



This application must be accompanied by the information specified on the following pages, and filed by the legal owners of the real estate in the area involved in this application at least **ten (10) days** prior to date of the public hearing by the Brazil Advisory Planning Commission.

CITY OF BRAZIL, INDIANA  
ADVISORY PLANNING COMMISSION

APPLICATION FOR PLAT APPROVAL:

Name of Owner \_\_\_\_\_ Phone \_\_\_\_\_

\_\_\_\_\_

Address of Owner

\_\_\_\_\_

Property Address \_\_\_\_\_

Premises affected (Street and No.)

\_\_\_\_\_

Between \_\_\_\_\_ Street and \_\_\_\_\_ Street; Parcel No. \_\_\_\_\_

Meets and Bounds Description (Legal)

\_\_\_\_\_

\_\_\_\_\_

Plot Size \_\_\_\_\_ Fronting on \_\_\_\_\_ Street or Road.

Date Property Was Purchased \_\_\_\_\_

Nature and Size of Improvements Proposed

\_\_\_\_\_

\_\_\_\_\_

Zoning \_\_\_\_\_

Full statement of proposed exception applied for, specifying exception to the regulations of the zoning ordinance enacted, including detailed description of exception applied for, with reasons.

## **APPLICATION**

A subdivider desiring approval of a plat of a subdivision of any land lying within the jurisdiction of the Commission, shall submit a written application therefore to the Commission. The application shall be accompanied by the information, requirements and plans set forth in this subchapter, all in accordance with the requirements set forth in this chapter.

## **PRELIMINARY PLAT FOR SUBDIVISION**

(A) The owner or subdivider shall provide a preliminary plan of the subdivision which shall show the manner in which the proposed subdivision is coordinated with the Comprehensive Master Development Plan and its provisions; specifically, with relation to the requirements of the major street or highway plan, school and recreational sites, shopping centers, community facilities, sanitation, water supply and drainage and other developments existing and proposed, in the vicinity.

(B) However, no land shall be subdivided for residential use unless adequate access to the land over improved streets or thoroughfares exists or will be provided by the subdivider, or if the land is considered by the Commission to be unsuitable for the use by reason of flooding or improper drainage, objectionable earth and rock formation, topography or any other feature harmful to the health and safety of possible residents and the community as a whole.

(C) The subdivider shall provide the following:

(1) Location map (which may be prepared by indicating the data by notations on available maps showing:

(a) Subdivision name and location;

(b) Any thoroughfares related to the subdivision;

(c) Existing elementary and high schools, parks and playgrounds, serving the area proposed to be subdivided and other community facilities; and

(d) Title, scale, north point and date.

(2) A preliminary plat showing:

(a) Proposed name of the subdivision;

(b) Names and addresses of the owner, owners or land surveyor;

(c) Streets and rights-of-way, on and adjoining the site of the proposed subdivision showing the names (which shall not duplicate other names of streets in the community, unless in the case of an extension of an existing street) and including roadway widths, approximate gradients, types and widths of pavement, curbs, sidewalks, crosswalks, tree planting and other pertinent data;

(d) Easements; locations, widths and purposes;

(e) Statement concerning the location and approximate size or capacity of utilities to be installed;

(f) Layout of lots, showing dimensions and numbers;

(g) Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds or other public, semipublic or community purposes;

(h) Contours at vertical intervals of 2 feet if the general slope of the site is less than 10% and at vertical intervals of 5 feet if the general slope is greater than 10%;

(i) Tract boundary lines showing dimensions, bearings, angles and references to section, township and range lines or corners;

(j) Building setback or front yard lines;

(k) Legend and notes;

(l) Other features or conditions which would affect the subdivision favorably or adversely; and

(m) Scale, north point and date. (See division (E) below)

(3) A description of the protective covenants or private restrictions to be incorporated in the plat of the subdivision.

(D) The application shall be accompanied by a certified check or money order in the amount of \$10 plus \$1 for each lot in the proposed subdivision with a minimum total charge of \$25 to cover the cost of checking and verifying the proposed plat, and the amount shall be deposited in the general fund.

(E) The preliminary plat of the subdivision shall be drawn to a scale of 50 feet to 1 inch or 100 feet to 1 inch, provided, that if the resulting drawing would be over 36 inches in shortest dimension, a scale as recommended by the Commission may be used.

### **PRELIMINARY PLAT APPROVAL**

(A) After an application for approval of a plat of a subdivision, together with 2 copies of all maps and data has been filed, the Commission shall review the preliminary plat and accept the application and plat, or return them to the subdivider with suggestions for changes.

(B) No application will be considered at a meeting unless it has been filed with the Commission at least 10 days before the date of the meeting.

(C) After the Commission has accepted an application and preliminary plat, it shall set a date for a hearing, notify the applicant in writing and notify by general publication or otherwise, any person or governmental unit having a probable interest in the proposed plat.

(D) The cost of publication of the notice of hearing shall be met by the applicant.

(E) Following the hearing on the preliminary plat, the Commission will notify the applicant in writing that it has approved the preliminary plat and is ready to receive the final plat, or will advise the applicant of any further changes in the preliminary plat which are required or should have consideration before approval will be given.

### **FINAL PLAT SPECIFICATIONS**

The final plat shall meet the following specifications:

(A) The final plat may include all or only a part of the preliminary plat which has received approval.

(B) The original drawing of the final plat of the subdivision shall be drawn to a scale of 50 feet to 1 inch, provided that if the resulting drawing would be over 36 inches in shortest dimension, a scale of 100 feet to 1 inch may be used.

(C) Three black or blue line prints shall be submitted with the original final plat, or, in order to conform to modern drafting and reproduction methods, 3 black line prints and a reproducible print shall be submitted.

(D) The following basic information shall be shown:

(1) Accurate boundary lines, with dimensions and angles, which provide a survey of the tract, closing with an error of not more than 1 foot in 5,000 feet;

(2) Accurate distances and directions to the nearest established street corners or official monuments. Reference corners shall be accurately described on the plan;

(3) Accurate locations of all existing and recorded streets intersecting the boundaries of the tract to be subdivided;

(4) Accurate metes and bounds description of the boundary of the tract;

(5) Source of title to the land to be subdivided as shown by the books of the Clay County Recorder;

(6) Street names;

(7) Complete curve notes for all curves included in the plan;

- (8) Street lines with accurate dimensions in feet and hundredths of feet, with angles to street, alley and lot lines;
- (9) Lot numbers and dimensions;
- (10) Accurate locations of easements for utilities and any limitations of easements;
- (11) Accurate dimensions for any property to be dedicated or reserved for public, semipublic or community use;
- (12) Building setback or front yard lines and dimensions;
- (13) Location, type, material and size of all monuments and lot markers;
- (14) Plans and specifications for the improvements required in this subchapter;
- (15) Restrictions of all types which will run with the land and become covenants in the deed for lots;
- (16) Name of the subdivision;
- (17) Name and address of the owner and the subdivider;
- (18) North point, scale and date;
- (19) Certification by a registered land surveyor;
- (20) Certification of dedication of streets and other public property;
- (21) Certificate for approval by the Commission; and
- (22) Certificate for approval by the Clay County Board of County Commissioners, if all or any part of the subdivision is located beyond the city.

## **FINAL PLAT APPROVAL**

(A) When the final plat is submitted to the Commission, it shall be accompanied by a notice from the city engineer, stating that there has been filed with and approved by the city engineer and the Board of Public Works, 1 of the following:

(1) A certificate by the subdivider that all improvements and installations for the subdivision required for its approval have been made or installed in accordance with specifications, and that a 3-year maintenance bond has been provided for any improvements to be made within the streets, as is executed to the Board of Public Works for any portion of the final plat which lies within the corporate limits of the city, and that a 3-year maintenance bond has been provided for any improvements to be made within the streets, as is executed to the Clay County Board of County Commissioners for any portion of the final plat which lies within the jurisdiction of the Commission, but beyond the corporate limits of the city; or

(2) A bond which shall:

- (a) Run to the Board of Works;
- (b) Be in an amount determined by the Commission to be sufficient in amount to complete the improvements and installations in compliance with this chapter;
- (c) Be with surety satisfactory to the Commission;
- (d) Specify the time for the completion of the improvements and installations; and
- (e) Specify that on completion, but prior to acceptance by the Board of Public Works of any improvements to be made within the streets, for any portion of the final plat which lies within the corporate limits of the city, a 3-year maintenance bond covering street improvements in an amount determined by the Board of Public Works to be sufficient in amount, which shall run to the Board of Public Works, will be provided by the subdivider of street improvements to be effective as of the date of acceptance by the Board of Public Works of street improvements, or for any portion of the final plat

which lies within the jurisdiction of the Commission, but beyond the corporate limits of the city, a 3-year maintenance bond covering the street improvements, in an amount determined by the Board of County Commissioners to be in an amount sufficient in amount, which shall run to the Clay County Board of County Commissioners, will be provided by the subdivider of street improvements to be effective as of the date of acceptance by the Board of County Commissioners of the street improvements. The subdivider shall not be held responsible for maintenance of any street resulting beyond the control of the subdivider.

(B) Within a reasonable time after application for approval of the final plat, the Commission shall approve or disapprove it. If the Commission approves, it shall affix the Commission's seal of the plat, together with the certifying signature of its president and secretary. If it disapproves, it shall set forth the reasons for the disapproval in its own records and provide the applicant with a copy.