

STREET CUTS \_\_\_\_\_

SANITARY SEWERS \_\_\_\_\_

WATER SUPPLY \_\_\_\_\_

LANDSCAPING \_\_\_\_\_

SIGNAGE \_\_\_\_\_

NAME OF REGISTERED ENGINEER OR LAND SURVEYOR \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

ATTACHMENTS: APPLICANT MUST SUBMIT TEN (10) COPIES OF THE PROPOSED SUBDIVISION PLAT IN ACCORDANCE WITH THE REQUIREMENTS LISTED IN THE TOWN OF PORTER SUBDIVISION ORDINANCE.

SIGNATURE OF APPLICANT \_\_\_\_\_ DATE \_\_\_\_\_

**TOWN OF PORTER  
LEGAL NOTICE**

PLAN COMMISSION PETITION NO. \_\_\_\_\_ - \_\_\_\_\_

A petition to replat \_\_\_\_\_,  
(present subdivision name)

in conformance with the Town of Porter Subdivision Control Ordinance, has been filed by  
\_\_\_\_\_.  
(name of petitioner)

Notice is hereby given that the Town of Porter, Porter County, Indiana, will hold a public hearing in the Porter Town Hall, 303 Franklin Street, at 6:30 pm on \_\_\_\_\_, 202\_\_, to consider the petition filed.

The \_\_\_\_\_-lot subdivision, \_\_\_\_\_  
(name of subdivision)

\_\_\_\_\_, consisting of \_\_\_\_\_ acres, is located in the area

bounded by \_\_\_\_\_  
(common description)

and legally described as follows:

(insert legal description here)

Anyone interested in the Petition may appear in person or by agent at the public hearing. Written objections filed with the Plan Commission Secretary before the hearing will be considered. The hearing may be continued from time to time as may be found necessary. All information concerning such petition is on file in the Building Department Office, 303 Franklin Street, Porter, Indiana, 46304, for public examination.

## NOTICE TO OWNERS OF AFFECTED PROPERTY

### Plan Commission Town of Porter

\_\_\_\_\_  
(name of petitioner)

\_\_\_\_\_  
(address)  
  
\_\_\_\_\_

Petition Number \_\_\_\_\_ - \_\_\_\_\_

Notice is hereby given that at the regularly scheduled meeting of \_\_\_\_\_, 202\_\_,

at 6:30 pm, at the Porter Town Hall, 303 Franklin Street, Porter, Indiana, the Plan Commission will conduct a public hearing on the following petition:

\_\_\_\_\_  
  
\_\_\_\_\_

Anyone interested in the petition may appear in person or by agent. Written objections, filed with the Plan Commission Secretary before the hearing, will be considered. The hearing may be continued from time to time as may be found necessary. All information concerning the petition is on file in the Building Department Office, 303 Franklin Street, Porter, Indiana, 46304, for public examination.

\_\_\_\_\_  
(signature of petitioner)

## **PORTER PLAN COMMISSION INSTRUCTIONS FOR FILING A PETITION FOR A SUBDIVISION**

1. Receiving a SUBDIVISION approval on a parcel of land permits the owner to sell and construct on newly divided parcel(s). Each parcel in Town must be recognized as a lot of record before a building permit may be issued for that parcel. The process of SUBDIVISION is described in great detail in the Town of Porter Subdivision Ordinance. A copy of that ordinance can be found in the Porter Town Hall, 303 Franklin Street, Porter, Indiana, 46304.
2. An application for a SUBDIVISION can be picked up at the Town Hall, 303 Franklin Street, Porter, Indiana, 46304. Ten (10) copies of the petition and all attachments must be filled out and brought back to the Town Hall, between the hours of 8:30 a.m. to 4:30 p.m., Monday through Friday, at least ten (10) calendar days before the date of the Plan Commission meeting. All petitions must be accompanied by scaled drawings of the affected area. The Plan Commission meets the 3<sup>rd</sup> Wednesday of each month at 6:30 p.m., at the Town Hall.
3. At the time the completed application is submitted to the Town Hall, a fee as determined by the Clerk-Treasurer must be paid. The receipt must be presented to the Plan Commission at the first meeting.
4. The petition will then be placed on the next regularly scheduled Plan Commission Meeting. The person filing the petition must be present to explain their request for the SUBDIVISION. If the person filing the petition is not the current owner of the property, he or she must be authorized in writing to act on the owner's behalf.
5. At the meeting of the Plan Commission where the request is first heard the members will ask questions and listen to the petitioner's explanation. The Plan Commission can either table the petition and ask for more information or they may schedule a public hearing for the next regular meeting.
6. State law requires that during each request for a SUBDIVISION, a public hearing must be advertised and held at the Plan Commission Meeting to allow neighbors and other affected property owners of record to speak in favor or against the request.
7. The person filing the SUBDIVISION petition is responsible for giving public notice to the local newspaper and notifying property owners of record contiguous to the subject property, about the public hearing. The NWI Times is the required newspaper for publishing notice. A legal notice must be placed in that newspaper to appear at least ten (10) calendar days in advance of the public hearing. The petitioner shall also submit an electronic copy of the public notice to post on the Town of Porter website. A sample notice to be used is included in the subdivision packet attached to these instructions.
8. The person filing the legal notice must request that the newspaper send them a Proof of Publication, showing evidence to the Plan Commission that the notice did appear at least ten (10) days before the hearing. The Plan Commission will ask for that proof before they will hear the petition at the public meeting.
9. The person filing the petition must give notice by certified mail to all property owners of record whose property is contiguous to the property which is the subject of the rezoning. A list of those owners must be obtained from the Town. The notice of public hearing must be sent to these owners at least ten (10) calendar days before the date of the public hearing. A

sample notice to property owners of record is attached to these instructions. The notice must be sent by certified mail with return receipt requested.

10. When the petitioner mails the notices, they will receive a white ticket showing each was mailed. When the owners receive their letter they are supposed to mail the attached green card back to the person who mailed them. The owners list and the white tickets, (certified mail receipts), must be submitted to the Clerk-Treasurers Office prior to the public hearing. The green cards, when received, will serve as proof that the public hearing was properly advertised in accordance with state law. Green cards received prior to the public hearing should be brought to the public hearing. Green cards received after the public hearing should be submitted to the Clerk-Treasurers Office when they are received to be added to your file.

11. The Petitioner must continuously post a public notice sign for at least ten (10) calendar days immediately prior to the date of the public hearing. The sign and post is provided by the Town by visiting the Clerk-Treasurers Office. There is a charge for the sign and a deposit for the post which is refundable when the post is returned. The sign must be placed in plain view and legible from the street fronting the property.

12. The Petitioner must complete the Findings of Fact included in the application packet, and submit this with the completed application.

13. The Plan Commission will open the public hearing and ask if there is anyone wishing to speak in favor or against the request. It is strongly suggested that the person filing the petition should contact the nearby property owners of record and inform them of the subdivision request in order to minimize confusion and misunderstanding.

14. The Plan Commission will either continue or close the public hearing. Continuing the public hearing to the next meeting usually means that more information from the public is needed before a decision can be made. Closing the public hearing means that the Commission feels that they have heard enough from the public, and they are ready to vote.

15. The Plan Commission by state law will vote to either approve or deny the SUBDIVISION request. A majority of the whole seven-member Board must vote the same way to constitute official action. In other words, four (4) of the Commission members must vote for either approval or denial for the motion to pass. The matter does not go to the Town Council because final action is taken by the Plan Commission.

17. It is the duty of each Plan Commission member to inspect property and buildings which are the subject of petitions before them. Upon the presentation of proper credentials, the petitioner agrees to allow entry into any building, structure, premises, or land, for the purpose of making inspections, at any reasonable hour.

I have carefully read these instructions and will abide by them.

Petitioner' s signature \_\_\_\_\_ Date \_\_\_\_\_

**TOWN OF PORTER  
ADVISORY PLAN COMMISSION**

**FINDINGS AND DECISION ON APPLICATION FOR:  
PRIMARY PLAT APPROVAL**

Petition No. \_\_\_\_\_ Applicant Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Name of Proposed Subdivision: \_\_\_\_\_  
\_\_\_\_\_

Address or General Location of Property to be Subdivided: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Tax Parcel Identification Number  
Of Property to be Subdivided: \_\_\_\_\_

Legal Description of Property to be Subdivided (insert below or attach as Exhibit A):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date Public Hearing Opened: \_\_\_\_\_ Date Public Hearing Closed: \_\_\_\_\_

**FINDINGS AND DECISION**

**THE TOWN OF PORTER ADVISORY PLAN COMMISSION, HAVING CONSIDERED ALL MATTERS PRESENTED IN THE PUBLIC HEARING CONCERNING THIS APPLICATION, NOW FINDS AS FOLLOWS:**

\_\_\_\_\_ **APPROVED**

The Plan Commission finds that the application for Primary Plat Approval **DOES CONFORM** to all applicable requirements of the Zoning Ordinance, Subdivision Control Ordinance and the Comprehensive Plan of the Town of Porter, Indiana, together with the Rules and Procedures of the Plan Commission. The Plan Commission does now **APPROVE** and **GRANT** the primary plat application of the above-named Applicant.

\_\_\_\_\_ **DENIED**

The Plan Commission finds that the application for Primary Plat Approval **DOES NOT CONFORM** to all applicable requirements of the Zoning Ordinance, Subdivision Control Ordinance and the Comprehensive Plan of the Town of Porter, Indiana, together with the Rules and Procedures of the Plan Commission, for the following reasons:

1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

For the foregoing reasons, the Plan Commission does now **DISAPPROVE** and **DENY** the primary plat application of the above-named Applicant.

**ADDITIONAL CONDITIONS**

The Plan Commission further decides that the following conditions shall be imposed (applies only if “Approved” checked above):

1. Receipt of required secondary plat in compliance with Sections 4-1 and 4-2 of the Subdivision Control Ordinance of the Town of Porter.
2. Submission of required verification and/or financial security/guarantee in compliance with Section 4-3 of the Subdivision Control Ordinance of the Town of Porter.
3. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date of Decision: \_\_\_\_\_

Duly adopted at a meeting of the Town of Porter Advisory Plan Commission held on the above-identified date in the Porter Town Hall, Porter, Indiana.

**TOWN OF PORTER  
ADVISORY PLAN COMMISSION**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Attest: \_\_\_\_\_

Title: \_\_\_\_\_



# AFFIDAVIT

## POSTING OF REQUIRED PUBLIC NOTICE SIGN

STATE OF INDIANA  
TOWN OF PORTER

PETITION NO. \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_,

\_\_\_\_\_  
(Owner / Agent for Owner)  
[circle one]

personally appeared before in my State and County aforesaid, who after being first duly sworn made oath before me that: above owner or agent of owner placed the officially designated public notice of hearing sign provided by the Town of Porter Clerk-Treasurer's Office, for a minimum of ten (10) consecutive calendar days immediately preceding the scheduled public hearing pertaining to the above referenced petition in plain view on the property which is the subject of the petition.

GIVEN UNDER MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 202\_\_.

\_\_\_\_\_  
AFFIANT

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_