

**REZONING APPLICATION**

City of Gordon Planning & Zoning Commission

No.: \_\_\_\_\_

Applicant's Name: \_\_\_\_\_

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

\_\_\_\_\_

Telephone Number: \_\_\_\_\_

I hereby request that the following parcel of land be changed from a \_\_\_\_\_ zone to a \_\_\_\_\_ zone.

Legal Description as follows: (attach plat and description)

Known As: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Specifically, I plan to construct the following: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please attach to this rezoning application all information requested in Article 14-2.3

Date: \_\_\_\_\_ Signature of Applicant: \_\_\_\_\_

**ARTICLE 14**  
**AMMENDMENTS**

**14-1** **Authority:** This Zoning Ordinance, including the official Zoning Maps, may be amended by the City Council of Gordon: (1) on their own motion, (2) on petition, or (3) on recommendation of the City of Gordon Planning and Zoning Commission, but no amendment shall become effective unless it shall have been proposed by or shall have been submitted to the City of Gordon Planning and Zoning Commission for review and recommendation.

**14-2** **PROCEDURE FOR AMENDMENT**

**14-2.1** **General:** Applications for amendments of these regulations may be in the form of proposals for amendment of the text of this ordinance, or proposals for amendment of the Zoning Maps (a "rezoning"). Applications for amendment shall be submitted to the Zoning Administrator. Any application for zoning amendment, which is denied by the City Council of Gordon shall not be reconsidered for six (6) months after said denial.

**14-2.2** **Application for Text Amendment:** In the case of a text amendment, petition for amendment shall include a statement of the purpose of the proposed text amendment and the specific sections and language of the ordinance proposed to be deleted or added, plus other information or materials as may be required by the office of the Zoning Administrator.

**14-2.3** **Application for Map Amendment:** Petition for a map amendment not brought by the City Council or Planning and Zoning Commission must be made by the owner of the affected property, or his authorized agent. An application for map amendment shall include the following information:

- a. **A fully completed "Application for Re-zoning" form** which shall include the following information.
  - 1) The subdivision or area in which the land proposed to be reclassified is located;
  - 2) the street address of said property or, if none, the location with respect to nearby roads in common use;
  - 3) the area of the land proposed to be reclassified stated in square feet, if less than one (1) acre, and in acres if one (1) or more;
  - 4) the application number, date of application and action taken on all prior applications filed for reclassification of whole or part of the land proposed to be reclassified.
- b. **A current plat of the land in question** made by a registered civil engineer, land surveyor, architect, or landscape architect of this State.

In addition to other specified information, this plat shall show current zoning district information of the subject land area and of all abutting properties.

- c. A legal description of the subject land area;
- d. A letter of intent indicating specifically how the property is to be used. Said letter shall be as detailed as necessary to clearly describe the proposed site development;
- e. Such other necessary information or materials required by the office of the Zoning Administrator.

**14-3 FEES:** A fee is required for an amendment to the Zoning Ordinance or Maps initiated by anyone except the governing authority, Planning and Zoning Commission, or another agency of the City of Gordon. Said fee shall be determined by the City of Gordon.

**14-4 STAFF REPORT:** The Zoning Administrator shall submit a staff report on the requested amendment to the members of the Planning and Zoning Commission at least seven (7) days prior to the Public Hearing. That report shall describe the nature of the requested change and consider it with regard to each of the six (6) standards used in making zoning decisions (Section 14-9). The staff report shall also be forwarded to the City Council for its use and kept on file as a permanent record.

**14-5 REFERRAL TO THE CITY OF GODON PLANNING AND ZONING COMMISSION:** Within five (5) days after acceptance for filing of any complete application for an amendment, the Zoning Administrator shall submit two (2) copiers thereof to the Planning and Zoning Commission its review and recommendation to the City Council. From the date of receipt of the application, the Planning and Zoning Commission shall have thirty (30) days within which to hold a public hearing on the proposed change. The Planning and Zoning Commission shall have thirty (30) days following the public hearing to reach its decision and transmit said decision to the City Council. If the Planning and Zoning Commission fails to submit a report within the required thirty (30) day period, it shall be deemed to have approved the requested amendment.

**14-6 PUBLIC HEARING:** The City of Gordon Planning and Zoning Commission is authorized to hold all required public hearings in connection with amendments to the City of Gordon Zoning Ordinance and Zoning Maps. This is a fact-finding hearing which shall result in a recommendation of the Planning and Zoning Commission to the City Council as to whether or not a proposed amendment should receive approval. Procedures for conduct of public hearings are as follows:

**14-6.1** The meeting must be conducted in accordance with an established agenda.

**14-6.2** All persons present must be allowed to speak. The Chairman of the Planning and Zoning Commission is to set time limits of equal duration for proponents and opponents of the zoning legislation.

**14-6.3** Minutes of the meeting shall be maintained, and the decisions of the Planning and Zoning Commission entered upon the minutes by official approval.

**14-6.4** The standards set out inSection 14-8 must be considered carefully in the decision-making process.

**14-6.5** Any written or other tangible materials presented at the hearing must be kept as a permanent record.

**14-7 PUBLIC NOTIFICATION:**

**14-7.1 Legal Notice:** Due notice of the public hearing before the City of Gordon Planning and Zoning Commission. shall be published in a newspaper of general circulation within the County. Said notice shall appear at least fifteen (15) and not more than forty-five (45) days prior to the public hearing and shall be published for at least two (2) consecutive issues. The notice shall contain: the application number, a summary of the proposed amendment (if a text amendment), and in the case of a map amendment, the location of the property, its area, name of the owner, the current zoning classification, and the proposed zoning classification.

**14-7.2 Notice to Interested Parties:** A notice shall be sent to the applicant by mail, and the Planning and Zoning Commission notifying of the date, time and place of hearing. All application files shall be placed in the custody of the Zoning Administrator and shall be open to public during regular office hours.

**14.7.3 Posting of Property:**

**Erection of sign:** Whenever a completed application for a map amendment is received by the Zoning Administrator, he shall require the owner of the land to post a sign summarizing the amendment sought. Such sign shall be erected by the property owner within ten (10) feet of whatever boundary line of such land abuts a traveled public road; and, if no public road abuts thereon, then such sign shall be erected in such a manner as in the opinion of the Zoning Administrator may be most readily seen by the public. The sign shall have a minimum size of thirty by 40 inches (30" x 40"). The sign shall show the application number, the current zoning classification, and the scheduled date, time, and place of public hearing. It is the responsibility of the property owner to make sure the sign remains soundly in place and readable. No public hearing shall take place until said sign has been posted at least fifteen (15) days.

**14-8 DECISION BY THE CITY COUNCIL:** The Gordon City Council shall approve or deny a proposed zoning amendment at its next regular meeting or according to the legal notice requirements of the City following receipt of a recommendation on the proposed amendment from the Planning and Zoning Commission. The City Council must consider carefully the standards set out in Article 14-9 in making its decision. The City must notify the applicant and the City of Gordon Planning and Zoning Commission by U. S. Mail of its decision on the proposed amendment. Any amendment entered on the Official Map(s) within one (1) working day after the amendment has been approved by the City Council. No amendment to the Official Map(s) becomes effective until it has been entered upon said map(s).

**14-9 STANDARDS FOR REVIEW:** In review of any zoning amendment request, the following factors must be considered:

**14-9.1** Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

**14-9.2** whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

**14-9.3** whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;

**14-9.4** whether the zoning proposal will result in a use which will or could cause an excessive or burden- some use of existing streets, transportation facilities, utilities or schools;

**14-9.5** whether the zoning proposal is in conformity with the intent of the land use plan; and,

**14-9.6** whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

**14-10** **CONDITIONAL REZONING:** The planning and Zoning Commission may recommend, and the City Council may require that certain conditions be met prior to or in conjunction with the approval of a requested zoning change. Such conditions may only be imposed for the protection or benefit of neighbors in the surrounding area to ameliorate the effects of the zoning change.