

# **REZONING REQUEST**

## APPLICATION REQUIREMENTS AND INFORMATION

Attached you will find the following documents to assist you with your rezoning request:

- Application form
  - Petition - Sample
  - Notice of Public Hearing – Sample
  - Rezone Ordinance Instructions.
1. Submit a two hundred dollar (\$200.00) filing fee made payable to the City of Rogers with the completed application and Notice of Public Hearing.
  2. The notice of public hearing must be published once, at least fifteen (15) days prior to the public hearing. The City Planner will publish the ad you provide. (See Notice of Public Hearing sample)
  3. The City Planner is required to place a sign on the property announcing a public hearing fifteen days prior to the hearing date. The sign will be removed after the public hearing.
  4. Anyone who owns or leases property, within a three hundred (300) foot radius of the property must be notified of the public hearing by certified mail, with return receipt requested. (See Notice of Public Hearing sample) Bring the receipt cards and any returned mail, along with a list of all recipients, to the public hearing and remit items to the planning staff. In order to obtain the list of property owners; submit the legal description of the property to an abstract company.
  5. The Public Hearing will be held during a regularly scheduled Planning Commission meeting. The Planning Commission meets on the first and the third Tuesday of each month. A representative is required to attend the public hearing to answer any questions from the planning commission.
  6. If a rezone is recommended for approval by the Planning Commission, the following must be completed by the applicant by noon the day following the public hearing:
    - Notify the City Clerk's office of the approval and request to be placed on the next City Council agenda.
    - Provide the name and contact number of the person to attend City Council.
    - Provide 25 copies of a legally sufficient rezoning ordinance. Please note that the City will not supply the ordinance or a sample document.
  7. Please direct any questions about these instructions to the City of Rogers Transportation and Planning office at 207 S. 2<sup>nd</sup> Street. Phone (479) 621-1186. Fax (479) 631-0091.

## **FINDINGS**

The Planning Commission may vote to recommend approval to the City Council, approval with revisions, or to deny the application. A denied application may be appealed to the City Council by filing a letter of appeal with the City Clerk within 15 days of denial: State the reason for deeming error on part of the Planning Commission. If the application is further denied by City Council, an appeal may be brought to a court of record having jurisdiction.

Any or all of the property involved in the application which was denied or withdrawn after public hearing shall not be re-submitted for a period of one year from the date of the last action taken for the same change in zoning, unless the Planning Commission finds a substantial change in conditions from the previous application.

## **REZONE ORDINANCE INSTRUCTIONS**

If a rezone is recommended for approval by the Planning Commission, the following must be completed by the applicant by noon the day following the public hearing:

- Notify the City Clerk's office of the approval and request to be placed on the next City Council agenda.
- Provide 25 copies of a legally sufficient rezoning ordinance. Please note that the City will not supply the ordinance or a sample document. An attorney can produce a legally sufficient rezoning ordinance.
- Provide the name and contact number of the person to attend City Council.

Any questions regarding the rezoning ordinance instructions should be direct to the City Clerk's office, located at 300 W. Poplar Street. Phone (479) 621-1117.

**REZONING APPLICATION**

NUMBER \_\_\_\_\_

**APPLICANT PROVIDES:**

APPLICANT NAME: \_\_\_\_\_ TELEPHONE NUMBER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PROPERTY OWNED BY: \_\_\_\_\_ TELEPHONE NUMBER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

GENERAL LOCATION OF PROPERTY: \_\_\_\_\_

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

\_\_\_\_\_  
APPLICANT SIGNATURE

LEGAL DESCRIPTION OF PROPERTY: (metes and bounds or lot and block)

{Attach legal description as exhibit "A" if necessary.}

ATTACH A MAP SHOWING THE AREA TO BE REZONED

**PLANNING AUTHORITY PROVIDES:**

REZONING FROM: \_\_\_\_\_ TO: \_\_\_\_\_ DATE FILED \_\_\_\_\_

PUBLIC HEARING DATE: \_\_\_\_\_ CONTINUED TO DATE: \_\_\_\_\_

APPLICATION FEE: \_\_\_\_\_ OTHER FEES: \_\_\_\_\_

PLANNING COMMISSION ACTION: \_\_\_\_\_ DATE: \_\_\_\_\_

CITY COUNCIL ACTION: \_\_\_\_\_ DATE: \_\_\_\_\_

ORDINANCE NUMBER \_\_\_\_\_

OTHER INFORMATION: \_\_\_\_\_

\_\_\_\_\_

# SAMPLE

## NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be had before the Rogers Planning Commission on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, at 4:30 p.m. at the Rogers City Administration Building, 300 West Poplar on the application of (Applicant's Name) to rezone the following described property to (Proposed Zoning Designation) from (Existing Zoning Designation.)

LEGAL DESCRIPTION: (metes and bounds or lot and block)

{ Attach legal description as exhibit "A" if necessary. }

LAYMAN'S DESCRIPTION: (address of the property to be rezoned)

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Secretary,

Rogers Planning Commission

# SAMPLE

**BEFORE THE PLANNING COMMISSION  
OF  
THE CITY OF ROGERS, ARKANSAS**

The petitioner, (Applicant's Name) petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

PETITIONER: (Applicant's Name)

LEGAL DESCRIPTION: (metes and bounds or lot and block)  
{ Attach legal description as exhibit "A" if necessary.

LAYMAN'S DESCRIPTION: (address of property to be rezoned)

PRESENT ZONING: (Existing Zoning Designation.)

ZONING REQUEST: (Proposed Zoning Designation)

Respectfully Submitted,

By: \_\_\_\_\_  
(Applicant Signature)

## **REZONING ORDINANCE PROCEDURES**

The City Clerk must receive notification and 25 copies of the prepared ordinance by noon, the day following the Public Hearing.