

# Annexation

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## Step 1: Application

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**Pre-Application Meeting.** Prior to the intended filing, the applicant must discuss the potential application with Staff for the purpose of becoming familiar with requirements, procedures, deadlines, and hearings. The legal descriptions for the petition may be reviewed at this time.

**Making Application.** The applicant must make an appointment with Staff to file by calling (317) 881-8698. A complete application with all required attachments must be submitted by the date shown on the Application Schedule. If the application is not complete, it will be returned to the applicant with the deficiencies identified. Applications submitted or completed after the posted submittal deadline will be placed on the application cycle for the next regular meeting.

### Items Required for a Complete Application:

- Application Fee.** \$300 base fee (includes \$15 technology fee), plus \$5 per acre, plus \$16 for each On-Site Notification Sign (one per street frontage). Make checks payable to the "City of Greenwood".
- Application Form.** All items must be fully completed and either typewritten or printed in ink. The application must be signed by the applicant(s) and notarized.
- Attachment A:** Detailed Statement of Reasons.
- Attachment B:** Notice of Public Hearing for Newspaper – staff will fill in blanks for you.
- Attachment C:** Notice of Public Hearing for Property Owners – staff will fill in blanks for you
- Attachment D:** Affidavit and Consent of Property Owner. (Submit only if the owner is different from the applicant.)
- Proposed Commitments.** Submit one copy of any proposed commitments associated with the petition.
- Legal Description and Legal Exhibit Drawing.** A written legal description and legal exhibit drawing showing dimensions of the entire annexation area is required. If requesting more than one zoning district, a separate legal description must be provided for each zoning district requested. The legal exhibit drawing shall show all of the requested zoning districts.
- Vicinity Map.** 8 ½"x11" in size showing where the property is located, making sure major streets are labeled. Scale should be approximately 1:1,000.
- Concept Plan.** 11" x 17" or smaller in size showing the existing structures, proposed structures, streets, land uses, etc., of the proposed development.
- Aerial Map and List of Adjacent Property Owners.** Submit a photographic Aerial Map of the subject parcel showing all properties within 300 feet and a list of all surrounding property owners whose property is within two parcels or 300 feet of any portion of the subject land in this petition (whichever is greater). Map and list will become part of the file and will not be returned. The map and names can be obtained from the Johnson County GIS Department in the Courthouse Annex at 86 West Court Street in Franklin (317) 346-4398 or from <http://beacon.schneidercorp.com/>.

## Step 2: Notifying the Public

State Law and Greenwood's Rules of Procedure require you to notify the public of the hearing in three different ways: by newspaper, by posting a sign on the subject property, and by notifying property owners that surround the subject property.

### **Notification by Newspaper**

1. Attachment B: Notice of Public Hearing for Newspaper. At the application meeting, Staff will complete the attachment.
2. Publish the completed attachment one time in the following newspaper:

**The Daily Journal**. Published daily. Information must be submitted by 10:00am at least two days prior to the date you want your ad to be published. They are located at 30 S Water St, Second Floor, Ste A, PO Box 699, Franklin, Indiana, 46131. Phone (317) 736-7101.

Notice must be published **At least 15 days** prior to the Hearing. Failure to meet the publishing deadline will result in a continuance of the hearing for your petition and may cause you to re-advertise. Obtain a "Proof-of-Publication" affidavit from the Daily Journal. This affidavit must be filed in the Planning Office at least three days prior to the hearing (see Application Schedule on page 3).

### **On-Site Notification**

The On-Site Notification Sign(s) must be posted on-site 15 days prior to the hearing. Post the sign so that it is visible from the street. If the sign should become damaged/removed, replacement signs may be purchased at the Planning Office or a waiver may be requested from the Commission at the time of the hearing (contact Staff for information).

### **Surrounding Property Owner Notification**

1. Attachment C: Notice of Public Hearing for Surrounding Property Owners. At the application meeting, Staff will complete the attachment.
2. The Petitioner must notify all surrounding property owners within 300 feet or two properties in depth of the subject property, whichever is greater. If the petitioner owns adjacent parcels, then go 300 feet or two properties beyond those parcels. Notification can be done either by mail or in person.

- a. **By Mail**. Notification by first class U.S. Mail should be done by either Certificate of Mailing or Certified Mail.

Certificate of Mailing provides evidence that mail has been presented to the post office for mailing. Use Form 2 for listing those notified (copy enclosed). Proof of Mailing will be Form 2 that has been stamped by the Post Office.

Certified Mail or "green cards" provide the sender with a mailing receipt and proof of delivery. Visit the Post Office for special cards and stickers for addressing letters sent by Certified Mail. Proof of Mailing is a combination of the "green cards" that have been sent back to you and your Certified Mail Receipt for letters that were not claimed.

All letters must be postmarked at least 15 days prior to the hearing. Proof of mailing must be submitted to the Planning Office at least three days prior to the hearing. Mail the following information to each person notified by mail:

- A copy of the approved Attachment C
- Attachment A
- Annexation area map, legal description and proposed commitments.

- b. **In Person**. Have each property owner sign Form 1: Signatures of Adjacent Property Owners to verify that they were notified in person. Form 1 must be submitted to the Planning Office at least three days prior to the hearing. Hand-deliver the following to each surrounding property owner at least 15 days prior to the hearing:

- A copy of the approved Attachment C
- Attachment A
- Annexation area map, legal description and proposed commitments.

### **3. SUBMIT TO CITY 3 DAYS PRIOR TO HEARING:**

- Proof of Publication Affidavit from newspaper
- Certificate of Mailing receipt from post office
- Form 3: Affidavit of Notification – signed and notarized
- Property Owners Signature Sheet (Form 1) – if applicable

### **Step 3: Staff Report, Public Hearing and Application Schedule**

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#### **Staff Report**

After an examination of information in the public record and findings from additional research, Staff shall publish a Staff Report that provides an analysis of the petition request. Such report shall be published along with the agenda approximately five days prior to the hearing.

#### **Public Hearing**

The Commission shall follow its adopted Rules of Procedure for the hearing, a copy of which is available at the Planning Office. Public hearings of the Plan Commission are generally held on the second and fourth Monday of each month in the Common Council Chambers at the Greenwood City Center, 300 S Madison Avenue, Greenwood, Indiana, 46142.

When your request comes up on the agenda, you must present your request to the Commission. You may represent yourself or have a consultant or attorney represent you. You may use any evidence that will assist you in the presentation. If the members need additional information, they will ask questions regarding your request.

Upon conclusion of its public hearing, the Commission will vote on your petition. The Commission may include commitments on a zone map change request as part of its decision.

#### **Application Schedule**

Refer to the current Greenwood Advisory Plan Commission schedule (Annexation and Rezoning) posted on the Planning webpage. Deviations from this schedule are not permitted without approval from the Commission.

### **Step 4: Petition Information (Completed by Staff at the Time of Application)**

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The Docket Number for this petition is \_\_\_\_\_. Please use this number for referencing the request and when submitting additional information in the future.

This petition will be heard by the Commission on \_\_\_\_\_. The meeting starts at 7:00 pm in the Common Council Chambers of the Greenwood City Center, 300 S Madison Avenue, Greenwood, Indiana 46142.

Public Notification is required, \_\_\_\_\_ is the latest date to

- Publish legal notice in the Daily Journal
- Post On-Site Notification Sign
- Postmark letters of notice to surrounding property owners by mail

The Staff Report and Agenda for this petition will be published on approximately \_\_\_\_\_.

Public Notification is required, \_\_\_\_\_ is the latest date to submit:

- Proof-of-Publication from the newspaper
- Form 1: List of Signatures of Adjacent Property Owners Notified in Person (if applicable)
- Form 2: List of Adjacent Property Owners Notified by Accountable Mail (if applicable) and Proof of Mailing
- Form 3: Affidavit of Notification

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### **What Happens Next?**

The petition will be forwarded to the Common Council, who will introduce the petition, have two subsequent readings, a public hearing, and make the final decision. Check with the Clerk's Office at (317) 888-2100 for meeting times and dates. Note that written commitments will need to be recorded prior to filing for Primary Subdivision or Site Development Plans.

**CITY OF GREENWOOD**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES**  
**PLANNING DIVISION**  
300 S Madison Avenue, 2<sup>nd</sup> Floor, Greenwood, IN 46142  
Phone: (317) 881-8698 \* Fax: (317) 887-5616  
E-Mail: [planning@greenwood.in.gov](mailto:planning@greenwood.in.gov)  
Website: [www.greenwood.in.gov](http://www.greenwood.in.gov)



City of Greenwood Plan Commission

For Office Use Only			
Docket #			
Filing Date		Fee	
PC Date		PN Date	

# Petition Annexation

## 1. Petitioner

Name \_\_\_\_\_

Street Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Primary Contact Person regarding this petition \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_ E-Mail \_\_\_\_\_

## 2. Property Owner

Name \_\_\_\_\_

Street Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_ E-Mail \_\_\_\_\_

Applicant is (circle one):    \_\_\_ Sole owner    \_\_\_ Joint Owner    \_\_\_ Tenant    \_\_\_ Agent    \_\_\_ Other (specify)

## 3. Type of Petition

- Annexation
- Zone Map Change (Rezoning) – if applicable

## 4. Premises Affected

Address, Subdivision Lot Number, or location from major streets					
Total Acreage		Existing Zoning:		Existing Use	
Total Lots		Proposed Zoning:		Proposed Use:	

## 5. Notarization

The above information and attached exhibits, to my knowledge and belief, are true and correct.

Signature of Applicant \_\_\_\_\_

Notary Public's Name (printed) \_\_\_\_\_ Signature of Notary \_\_\_\_\_

My Commission Expires \_\_\_\_\_ State \_\_\_\_\_ County \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_



City of Greenwood Plan Commission

## Attachment A: Detailed Statement of Reasons for Annexation including Zone Map Change

Project \_\_\_\_\_ Docket \_\_\_\_\_

### Attachment A – Part I

#### Petition Information – Common Council Annexation Criteria

In addition to determining whether the annexation will be in harmony with, and further the goals of, the City’s comprehensive plan, the Plan Commission is directed by the Common Council to consider the following criteria in their evaluation of the annexation petition (note: **Criteria 1-7 are taken from Greenwood Common Council Resolution No. 86-2, as may be amended from time to time. The resolution further states that, “One or more criteria are deemed sufficient to warrant annexation, voluntary, or to deny voluntary annexation.”**):

1. The area proposed for annexation has a unity of interest with the municipality. That is, the area must be part of the urban community, having geographic, social, and/or economic ties with the City. Describe:

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2. The advantages to the proposed annexation area outweigh the disadvantages in the following ways:

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3. The advantages to the City outweigh the disadvantages in the following ways:

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4. The city desires to annex the area in the following ways:

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5. The annexation will help to square City corporate limits in the following ways:

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6. The annexation will foster growth and prosperity of the annexing city in the following ways:

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7. The annexation will prevent or solve a public health problem(s); or otherwise promote the health, safety, and welfare of the general public in the following ways:

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City of Greenwood Plan Commission

# Attachment A: Detailed Statement of Reasons for Zone Map Change

Project \_\_\_\_\_ Docket \_\_\_\_\_

## Attachment A – Part II

### Petition Information – Statement of Reasons for Zone Map Change

What is the purpose of this request?

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What is the proposed development for this property?

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### Statutory Criteria:

1. This request complies with the Comprehensive Plan in the following way(s):

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2. This request complies with the current conditions and the character of current structures and uses in each district in the following way(s):

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3. The request is for the most desirable use for which the land in this district is adapted. Describe:

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4. This request will not negatively affect the property values throughout Greenwood because:

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5. This request is considered responsible development and growth because:

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City of Greenwood Plan Commission and Board of Zoning Appeals

**Attachment B: Notice of Public Hearing for Newspapers**

*All legal notices MUST be reviewed by Staff BEFORE it is published in the newspapers.*

**ATTACH:** Legal Description

Notice is hereby given that I have, as the owner (or with the owner's consent) of the property commonly described as the address of \_\_\_\_\_, Greenwood, Indiana, and legally described by the attached legal description, have filed a petition before the *(check the applicable body)*

- Plan Commission of the City of Greenwood,       Board of Zoning Appeals for the City of Greenwood,

which petition requests: *(check the applicable request and provide necessary information)*

- Annexation and Zone Map Change** of the said property from the current zoning district of \_\_\_\_\_ to the proposed district of \_\_\_\_\_ for the purpose of \_\_\_\_\_.
- Zone Map Change** of the said property from the current zoning district of \_\_\_\_\_ to the proposed district of \_\_\_\_\_ for the purpose of \_\_\_\_\_.
- Change Commitments for the property.**
- Residential Site Development Plan** for a Mobile Home Park.
- Primary Subdivision** of the said property for a development with \_\_\_\_\_ lots, to be known as \_\_\_\_\_.
- Plat Vacation** of \_\_\_\_\_ subdivision with \_\_\_\_\_ lots.
- Use Variance** for the said property in order to allow a \_\_\_\_\_ use, which is generally not permitted in the \_\_\_\_\_ zoning district.
- Dimensional Variance** for the said property in order to \_\_\_\_\_.
- Special Exception** for the said property to allow property that is zoned \_\_\_\_\_ to be used for \_\_\_\_\_.

This petition, Docket # \_\_\_\_\_, will come for hearing at \_\_\_\_\_ pm in the Common Council Chambers at the Greenwood City Building, 300 South Madison Avenue, Greenwood, Indiana, on \_\_\_\_\_.

A copy of the petition is on file in the Office of the Department of Community Development Services, 300 S. Madison Avenue, Greenwood, Indiana, and is available for inspection before the hearing during business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday. Written objections filed with the Planning Director before the hearing will be considered and oral comments concerning the petition will be heard. The hearing may be continued from time to time as may be found necessary.

In accordance with the American with Disabilities Act, the City of Greenwood is required to provide reasonable accommodations to persons with disabilities wishing to attend public meetings. Accommodations are available upon request to persons with disabilities who require alternately formatted materials, auxiliary aids, or reasonable modifications to policies and procedures to ensure effective communication and access to the public meetings. If you require accommodation to attend the meeting, please contact Daniel Johnston, Public Access ADA Coordinator, at 300 S. Madison Avenue, Greenwood, Indiana 46142, Tel: (317) 887-5000, Fax: (317) 887-5616, or contact Telecommunications Relay Services (TRS) at 711 to relay your request to Mr. Johnston. Please allow at least two business days to arrange for accommodations.

\_\_\_\_\_  
APPLICANTS PRINTED NAME



City of Greenwood Plan Commission and Board of Zoning Appeals

**Attachment C: Notice of Public Hearing for Property Owners**

*All legal notices MUST be reviewed by Staff BEFORE it is published in the newspapers.*

**ATTACH:** 1) Legal Description. 2) Site/Concept Plan. 3) Attachment A (if applicable)

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- Plan Commission of the City of Greenwood,  Board of Zoning Appeals for the City of Greenwood,

which petition requests: (check the applicable request and provide necessary information)

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- Zone Map Change** of the said property from the current zoning district of \_\_\_\_\_ to the proposed district of \_\_\_\_\_ for the purpose of \_\_\_\_\_.
- Change Commitments for the property.**
- Residential Site Development Plan** for a Mobile Home Park.
- Primary Subdivision** of the said property for a development with \_\_\_\_\_ lots, to be known as \_\_\_\_\_.
- Plat Vacation** of \_\_\_\_\_ subdivision with \_\_\_\_\_ lots.
- Use Variance** for the said property in order to allow a \_\_\_\_\_ use, which is generally not permitted in the \_\_\_\_\_ zoning district.
- Dimensional Variance** for the said property in order to \_\_\_\_\_.
- Special Exception** for the said property to allow property that is zoned \_\_\_\_\_ to be used for \_\_\_\_\_.

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\_\_\_\_\_  
APPLICANTS PRINTED NAME



City of Greenwood Plan Commission and Board of Zoning Appeals
Attachment D: Affidavit & Consent of Owner

Project \_\_\_\_\_ Docket \_\_\_\_\_

Complete and submit if applicant is different from property owner.

I (we) \_\_\_\_\_
NAME(S)

After being first duly sworn, depose and say:

- 1. That I/we are the owner(s) of the real estate located at \_\_\_\_\_ (ADDRESS)
2. That I/we have read and examined the Application, and are familiar with its contents.
3. That I/we have no objection to, and consent to such request as set forth in the application.
4. That such request being made by the applicant (\_\_\_\_is) (\_\_\_\_is not) a condition to the sale or lease of the above referenced property.

\_\_\_\_\_  
(AFFIANT)

STATE OF INDIANA )
) SS:
COUNTY OF \_\_\_\_\_ )

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

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

My Commission expires: \_\_\_\_\_

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