

**PLAN COMMISSION APPLICATION  
SECONDARY PLAT APPROVAL**

10645 Randolph Street  
Winfield, IN 46307

Phone: (219) 662-2665  
Fax: (219) 663-2431  
www.winfield.in.gov



Any Owner or Petitioner must submit the attached application and the **non-refundable** filing fee in the amount specified in the Town of Winfield's Code of Ordinances by the **1<sup>st</sup> business day of the month**.

2<sup>nd</sup> Wednesday (subject to change) at a time to be determined.....TAC meeting

4<sup>th</sup> Thursday @ 6:00 pm.....Plan Commission Study Session if needed

2<sup>nd</sup> Thursday @ 6:00 pm of the Following Month.....Plan Commission - Request for Approval

1. Filing a complete application **requires** the following:

- Completed application with an original, notarized signature, from the property owner, along with the required sets of plans
- Completed Affidavit of Ownership with an original, notarized signature of the property owner along with Proof of Ownership
- Payment of the filing fee

Failure to include all of these items at the time of filing **may** delay a hearing on your application.

The Winfield Plan Commission must review the proposed Secondary Plat for conformance with approved Primary Plat (or development plan) and the Winfield Zoning and Subdivision Ordinance. In addition, the Winfield Town Council must approve and accept all public rights of way, public easements, and public dedications. As part of the review process, the petitioner and/or representative will be required to attend a Technical Advisory Committee (TAC) morning meeting (on or around the 2<sup>nd</sup> Wednesday of the month) and a Plan Commission evening Study Session (4<sup>th</sup> Thursday of the month) prior to the regular meeting at which the petition is to be heard.

If public improvements are being constructed as part of the subdivision, a Performance and Maintenance Bond may be required. If required, the Performance Bond will have to be posted before Secondary Plat Approval can be given.

The petitioner is urged to review the attached Ordinance sections for other possible requirements.

# TOWN OF WINFIELD

## PLAN COMMISSION APPLICATION

### SECONDARY PLAT APPROVAL

**RESPONSIBILITY OF COSTS: FILING FEE IS DETERMINED BY TOWN CODE SECTION 150.26 (B).** ALL SUBDIVIDER, DEVELOPERS, AND PROPERTY OWNERS SHALL BE RESPONSIBLE FOR THE COSTS OF ALL REVIEWS FOR ENGINEERING FEES, LEGAL FEES, AND ETC. THESE COSTS SHALL BE PAID TO THE TOWN AT THE TIME OF PRIMARY OR SECONDARY PLAT, OR WHEN ANY ADMINISTRATIVE OR PLAN COMMISSION REVIEW AND/OR APPROVAL IS REQUIRED OR NECESSARY BY A SUBDIVIDER, DEVELOPER OR OWNER OF ANY LOTS DIRECTLY BENEFITING FROM IMPROVEMENTS. IT SHALL BE THE RESPONSIBILITY OF THE PETITIONER OR THE AGENT TO SUBMIT (2) FULL-SIZE (24"X36"), (2) HALF-SIZE (12"X18"), AND (2) COPIES OF ALL DRAWINGS BOUND INTO ONE ELECTRONIC PDF FILE (1 PDF to Town @ [nbellar@winfield.in.gov](mailto:nbellar@winfield.in.gov) & 1 PDF to Town Engineer @ [mduffy@dlz.com](mailto:mduffy@dlz.com))

NAME OF SUBDIVISION: \_\_\_\_\_

OWNER: \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

SUBDIVIDER: \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

ENGINEER/SURVEYOR: \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

GENERAL LOCATION: \_\_\_\_\_

PRESENT LAND USE: \_\_\_\_\_ PROPOSED LAND USE: \_\_\_\_\_

EXISTING ZONING: \_\_\_\_\_ PROPOSED ZONING: \_\_\_\_\_ FLOOD INSURANCE REQUIRED- YES or NO: \_\_\_\_\_

NUMBER OF LOTS: \_\_\_\_\_ ACRES: \_\_\_\_\_ DENSITY: \_\_\_\_\_ UNITS PER ACRE: \_\_\_\_\_

**PROPOSED SUBDIVISION TO BE SERVED WITH:**

- |                                                |                                           |                                                                       |
|------------------------------------------------|-------------------------------------------|-----------------------------------------------------------------------|
| <input type="checkbox"/> CURB & GUTTER STREETS | <input type="checkbox"/> SANITARY SEWERS  | <input type="checkbox"/> PAVED STREETS WITH SHOULDERS & DITCHES       |
| <input type="checkbox"/> SEPTIC SYSTEMS        | <input type="checkbox"/> INDIVIDUAL WELLS | <input type="checkbox"/> STORM SEWERS                                 |
| <input type="checkbox"/> COMMON WATER          | <input type="checkbox"/> SIDEWALKS        | <input type="checkbox"/> STATEMENT: HOW SURFACE WATER WILL BE HANDLED |

DATE OF PRIMARY APPROVAL: \_\_\_\_\_ ANY CHANGES TO PRIMARY PLAT: \_\_\_\_\_

**I HAVE READ AND FULLY UNDERSTAND THE ABOVE REQUIREMENTS AND/OR RESPONSIBILITIES REGARDING THE SUBMITTAL FOR A DEVELOPMENT IN THE TOWN OF WINFIELD.**

\_\_\_\_\_  
(PRINT ONLY)

\_\_\_\_\_  
(SIGNATURE)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BEFORE THE ABOVE PETITIONER(S) AND OWNER(S) AND ACKNOWLEDGED THE EXECUTION OF THE ABOVE AND FOREGOING INSTRUMENT TO BE TRUE VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN MENTIONED.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_\_.

MY COMMISSION EXPIRES: \_\_\_\_\_

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

NOTARY SEAL

\_\_\_\_\_  
NOTARY PUBLIC PRINTED NAME

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

\_\_\_\_\_  
COUNTY OF RESIDENCE

FOR OFFICE USE ONLY ↓

PC DOCKET #: \_\_\_\_\_

CHECK #: \_\_\_\_\_

DATE PAID: \_\_\_\_\_

RECEIPT #: \_\_\_\_\_

FEE: \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_

**TOWN OF WINFIELD  
PLAN COMMISSION APPLICATION**

**AFFIDAVIT OF OWNERSHIP \***

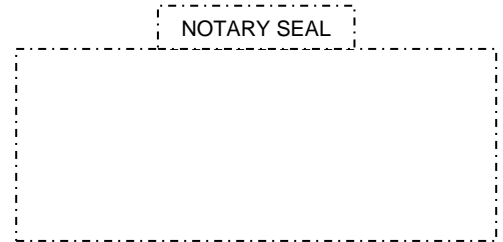
[I / We], being duly sworn, depose and say that [I am / We are] the [owner / owners] of fifty percent (50%) or more of the property involved in this application and that the foregoing signatures, statements, and answers herein contained and the information herewith submitted are in all respects true and correct to the best of [my / our] knowledge and belief.

Name	Address	Signature
Name	Address	Signature
Name	Address	Signature

The correspondent or agent [if different from owner(s)]

Name	Address	Signature
------	---------	-----------

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_



Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

My Commission Expires: \_\_\_\_\_

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

County of Residence: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC PRINTED NAME

**\* MUST BE FILED WITH PROOF OF OWNERSHIP  
(EX: DEED, LEASE, ASSESSOR RECORDS) IN FORM ACCEPTABLE TO TOWN ATTORNEY**

§ 155.032 SECONDARY PLAT REQUIREMENTS.

- (A) The secondary plat shall be presented in waterproof, non-fading india ink on tracing cloth or reproducible mylar at an appropriate scale with a graphic bar scale, on sheets not larger than 24 by 36 inches, and show any changes or additions required by the conditions of primary approval. All secondary plats shall bear the signature of a state registered land surveyor, show all revision dates, and shall be legibly prepared in the following manner, showing:
- (1) Besides the lines and dimensions shown on the drawing, the legal description of the property should also be printed on the plat with india ink. Only the original drawing on cloth or reproducible mylar will be considered as secondary plat for recording purposes, provided it is deemed satisfactory for printing by the Administrator. Legends and certificates may be typewritten directly on the original. The use of adhesive transparent paper will not be accepted; and
  - (2) When more than one sheet is used for any plat, each sheet shall be numbered consecutively and shall contain a notation giving the total number of sheets in the plat, and showing the relation of that sheet to the other sheets.
- (B) The secondary plat shall show clearly on its face the following map and engineering information:
- (1) Name of the subdivision; if the secondary subdivision plat is only a portion of the primary subdivision plat, each section or addition shall be separately designated;
  - (2) Legal description of the subdivision;
  - (3) Name, address, seal, and certification of the registered land surveyor preparing or certifying the subdivision;
  - (4) Scale, graphic bar, date, and north point;
  - (5) Exact location, width, and name of all streets within the subdivision and the exact location and width of all alleys, crosswalks, and other easements; reserved strips must not be retained between any proposed street and the lands of an adjacent owner;
  - (6) All radii, central angles, points of curvature and tangency, length of tangents, lengths of arcs, widths of rights-of-way, and similar data shall be shown for all streets; all street lines shall be tied to other streets and alleys with accurate dimensions in feet and hundredths thereof and angles or bearings;
  - (7) All easements dimensioned and identified as to their specific uses;
  - (8) The exact length and bearing to the first degree of accuracy of the exterior boundary lines of the lands surveyed and divided, and of all blocks, public grounds, streets and alleys, and lot lines except that when the lines in any tier of lots are parallel, it shall be sufficient to mark the bearings of the outer lines on one tier thereof. Easements shall be shown by centerline and width when lines are parallel to a boundary; otherwise, boundary bearings and distances shall be shown;
  - (9) Any areas, other than public rights-of-way, to be dedicated or reserved for public use or semi-public, or areas to be reserved for the common use of all property owners, shall be shown on the drawing and labeled as to its use and shall have a separate legal description on the drawing with accurate dimensions in feet and hundredths thereof; and bearings expressed in degrees, minutes, and seconds;
  - (10) Regulatory flood boundary and elevation, shown and labeled, for any plat having land in a floodplain;
  - (11) All monuments erected, corners, and other points established in the field in their proper places. The material of which monuments, corners, or other points is made shall be noted at the presentation thereof, or by legend;
  - (12) All blocks and lots numbered, and the numbering (where possible) shall follow the numbering of the primary plat;
  - (13) A small drawing of the town in which the subdivision lies with the location of the subdivision indicated thereon. The drawing shall be oriented on the sheet in the same direction as the main drawing;
  - (14) Abutting streets of adjoining plats and county highways shown in their proper location. The widths and names of these streets and highways shall also be given;

- (15) Certificates to accompany plat to entitle a secondary plat to be recorded; those certificates as required by law shall be lettered or printed in the secondary plat. Appendix A of this chapter lists certain certificates, some of which shall be placed on every plat; these are so indicated;
- (16) All lake or shore meander lines established by the surveyor in accordance with this section, the distance and bearings thereof, and the distance between the points of intersection of these meander lines with lot lines and the ordinary high water mark;
- (17) The number of degrees and minutes (to the second) in all exterior boundary and block angles. When these angles are between a curve and its tangent, the angle shown shall be that between the tangent and the main chord of the curve. When between curves of different radii, the angle between the main chords shall be shown;
- (18) Building setback lines accurately shown with dimensions; they shall be in compliance with Chapter 156 of this code as set forth for the district in which the property is located;
- (19) The total area of the plat computed in acres;
- (20) House numbers shall be designated on each lot. In order to prevent confusion in the permitting process, multi-unit structures shall identify and assign a house number for each specific unit on the plat, rather than simply providing a list of addresses.
- (21) The following information relating to the position and location of the subdivision shall be shown on the plat:
  - (a) The location of the subdivision by government lot, section, township, range, and county;
  - (b) The exact location of the subdivision indicated by distances and bearings with reference to a corner or corners of a section or half section; in case any subdivision crosses any section, quarter section, or quarter section lines, or is adjacent to any of these lines, all section, quarter section, or quarter section corners in or adjacent to the subdivision shall be marked and referenced with monuments; and
  - (c) The area designated for septic field location.
- (22) A copy of the secondary plat shall be provided on 3½-inch floppy disk in AutoCad or equivalent format. (Ord. 27, § 7.10.40, passed 4-16-1997; Am. Ord. 210, passed 9-11-2012)

§ 155.048 SECONDARY PLAT APPROVAL PROCEDURES.

- (A) Submission requirements. Following primary approval and approval of engineering plans, the applicant, if he or she wishes to proceed with the subdivision, shall file with the staff a request for secondary approval of a subdivision plat. The application shall:
  - (1) Be submitted on forms available at the Town Office and be submitted with a fee payable to the town in accordance with the schedule of fees adopted by town ordinance;
  - (2) Include the entire subdivision, or section thereof which derives access from an existing state, county, or town roadway;
  - (3) Be accompanied by two printed copies and one PDF copy of the secondary subdivision plat as described in this chapter unless additional copies are required by the Zoning Administrator.;
  - (4) Comply with the chapter and the terms and conditions of primary approval; and
  - (5) Be accompanied by the performance bond, if required, in a form satisfactory to the Commission Attorney and in an amount established by the Commission upon recommendation of the Town Engineer and guaranteeing the completion of all required subdivision and off-site public improvements.
- (B) Technical Advisory Committee review. Upon receipt of the application, the secondary plat shall be reviewed by the Technical Advisory Committee (TAC) to determine conformity with the chapter.
  - (1) Upon receipt of the required documents the Town Engineer shall examine the plans and submit a written report to the Commission, taking either no exception or exception to the plans, profiles, and specifications. In the event the

Town Engineer does not accept the plans, profiles, and specifications, he or she shall state the reasons for disapproval in writing to the Commission, and his or her report shall be recorded by the Commission.

- (2) TAC shall review the plat and register in writing any comments it may have. These written comments shall be delivered to the Town Office by the end of the month prior to the month for which Commission consideration is requested. It shall be the responsibility of the subdivider or his or her agent to deliver all required comments, reports, and/or recommendations within the specified date requirements. Failure to have all required written comments submitted by the stipulated deadline may delay Commission consideration.
- (C) Determination of conformance for secondary plats. In order to be recorded, a secondary plat shall be found to be in conformance with the primary approval by the Commission at a public meeting. If the secondary subdivision plat deviates from the primary plat that received primary approval, the subdivision shall be resubmitted to the Commission at a public meeting for a new primary approval. The subdivider submitting a secondary plat conforming to the primary approval shall have the secondary plat reviewed by the Commission at a public meeting. The subdivider shall request in writing Commission review no later than the first day of the month preceding the month of the public meeting at which he or she intends to have the secondary plat reviewed. The Commission shall place the matter on its next regular meeting agenda provided the application is submitted by the **first** day of the month preceding the month of the regular Commission meeting. The staff shall review the proposal and submit a written report to the Commission, and the Commission, at the public meeting, shall grant secondary approval, continuance, or disapproval of the secondary plat. If granted secondary approval, it shall be signed by the designated officials. If not granted secondary approval, then the subdivider shall be informed as to the insufficiency of his or her submission. Not later than ten days after the Commission meeting, the Administrator shall notify the subdivider in writing of the Commission's action on the secondary plat.
- (D) Preliminary approvals required. In no case shall a petitioner be permitted to file an application for secondary approval prior to receiving primary approval and approved engineering plans.
- (E) Common water and sewage facilities. In instances where the subdivider proposes to construct a common sewage treatment facility or a common water supply system, or both, the Commission shall not give secondary approval until:
  - (1) The State Board of Health and the State Department of Environmental Management give approval to the final engineering and construction plans for the facility; and
  - (2) In the instance where a common sewage treatment facility is to be constructed, the appropriate agencies have granted the subdivider or the appropriate corporation a certificate of territorial jurisdiction. Furthermore, where the subdivider proposes to construct a common sewage treatment facility and/or a common water supply system, the Administrator, upon receipt of the engineering plans, shall immediately deliver one copy of each of these plans to the County Health Officer and Town Engineer.
- (F) On-site sewage disposal. In instances where on-site sewage disposal systems are proposed (septic tanks), the County Health Department requires that all secondary plats submitted for approval shall have a plat prepared which depicts all soil types as defined in § 155.013, contour lines, drainage easements, and utility easements on the secondary plat. Non-compliance with this provision shall delay secondary approval.
- (G) Sanitary treatment plant. Where the sanitary treatment plant is to be installed by the subdivider, all secondary plat approvals shall be granted by the Commission subject to the condition that no building permits will be issued until either:
  - (1) The sewage treatment facility is operative, as attested to by the State Department of Environmental Management; or
  - (2) The subdivider has an adequate temporary sewage treatment facility installed or an adequate proposal before the County Health Officer, who in turn will notify the Administrator by letter that a certain number of building permits may be authorized for issue based on temporary sewage treatment installations or proposals.
- (H) Phasing plats. Prior to granting secondary approval of a major subdivision plat, the Commission may permit the plat to be divided into two or more sections or phases and may impose conditions upon the filing of the sections as deemed necessary to assure the orderly development of the plat. The Commission may require that the performance bond be in an amount as will be commensurate with the section or sections of the plat to be filed and may defer the remaining required performance bond principal amount until the remaining sections of the plat are offered for filing. These sections or phases must contain at least ten lots, or 10% of the total number of lots contained in the approved plat, whichever is less. The approval of all remaining sections not filed with the staff shall automatically expire after five years of the date of primary subdivision approval of the subdivision plat, unless the expiration date has been extended.

(Ord. 27, § 3.20.40, passed 4-16-1997; Am. Ord. 191, passed 6-15-2010)

§ 155.049 SIGNING AND RECORDING A PLAT.

- (A) Signing a plat. When a bond is required, the designated officials shall endorse secondary approval on the plat by signing the mylar after the bond has been approved and all conditions of the primary approval have been satisfied.
- (B) Recording a plat.
  - (1) After the Plan Commission meeting, the subdivider shall submit to the Administrator two tracings of the secondary plat of the subdivision on drawing medium deemed satisfactory by the Commission for signature.
  - (2) The subdivider is responsible for the filing of the secondary plat with the County Recorder within 90 days of the date of signature by submitting the tracing mentioned above to the County Recorder and returning a recorded copy to the Administrator for the town's records.
  - (3) Costs for the above shall be borne by the subdivider, such as, for County Auditor, County Recorder, reproduction, and the like. If the secondary plat is not recorded within a 90-day period from the date of approval, the secondary plat is void and the plat must again be submitted with a new filing fee to the Commission for secondary approval.
  - (4) Building permits shall not be issued in any subdivision until the secondary plat is approved by the Commission and until the plat and any accompanying covenants are recorded in the office of the County Recorder and a copy of the recorded mylar and any covenants are returned to the Administrator.

(Ord. 27, § 3.20.50, passed 4-16-1997; Am. Ord. 41I, passed 2-15-2010)

§ 155.050 DISAPPROVAL OF SECONDARY PLAT; GROUNDS.

Disapproval of a secondary plat is warranted if:

- (A) There are more than minor deviations from the primary plat, including but not limited to:
  - (1) An increase in the number of lots;
  - (2) Greater than a 10% reduction in the number of lots; or
  - (3) Deviations which result in an increase in density.
- (B) More than 12 months have elapsed since primary approval, or since the developer filed and received an extension from the Commission;
- (C) Engineering plans and details for the subdivision demonstrate that the subdivision improvements do not comply with the town standards and the requirements of this chapter;
- (D) A change in a highway, pipeline, utility, or other major feature; or
- (E) There were certain conditions attached to the approval of the primary plat, and those conditions have not been fulfilled.

(Ord. 27, § 3.20.60, passed 4-16-1997; Am. Ord. 46, passed 4-15-1998)

IMPROVEMENTS

§ 155.075 BOND; RESPONSIBILITY FOR COSTS. **ORD. 27A- PASSED 7/23/13**

§ 155.076 CONSTRUCTION; INSPECTION; MAINTENANCE. **ORD. 27A- PASSED 7/23/13**

§ 155.077 ACCEPTANCE OF IMPROVEMENTS. **ORD. 27A- PASSED 7/23/13**

§ 155.078 AS-BUILT PLANS.- **ORD. 27A- PASSED 7/23/13**

§ 155.079 SURVEY MONUMENTS.

All monuments shall be installed prior to recording of the secondary plat and maintained throughout the effective period of the maintenance bond.

(Ord. 27, § 4.30.30, passed 4-16-1997)

APPENDIX A: CERTIFICATES

The following certificates are presented in general form and may be amended only by the Commission or Commission Attorney as circumstances may warrant.

(A) Plan Commission certificate.

Under authority provided by Indiana Code 36-7-4 et seq., enacted by the General Assembly of Indiana, and Ordinance adopted by the Town Council of the Town of Winfield, this plat was given approval by the Town as follows:

Approved by the Winfield Plan Commission at a meeting held on \_\_\_\_\_.

Winfield Plan Commission

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

(B) Land surveyor's certificate.

I, \_\_\_\_\_ (name), hereby certify that I am a Professional Engineer (or a Land Surveyor), licensed in compliance with the laws of the state; that this plat correctly represents a survey completed by me on \_\_\_\_\_ (date); that all monuments shown thereon actually exist; and that their location, size, type, and material are accurately shown.

(SEAL)

(C) Deed of dedication.

We, the undersigned, \_\_\_\_\_ (names), owners of real estate shown and described herein, do hereby certify that we have laid off, platted, and subdivided, and do hereby lay off, plat, and subdivide real estate in accordance with the within plat. This subdivision shall be known and designated as \_\_\_\_\_ (name). All streets, alleys, parks, and other public lands shown and not heretofore dedicated, are hereby established as shown on this plat, between which lines and the property lines of the street, there shall be erected or maintained no building structure.

WITNESS OUR HANDS AND SEALS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_.

\_\_\_\_\_  
STATE OF INDIANA  
COUNTY OF LAKE

Before me, the undersigned Notary Public in and for the County of Lake, State of Indiana, appeared \_\_\_\_\_ (names), and each separately and severally acknowledged the execution of the foregoing instrument as his or her voluntary act and deed, for the purpose therein expressed.

Witness my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

(D) Utility easement.

- (1) An easement is hereby granted to the Town of Winfield, all public utility companies including Ameritech and Northern Indiana Public Service Company severally, and private utility companies where they have a Certificate of Territorial Authority or a legal franchise with the Town of Winfield to render service, and their respective successors and assigns, to install, place, and maintain sewers, water mains, gas mains, conduits, cables, poles, and wires - either overhead or underground - with all necessary braces, guys, anchors, and other appliances and appurtenances, in, upon, along, and over the strips of land designated on the plat and marked Utility Easement for the purpose of serving the public in general with sewer, water, drainage, gas, electric, and telephone service, including the right to use the streets where necessary, and to overland lots with aerial service wires to service adjacent lots, together with the right to enter upon the said easements for public utilities at all times for any and all purposes aforesaid and to trim and keep trimmed any trees, shrubs, or saplings that interfere with any such utility equipment. No permanent buildings shall be placed on said easement, but same may be used for gardens, shrub, landscaping, and other purposes that do not interfere with the use of said easement for such public utility purposes.

(Ord. 27, Appendix, passed 4-16-1997)