

# Town of Plainfield Petition for Zone Map Change

**FOR OFFICE USE ONLY:**

Petition RZ- \_\_\_\_\_ - \_\_\_\_\_

Public Hearing Date \_\_\_\_\_

Fees \$ \_\_\_\_\_

Ordinance # \_\_\_\_\_ - \_\_\_\_\_

Date of Adoption \_\_\_\_\_

1. NAME OF PROJECT: Dr. Imburgia Site Plan

2. ADDRESS OF PROJECT: 416 N Dan Jones Road

**3. APPLICANT/PROPERTY OWNER:**

**Applicant:**

Name: Dr. Anthony Imburgia DDS MSD

Address: 2230 Stafford Rd. #157

Plainfield, IN 46168

Phone Number: 317 203-5133

Fax Number: \_\_\_\_\_

E-Mail: doc@imburgiaortho.com

**Owner:**

Name: Tom & Nancy Miller

Address: 416 N. Dan Jones Road

Plainfield, IN 46168

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**4. PROJECT INFORMATION:**

School Corporation:  Plainfield Community

Avon Community

Mill Creek

Is zoning subject to Annexation?:  Yes

No

Existing Use of Property: Residential

Area in acres: 0.80+/-

Current Zoning: R4

Requested Zoning: OD

Description of Request (use additional pages, if necessary): Site plan for orthodontics office and retail

The undersigned, having been duly sworn on oath states the above information is true and correct as (s)he is informed and believes.

Signature of Applicant:  Date: 9-25-18

Printed Name & Title: Dr. Anthony Imburgia DDS MSD

State of Indiana )  
County of Hendricks ) SS:

Subscribed and sworn to before me this 25 day of September, 2018

Notary Public Signature Commission No. \_\_\_\_\_  
Printed Name Patricia L. Morgan

Residing in Hendricks County  
My Commission expires 04/05/2024



# Zone Map Change Checklist & Contact Information

(Please COMPLETE this form and file with the Petition for Zone Map Change)

## Checklist:

An application packet for a Zone Map Change shall include the following items:

- Completed, Notarized Zone Map Change Petition.
- Legal Description of Property.
- Area Map (which accurately depicts the property to be rezoned).
- Proof of Ownership (Warranty Deed).
- Authorization from Owner (if Applicant is not the Owner).
- List of Interested Parties (This is a list of all persons or groups who own property within six-hundred (600) feet or two ownerships from the property, whichever is less.)
- 12 **folded** copies of the Preliminary Site Plan and a CD containing a digital copy of the Preliminary Site Plan and any other graphic materials in: (i) DWG format; and, (ii) either JPEG, TIFF or PDF format. If filing for a **PUD**, a Concept Plan Design Review Meeting is required prior to filing. After a Concept Plan Design Review meeting, the Applicant shall file: (i) 12 copies of a **Preliminary Plan**, as required by Article 6.1 of the Plainfield Zoning Ordinance, in booklet format (8 ½" X 11" or 11" X 17") AND three (3) full sized sets of any applicable plan sheets; and, (ii) a CD containing a digital copy of the Preliminary Site Plan and any other graphic materials in: (a) DWG format; and, (b) either JPEG, TIFF or PDF format.
- N/A*  Traffic Impact Study (if required – please consult Rules of Procedure for the Plan Commission).
- N/A*  School Impact Study (if required – please consult Rules of Procedure for the Plan Commission).
- N/A*  Statement of Commitments (if any).
- Proof of Notification to Checkpoint Agencies – Attach Copy of Transmittal Letters.
- Filing Fee (Make checks payable to the Town of Plainfield – See Fee Schedule for applicable filing fee.)

## Contact Information

(Please provide contact information on person to be contacted regarding notices, additional filing requirements and staff comments.)

### Attorney/Contact Person:

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-Mail: \_\_\_\_\_

### Project Engineer:

Name: Ryan Lindley, Banning Engineering

Address: 853 Columbia Rd. #101  
Plainfield, IN 46168

Phone Number: 317 707-3715

Fax Number: \_\_\_\_\_

E-Mail: rlindley@banning-eng.com

**2.10 OD - Office District**

Intent - OD: Office *Districts* are established to promote the development of areas where office uses, compatible office-type businesses, and some public and semi-public uses are developed in close proximity with commercial areas while serving as a buffer or transitional area between commercial areas and existing or future residential areas. Uses within the OD *Districts* are regulated in character to assure harmonious development with the residential *Districts* which the OD *Districts* buffers from more intense commercial development.

**A. Permitted Uses.**

1. *Primary Uses*

Communication/Utilities

~~Telephone Exchange~~

Educational Use

*Child Care Center*

Day Nursery

Nursery School

Kindergarten

Library

School - Commercial, Trade or Business

Governmental Use

~~Fire Station~~

~~Governmental Offices~~

~~Police Station~~

Post Office (without Storage of Delivery Vehicles)

Miscellaneous

Clinic, Medical, Dental or Optometrists

Office/Professional Services

Architect

Artist

Bank Machines

Bank / Savings & Loan / Credit Union

Dentist

Design Services

Engineer

Insurance Agent

Lawyer

Musician

Physician

Pharmacist

Photographic Studio

Professional Offices

Real Estate Office

Service Organization Office

Travel Agency

Public Facilities

~~Museum~~

~~Public Park~~

~~Religious Use~~

Residential

*Assisted Living Facility*

Nursing Home

Convalescent Home

2. *Special Exception Uses*

Communication/Utilities

~~Public Utility Substation~~

~~Public Wells~~

~~Sewage Treatment Plant~~

~~Water Treatment Plant~~

Food Sales and Service

Restaurant without Alcoholic

Beverages

Restaurant with Alcoholic

Beverages

Miscellaneous

~~Artificial Lake~~

~~Hotel~~

Personal Service

Health Spa or Fitness Center

Public Facilities

Community Center

~~Neighborhood Recycling~~

~~Collection Point~~

~~Parking Garage~~

3. *Accessory Uses* - See Article IV.

4. *Temporary Uses* - See Article IV.

**B. *Development Standards.***

1. *Minimum Lot Width and Frontage* - each *Lot* or *Integrated Center* shall have a minimum *Lot Width* and *Frontage* on a *Public Street* of 50 feet.

2. *Minimum Yards and Building Setbacks*

a. *Front* - a minimum *Front Yard* and *Building Setback* measured from the *Proposed Right-of-Way* shall be provided as follows:

*Interstate Street:* 60'

*Primary Arterial Street:* 30'

*Secondary Arterial Street:* 30'

*Collector Street:* 30'

*Local Street / Cul-de-sac Street:* 30'

b. *Minimum Side Yard and Setback* - shall be provided from the *Lot Line* as follows:

(1) *Minimum Side Yard* - 10 feet

(2) *Minimum Side Bufferyard* - 15 feet

c. *Minimum Rear Yard and Setback* - shall be provided from the *Lot Line* as follows:

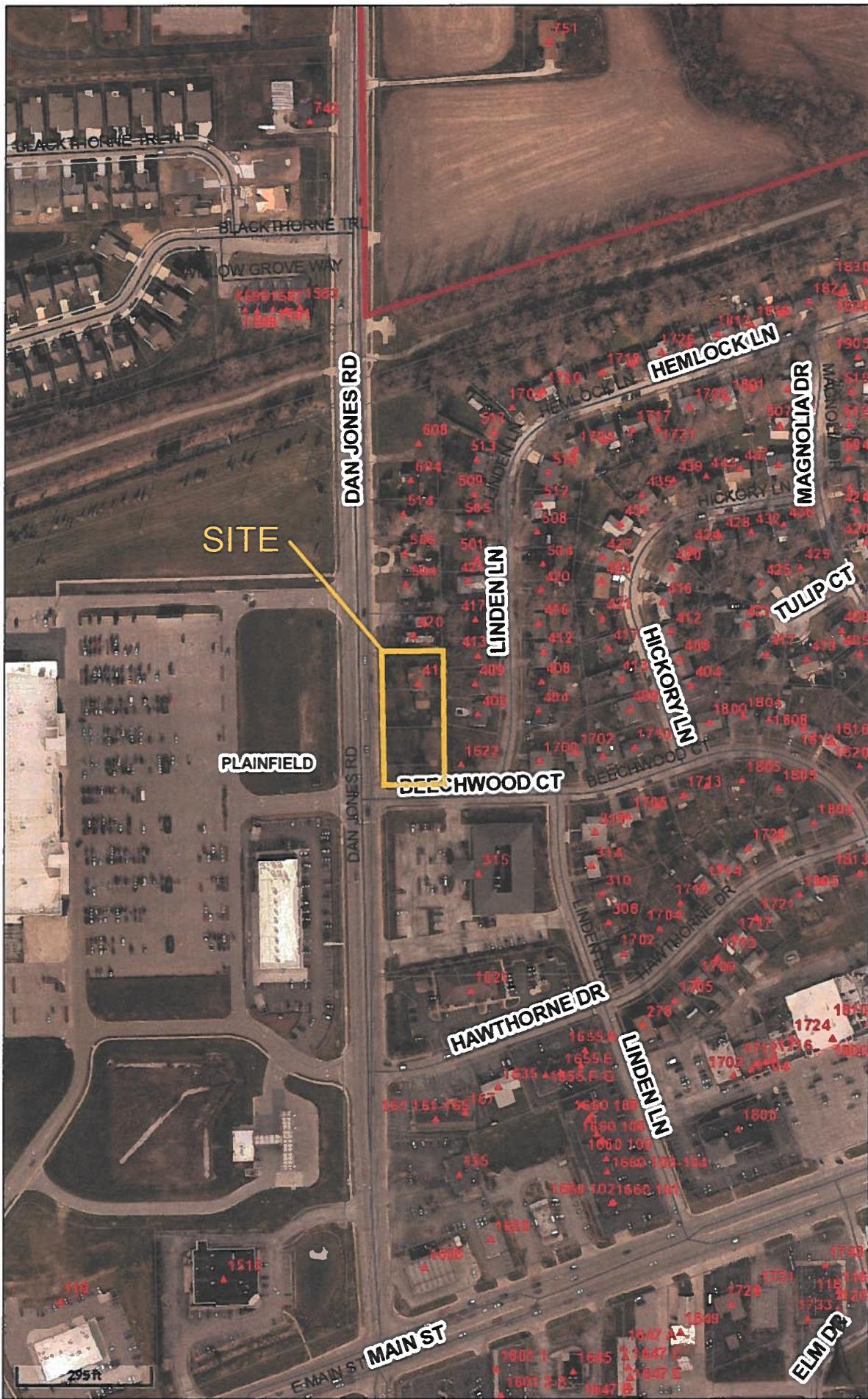
(1) *Minimum Rear Yard* - 10 feet

(2) *Minimum Rear Bufferyard* - 15 feet

**LEGAL DESCRIPTION**

That portion of the Northwest Quarter of Section 25, Township 15 North, Range 1 East of the Second Principal Meridian in the Town of Plainfield, Hendricks County, Indiana, described as follows:

Commencing at the southwest corner of said Northwest Quarter; thence North 00 degrees 00 minutes 00 seconds East along the west line thereof 387.00 feet; thence North 90 degrees 00 minutes 00 seconds East 33.71 feet to the east line of the land of the Town of Plainfield as described in Instrument Number 200349116 in the Office of the Recorder of said county; thence continue North 90 degrees 00 minutes 00 seconds East 124.71 feet; thence North 00 degrees 15 minutes 20 seconds West 280.00 feet; thence North 90 degrees 00 minutes 00 seconds West 123.57 feet to said east line; thence South 00 degrees 01 minute 20 seconds East along said east line 280.00 feet to the POINT OF BEGINNING, containing 0.80 acres, more or less.



**Legend**

- Parcels
- County Roads
- ▲ Address Points
- Corporate Boundary
- AVON
- PLAINFIELD
- Plainfield Streets

DAILY ENTERED FOR TAXATION  
Duly entered for taxation this .....

day of MAY 1994

**WARRANTY DEED**

**9580**

No. ....

Entered for record this ..... day

of ....., 19..... at ..... M.,

In Deed Record ..... Page.....

Notary Public  
Ann Russell  
Recorder, HENDRICKS COUNTY, IN

Recorder, County, IN

**THIS INDENTURE WITNESSETH**, That Elvis Jenkel and Julia P. Jenkel,  
husband and wife (Grantor)

of Hendricks County, in the State of Indiana, CONVEY

AND WARRANT to Thomas G. Miller and Nancy R. Miller, husband and wife

(Grantee)

of Hendricks County, in the State of Indiana, for the sum of **One Dollar (\$1.00)** and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate in Hendricks County, State of Indiana:

SEE LEGAL DESCRIPTION ATTACHED

ENTERED FOR RECORD

MAY 4 1994

BOOK 334  
Jay Beasley  
HENDRICKS COUNTY RECORDER

Julia P. Jenkel is one and the same as Pauline Jenkel.

IN WITNESS WHEREOF, Grantor has executed this deed this 25th day of April, 1994.

STATE OF  
Indiana

Grantor: (Seal)  
Signature Elvis H. Jenkel  
Printed Elvis Jenkel

Grantor: (Seal)  
Signature Julia P. Jenkel  
Printed Julia P. Jenkel

}SS:

COUNTY OF

Grantor: (Seal)  
Signature \_\_\_\_\_  
Printed \_\_\_\_\_

Grantor: (Seal)  
Signature \_\_\_\_\_  
Printed \_\_\_\_\_

Before me, a Notary Public in and for said County and State, personally appeared:  
Elvis Jenkel and Julia P. Jenkel, husband and wife

who acknowledged the execution of the foregoing Warranty Deed, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 25th day of April, 1994.

My Commission expires:  
10/3/97

Signature Tonia F. Cochran  
Printed Tonia F. Cochran, Notary Public  
Resident of Clay County, Indiana

This instrument prepared by Lee T. Comer, Attorney at Law.

Send tax bills to 416 San James Rd., P.O. 46168

Part of the Northwest quarter of Section 25, Township 15 North, Range 1 East, Hendricks County, Indiana, bounded and described as follows: Beginning at a point on the west line of the section 427 feet north of the southwest corner of the northwest quarter; thence east 158.24 feet; thence north 0 degrees 15 minutes 20 seconds west 80.00 feet; thence west 157.88 feet to the section line; thence south 80.00 feet to the place of beginning, containing 0.2903 acres, more or less.

ALSO:

Part of the northwest quarter of Section 25, Township 15 North, Range 1 East, Hendricks County, Indiana, bounded and described as follows: The north one-half of the following described real estate, to-wit: Beginning at a point on the west line of the Section, 347 feet north of the southwest corner of the northwest quarter; thence east 158.60 feet; thence north 0 degrees 15 minutes 20 seconds west 80.00 feet; thence west 158.24 feet to the section line; thence south 80.00 feet to the place of beginning, containing 0.14545 acres, more or less.

ALSO:

Part of the Northwest quarter of Section 25, Township 15 North, Range 1 East, bounded and described as follows, to-wit: Beginning at a point on the west line of the Section 507 feet north of the southwest corner of the northwest quarter, thence east 157.88 feet; thence north 0 degrees 15 minutes 20 seconds west 80.00 feet; thence west 157.53 feet to the section line; thence south 80.00 feet to the place of beginning, containing 0.2896 acres, more or less.

ALSO:

Beginning at a point of the west line of the Section 587 feet north of the southwest corner of the northwest quarter; thence east 157.53 feet; thence north 0 degrees 15 minutes 20 seconds west 80.00 feet; thence west 157.17 feet to the section line; thence south 80.00 feet to the place of beginning, containing 0.2890 acres, more or less.

Subject to all easements, restrictions and rights of way.

NOTE: This policy does not insure the accuracy of the quantity of land appearing on the legal description of Schedule A hereof.

DULY ENTERED  
FOR TAXATION

NOV 06 2003

200300049116  
Filed for Record in  
HENDRICKS COUNTY IN  
THERESA D LYNCH  
11-06-2003 At 02:56 PM.  
DEED 16.00  
OR Book 476 Page 2479 - 2480

*Nancy R. Marsh*  
AUDITOR HENDRICKS COUNTY

Tax Key No.: 21-1-25-51E 155-027 ; 155-034 ; 155-032 ; 155-030  
Mail Tax bill to:

**WARRANTY DEED**

Project: STP-Q518()  
Parcel: 19

**THIS INDENTURE WITNESSETH, That Thomas G. Miller and Nancy R. Miller**

the Grantor(s), of Hendricks County, State of Indiana Convey(s) and Warrant(s) to the **Town of Plainfield, State of Indiana**, the Grantee, for and in consideration of the sum of Nineteen Thousand Four Hundred Seventy and no/100 dollars (\$ 19,470.00 ) the receipt of which is hereby acknowledged, certain Real Estate situated in the County of Hendricks, State of Indiana, and being more particularly described in the legal description(s) attached hereto as Exhibit "A" incorporated herein by reference.

This conveyance is subject to any and all easements, conditions and restrictions of record.

The Grantor(s) hereby specifically acknowledge(s) and agree(s) that the Real Estate conveyed herein is conveyed in fee simple and that no reversionary rights whatsoever shall remain with the Grantor(s), or any successors in title to the abutting lands of the Grantor(s), notwithstanding any subsequent abandonment, vacation, disuse, nonuse, change of use, conveyance, lease and/or transfer by the Grantee or its successors in title, of a portion or all of the said Real Estate or any right of way, roadway or roadway appurtenances established thereupon. This acknowledgment and agreement is a covenant running with the land and shall be binding upon the Grantor(s) and all successors and assigns.

IN WITNESS WHEREOF, the said Grantor(s) ha ve executed this instrument this 6<sup>th</sup> day of October, 2003.

\_\_\_\_\_(Seal) \_\_\_\_\_(Seal)  
Signature Signature

Thomas G. Miller  
Printed Name

Nancy R. Miller  
Printed Name

*Thomas G. Miller*  
Signature (Seal)

*Nancy R. Miller*  
Signature (Seal)

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

STATE OF INDIANA :

SS:

COUNTY OF HENDRICKS :

Before me, a Notary Public in and for said State and County, personally appeared Thomas G. Miller and Nancy R. Miller, the Grantor(s) in the above conveyance, and acknowledged the execution of the same on the date aforesaid to be their voluntary act and deed and who, being duly sworn, stated that any representations contained therein are true.

Witness my hand and Notarial Seal this 6<sup>th</sup> day of OCTOBER, 2003.

*Daniel K. McManis*  
Signature

DANIEL K. McMANIS  
Printed Name

My Commission expires 9-27-2006

I am a resident of PUTNAM County

This Instrument Prepared By Melvin R. Daniel, Attorney at Law

## EXHIBIT "A"

PARCEL 19  
 PERMANENT RIGHT OF WAY  
 THOMAS G. AND NANCY R. MILLER

For the improvement of Dan Jones Road, Hendricks County, Parcel 19, the following described real estate to wit:

A part of the Northwest Quarter of Section 25, Township 15 North, Range 1 East, Hendricks County, Indiana, and being a part of the land of or formerly owned by Thomas G. and Nancy R. Miller (Deed Record 334, Pages 41-42, Office of the Recorder) more particularly described as follows:

Commencing at the southwest corner of said Quarter Section; thence North 0 degrees 18 minutes 08 seconds East (assumed bearing) 117.281 meters (384.78 feet) along the west line of said section to the point of beginning of this description being the prolongation of the north boundary of Beechwood Drive; thence continuing North 0 degrees 18 minutes 08 seconds East 85.344 meters (280.00 feet) along said west line to the northwest corner of the grantors' land; thence South 89 degrees 43 minutes 17 seconds East 10.240 meters (33.60 feet) along the north line of the grantors' land; thence South 0 degrees 16 minutes 48 seconds West 85.344 meters (280.00 feet) to the north boundary of said Beechwood Drive; thence North 89 degrees 43 minutes 20 seconds West 10.274 meters (33.71 feet) along said north boundary and the prolongation of said north boundary to the point of beginning and containing 0.0875 hectares (0.216 acres), more or less. The portion of the above-described real estate which is not already embraced within public rights of way contains 0.0485 hectares (0.120 acres), more or less.

Given under my hand and seal this 19<sup>th</sup> day of March, 2002.



Douglas K. Herendeen  
 Douglas K. Herendeen, L.S.  
 Registered Land Surveyor  
 State of Indiana, Surveyor No. S0468

**TOWN OF PLAINFIELD**

**Department of Planning & Zoning**

**AUTHORIZATION FROM OWNER**

The undersigned, Nancy Miller, being the Owner of the property commonly known as 416 N. Dan Jones Road, hereby authorizes Felicita LLC to file a Zone Map Change / Development Plan / Primary Plat / Secondary Plat Vacation / Variance / Special Exception petition (circle all that apply) for the aforementioned address.

This consent shall:

- remain in effect until revoked by a written statement filed with the Department of Planning & Zoning.
- remain in effect until \_\_\_\_\_.

Nancy R. Miller  
 Signature  
 Printed: Nancy R. Miller  
 Title (if applicable): owner  
 Date: 09/20/2018

\_\_\_\_\_  
 Signature  
 Printed: \_\_\_\_\_  
 Title (if applicable): \_\_\_\_\_  
 Date: \_\_\_\_\_

STATE OF INDIANA,  
COUNTY OF Hendricks, SS:

Subscribed and Sworn to before  
me this 20 day of September 2018.

Kristen E. Pappas  
 Notary Public Signature  
Kristen E. Pappas  
 Printed

My Commission expires:  
November 10, 2019.  
 County of Residence: Hendricks

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

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

\_\_\_\_\_  
 Notary Public Signature  
 Printed

My Commission expires:  
 \_\_\_\_\_, 20\_\_\_\_.  
 County of Residence: \_\_\_\_\_

AGREE PLAINFIELD LLC  
c/o MEIJER ATTN: PROPERTY TAX  
2929 WALKER AVENUE NW, GRAND  
RAPIDS, MI 49544

ARMSTRONG EMILY S  
224 W HIGH ST  
MOORESVILLE, IN 46158

BRADFORD MARILYN M  
278 LINDEN LN  
PLAINFIELD, IN 46168

BROOKS SANDRA K  
1622 BEECHWOOD DR  
PLAINFIELD, IN 46168

COMMERCIAL INVESTMENTS LLC  
7676 WINDRIDGE WAY  
BROWNSBURG, IN 46112

CRAWFORD ROY L & SONDRAL  
6283 E COUNTY ROAD 251 S  
PLAINFIELD, IN 46168

D M N, INC  
6792 BLACK OAK WEST CT  
AVON, IN 46123

DUKE ENERGY INDIANA INC  
C/O DUKE ENERGY  
550 TRYON ST, CHARLOTTE, NC 28209

LSBURY REVOCABLE TRUST  
1705 HAWTHORNE DR  
PLAINFIELD, IN 46168

FULLER JOSHUA D & ANGELA M H/W  
408 LINDEN LN  
PLAINFIELD, IN 46168

HAASE MITCHELL P & DEBRA A H/W  
7095 HICKORY HOLLOW CT  
PLAINFIELD, IN 46168

HATHAWAY DAVID P & RUTH L  
409 LINDEN LN  
PLAINFIELD, IN 46168

HERNANDEZ REMA  
1700 BEECHWOOD DR  
PLAINFIELD, IN 46168

HUTTO BRIAN M  
404 LINDEN LN  
PLAINFIELD, IN 46168

JULIE GROUP LLC  
1635 HAWTHORNE DR  
PLAINFIELD, IN 46168

LOECHEL BERNARD RAY & ERMA DEAN  
REV. LIVING TRST  
318 LINDEN LN  
PLAINFIELD, IN 46168

LOUDERMILK DORIS L  
419 LINDEN LN  
PLAINFIELD, IN 46168

MILLER T6HOMAS G & NANCY R  
6640 PAGE BLVD 102  
INDIANAPOLIS, IN 46220

MLC DAN JONES LLC  
1012 BUCHANAN ST  
PLAINFIELD, IN 46168

MLC HAWTHORNE LLC  
1012 BUCHANAN ST  
PLAINFIELD, IN 46168

ORGAN LEON R & WILSON-ORGAN J  
405 LINDEN LN  
PLAINFIELD, IN 46168

OYARZABAL ABILLY  
417 LINDEN LN  
PLAINFIELD, IN 46168

PATTERSON ALLISON D  
1709 HAWTHORNE DR  
PLAINFIELD, IN 46168

PLAINFIELD CREEK SHOPPES II LLC  
5750 E. 91ST ST, STE C  
INDIANAPOLIS, IN 46250

PLAINFIELD DAN JONES MEDICAL  
FACILITY LLC - C/O C RANDALL POWELL  
1101 E. WHISNAND RD  
BLOOMINGTON, IN 47408

PLAINFIELD, TOWN OF  
PO BOX 65  
PLAINFIELD, IN 46168

PLUNKETT WILLIAM E & LORETTA R  
REV. LIV TRUST  
1717 HAWTHORNE DR  
PLAINFIELD, IN 46168

SPARKS RONALD W & KAREN K FAMILY  
TRUST DATED SEPT 27TH 2016  
621 RAYMOND ST  
PLAINFIELD, IN 46168

UNTERREINER CHERI & GERALD W/H  
203 N. RAINES ST  
PLAINFIELD, IN 46168

VANHOY MARK L & VANHOY BRENDA J  
412 LINDEN LN  
PLAINFIELD, IN 46168

WOODS RICHARD TERRENCE & BONNIE  
KAY H/W  
8048 RED BUD CT  
PLAINFIELD, IN 46168