

DEARBORN COUNTY PLAN COMMISSION

County Administration Building, Suite 300, 165 Mary St., Lawrenceburg, IN 47025
Phone (812) 537-8821 Fax (812) 532-2029 Website: www.dearborncounty.org/planning

Vacation Instructions

◆ VACATION APPLICATION

All individuals requesting a Vacation must complete an application form, which will be used to determine the location of the request, type of request and person(s) who are making the request. It is important that the application is completed accurately, and in its entirety. The applicant is responsible for all the information that is given.

◆ VACATION PROCEDURE

In a case in which all of the owners in a plat are in agreement regarding a proposed vacation, the owners may file a written instrument to vacate all or part of that plat as prescribed in IC 36-7-3-10.

In a case in which all of the owners in a plat are NOT necessarily in agreement regarding a proposed vacation, one (1) or more owners of land in a plat may file a petition with the Plan Commission to vacate all or part of the plat pertaining to the land owned by the petitioner.

The petitioner's application must:

1. State the reasons for and the circumstances prompting the request;
2. Include a survey that meets all of the requirements for a Certified Survey, as set forth in Article 2, Section 260 of this order and as prepared by a registered Indiana Land Surveyor; and
3. Give the names and addresses of every other owner of land in the plat;

◆ VACATION PLAT REQUIREMENTS

All Vacation Plats must meet the following surveying standards, in addition to any other requirements that are defined by the Dearborn County Zoning Ordinance & Subdivision Regulations:

1. Date, north arrow, and standard engineering scale not less than one inch equals two hundred feet (1"= 200'), unless approved by the Planning Department Staff. Plats shall be at a minimum size of 18" x 24" on mylar drawn in ink. The font size shall be no less than .08 of an inch, for any text on the survey. The title of each survey must also be conspicuous on either the top of the page or in the title block and must contain a clear reference to acknowledge the type of survey that has been created (e.g. original survey, retracement survey—including whether the retracement is a combination survey, or consolidation survey);
2. Name, address, telephone number and seal of the Indiana Registered Land Surveyor responsible for the survey Plat and the Land Surveyor's Certificate (Article 7, Certificate A);
3. Boundary of the parcel and Subdivision of that parcel, including bearings and distances of each tangent course, and all necessary data for curve courses. The traverse that the boundary is depended on shall meet the Indiana minimum standards, and if requested by the Planning Department, closure documentation shall be submitted in addition to the plat;
4. Area in acres of the parent parcel and each Subdivision of the parcel. If a parcel falls in two different townships, sections, or quarter sections, separate acreages shall be listed;

5. Location, width, and names of public or private road rights-of-way that adjoin the boundary, and whether the road is maintained or abandoned. For situations where the rights-of-way are unknown or cannot be readily sourced through a prior survey or deed, the approximate width of pavement must be provided along the frontage(s) of the affected property;
6. Encroachments discovered in the course of the survey;
7. Names of adjacent property owners+, deed record and page number*, and recorded Subdivisions with section or phase number. *Instrument numbers may be supplied for any parcels established after 2000. +For the purposes of this Ordinance, adjacent property owners shall include anyone who owns land that is contiguous to a subject property as well as anyone who owns land that is directly across the road right-of-way(s)—if property lines are / were projected to the center of the adjacent road right-of-way;
8. Vicinity Map with an accurate scale, at a township level;
9. Statement by the applicant as to whether the transfer will be used, or is being used, for building or non-building purposes, and label this with bold letters on the parcel;
10. A description of the size, character, and location—including the location relative to the surface of the ground—of all monuments, with notations indicating which were found and which were set;
11. Current zoning of the subject property;
12. The Property Parcel Map Number (#) that the new lot is being divided from;
13. Existing structures and distances to the newly established property lines;
14. Label and show the boundaries of any cemetery if it exists on the site—or is situated within 100 feet of the affected property. The following statement shall also be added where cemeteries are noted: “Cemeteries subject to the requirements set forth in IC 14-21-1 et. seq and Article 25, Section 2570, Dearborn County Zoning Ordinance.”
15. Label and show the boundaries of any flood zones on the subject property which have been identified as being within a floodway, 100-year or 500-year floodplain(s), if any exist on the site. The current, applicable flood panel must also be referenced;
16. Show utility, drainage, and any other known easements (where applicable) and road frontage;
17. Variances and/or covenants if applicable;
18. Reference to source of title;
19. Reference to Section, Township, Range and Political Township;
20. Owner’s Certificate (Article 7, Certificate B-1, B-2 or D) and Certificate for Plan Commission approval (Article 7, Certificate C), Certificate of the Dearborn County Recorder and Auditor (Article 7, Certificate E & H);

21. For Subdivisions that involve a new Individual Sewage Disposal System, two (2) test sites for the primary and secondary septic site locations shall be indicated on the plat as described in Section 2526 of the Dearborn County Zoning Ordinance. The following statement shall also appear on the plat:

- a. "The recording of this plat provides no guarantee that the designated location for the test sites will receive a permit for an Individual Sewage Disposal System from the Dearborn County Health Department. The information contained herein does not confirm whether or not this land division interferes with the performance of an existing sewage disposal system. A permit for an Individual Sewage Disposal System will be required prior to any construction."

If the Subdivision is not intended to be developed immediately, or test sites for the primary and secondary septic sites have not been selected, the following statement shall appear on the plat:

- b. "At the time of this plat, test sites for an Individual Sewage Disposal System have not been located. The information contained herein does not confirm whether or not this land division interferes with the performance of an existing sewage disposal system. A permit for an Individual Sewage Disposal System will be required from the Dearborn County Health Department prior to construction, at which time it will be required to locate primary and secondary septic sites. THE APPROVAL OF THIS PLAT PROVIDES NO GUARANTEE THAT A PERMIT FOR AN INDIVIDUAL SEWAGE DISPOSAL SYSTEM WILL BE ISSUED BY THE DEARBORN COUNTY HEALTH DEPARTMENT."

In either of the aforementioned scenarios, the property owner must attest that to his or her knowledge, the proposed land division does not interfere with the performance of an existing individual sewage disposal system (See Certificate B-1 or D.) Individual sewage disposal systems that are situated on remainder (parent) tracts where the following general conditions are present will not be required to locate a secondary septic site:

- a) Remainder tracts must be equal to, or larger than, five (5) acres
- b) Remainder tracts must contain significant areas with slopes of less than, or equal to, fifteen percent (15%)
- c) Remainder tracts must be located substantially outside of an identified flood hazard area
- d) There must not be any existing violations or citations involving these properties with the Dearborn County Health Department

For Subdivisions that involve a connection to public sewer, the following statement shall appear on the plat:

- c. "This land division will be served with public sewer by the insert sewer provider name here.

22. For Subdivisions that are intended to be developed immediately, a sight distance study shall be performed. The location of the future access point shall be indicated on the plat with the following statements. Existing access points should also have the following notes but may not be required to meet the sight distance requirements. A waiver can be granted if a documented sight distance study has been previously performed by the Planning Director or Designee.

- a. "The recording of this plat provides no guarantee that the designated location for the access point will receive sight distance approval from the Dearborn County Plan Commission."
- b. On ____ Day of _____, 200__ there are _____ feet of sight distance in the (easterly, westerly, northerly, southerly) direction and _____ feet of sight distance in the opposite (easterly, westerly, northerly, southerly) direction measured to meet the minimum sight distance requirements of Article 24, Section 2410 of the Dearborn County Zoning Ordinance.

If the Subdivision is not intended to be developed immediately, or a sight distance study has not been performed, the following statements shall appear on the plat:

- a. Upon visual inspection, there are approximately _____ feet of sight distance in the (easterly, westerly, northerly, southerly) direction and approximately _____ feet of sight distance in the opposite (easterly, westerly, northerly, southerly) direction. (If multiple sections of sight distance exist, each section must be denoted on the plat.)
- b. "At the time of this plat, a sight distance study has not been performed. A sight distance study will have to be performed by an Indiana registered Professional Engineer or Land Surveyor in accordance with the Major Plot Plan Review process prior to construction of new access points. THE APPROVAL OF THIS PLAT PROVIDES NO GUARANTEE THAT THIS PARCEL WILL MEET THE MINIMUM SIGHT DISTANCE REQUIREMENTS ESTABLISHED BY THE DEARBORN COUNTY PLAN COMMISSION."

23. A Surveyor's Report and Legal Description of the property;

24. When a parcel adjoins an existing public street, a minimum width of one-half the right-of-way shall be required in the form of an easement and shown on the plat along the entire lot frontage (s) as detailed in Table 3.1.

25. The following statement shall also appear on the plat:

"This plat shall be void if not recorded within three (3) months of the survey certification date, as stipulated in Indiana Rule 12."

All information that is submitted on the application shall be assumed to be complete and accurate. The applicant shall assume responsibility for errors, omissions, and/or inaccuracies resulting in an improper or incomplete application. If you have any questions, please direct them to the Dearborn County Planning & Zoning Office.

All requirements must be met before the plat can be reviewed, which includes a survey that illustrates the described conditions, the specified number of copies, a completed application and the appropriate fee paid in full. Any questions regarding this application and its associated process should be directed to the Dearborn County Planning & Zoning Office at (812) 537-8821



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PLAN COMMISSION APPLICATION

Note: Primary Plats are submitted to the Plan Commission via a Land Division Application

Applicant / Contractor Information

Name:		Phone No:	
Address:			
<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Owner Information (if different from above)

Name:		Phone No:	
Address:			
<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Site Information

Location:	Section:	Township (#): ()	Range:	Acreage:
Property Map #	Zoning:	Subdivision:	Lot:	

PLEASE NOTE: The Department of Planning & Zoning will need 14 copies of all site plan drawings, application forms, and other supporting information—as well as a list of all adjoining property owners.

PLAT VACATION Detail(s): _____

Date Received:	Fee, based on current Fee Schedule:	Receipt #
All Vacation Plats must conform to IC 36-7-3 and Art. 2, Sec. 280 of the Dearborn County Subdivision Control Ordinance.		

ZONE MAP AMENDMENT* Proposed Use(s): _____
(*Includes PUD Requests)

Date Received:	Fee, based on current Fee Schedule:	Receipt #
Have you had a pre-application meeting with the P.C. staff?	Y N	Legal Description Provided? Y N
Proposed Number of Lots:	_____ lots	Existing Buildings to Remain? Y N
Proposed Density for Non-Residential Uses:	_____ units / acre	Variance(s) Required? Y N
Proposed Density for Residential Uses:	_____ sq. ft. / acre	Conditional Use Required? Y N

All rezone requests must conform to Article 5 of the Dearborn County Zoning Ordinance. PUD applications must also meet the criteria and standards set forth in Article 16 of the Dearborn County Zoning Ordinance.

*Utilities / Services:	Sewage:	Water:	Electric:	Gas:	Fire / EMS:	Schools:
	D.C. Transportation & Engineering / INDOT:			Dearborn County Health Department Report:		

*The Department of Planning & Zoning will determine whether letters from these entities will be required at the time of submittal.

As Applicant, I understand that this application and site plan are being submitted in accordance with the Dearborn County Zoning Ordinance, and that I am responsible for the accuracy and completeness of this application and site plan. I understand that incomplete or inaccurate information may result in the delay or denial of this request. Furthermore, I understand that I may not, at any time or under any circumstance(s), have more than one (1) Zone Map Amendment application pending that involves any portion of the same property described herein.

X

Applicant's Signature Date

X

Planning Official's Signature Date

