

GASSVILLE PLANNING & ZONING PACKET

NAOMI LASSEN, CHAIRMAN
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Petition No. _____

FORM No. 2

PETITION FOR A REZONING

Filing Date _____, 20____

Building Official _____

TO THE GASSVILLE PLANNING COMMISSION:

Application is hereby made to the City Planning Commission, pursuant to the Arkansas law on city planning, Act 186 of 1957, Acts of Arkansas, as amended, and the Gassville Zoning Ordinance No. 98-07 as amended, petitioning for a rezoning of the following described area:

- 1) Legal Description:
- 2) Street Address or approximation thereof _____
- 3) Title to this property is vested in Gassville, Arkansas, Address: _____
- 4) It is desire that the zoning district boundaries shown on the official Zoning Districts Map be amended and that the area described above be reclassified from the present _____ Zone to _____ Zone.
- 5) Present use of property: _____
- 6) Desired use of property: _____
- 7) (There are) (There are no) deed restrictions pertaining to the use of this property. Any restrictions are described: _____
- 8) A statement and diagram explaining why the proposed changes will not conflict with surrounding land uses is enclosed as part of this petition.
- 9) A map of the subject property is attached herewith and the map shows (1) the approximate dimensions of each property line and any adjoining rights of way, (2) the approximate out line location of any buildings on subject property and adjacent properties, and (3) land uses and owners' names for all lands within 300 feet of the boundaries of the subject property.
- 10) The application filing fee of twenty-five dollars (\$25.00) has been paid to the City Clerk.

- 11) It is understood that Notice of the Public hearing before the Gassville Planning Commission will be published at least 15 days prior to said hearing in a newspaper of general circulation in the City, and that notice of said hearing must be circulated by applicant to all other parties in interest, including all owners of land within 300 feet of the boundary of the property proposed for rezoning.
- 12) If subject property is rezoned, it is understood by Petitioner that unless construction is commenced for the proposed use within one year of rezoning, then said property will revert to the zoning in effect before filing of this Petition.
- 13) If change is disapproved the Petitioner may appeal such disapproval, provided that he states specifically in writing to the City Clerk why he considers the Planning Commission's findings to be in error. Such appeal shall be filed with the City Clerk within fifteen (15) days of receipt of notice of Planning Commission's action.
- 14) Under penalty of perjury, I declare that I have examined this petition , including accompanying materials and statements, and to the best of my knowledge and belief it is true, correct, and complete.

Signed by PETITIONER (S) _____

Address: _____

Telephone: _____

(Note: Use additional sheets if above spaces are inadequate.)

(Do not write below this line)

CITY CLERK

Application fee paid ____ (Yes) ____ (No) Date: _____ Filing Date _____

All 14 points of application in order? _____

Is the property platted on a plat of record with the Circuit Clerk? _____

Book No. _____ Page No. _____

Do the existing street rights of way at least meet the minimum requirements as presented in the Comprehensive Development Plan?

Explain _____

FORM No. 2 (Cont'd.)

Time and date of public hearing _____

Notice published (newspaper and date) _____ Copy attached _____

Petition recommended for approval by Planning Commission _____ Date _____

Subject to: _____

Petition disapproved by Planning Commission _____ Date _____

Reasons: _____

Reason for disapproval given to Petitioner _____

Date and Name _____

Planning Commission's approval, certified to the City Council _____ date: _____

Zoning Amendment approved by City Council _____ Date: _____ Ord. No. _____

subject to: _____

Copy of Ordinance attached _____.

Has the reproducible of the Zoning Districts map been corrected? _____

Date: _____

Zoning Amendment disapproved by City Council? _____

Date _____ Reasons: _____

Signed by City Clerk _____

Date: _____

P. H. Notice NO. _____

Form No. 3 _____

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT an application by _____
for a rezoning has been filed with the Gassville City Planning Commission _____
wherein the request is made to change the zone classification of the property located at
_____ and described as:

from " _____ " _____ Zone to " _____ " _____
Zone by amendment to the Gassville Zoning Regulations.

A PUBLIC HEARING on said application will be held by the Gassville Planning Commission at
_____ AM/PM on _____, 20, _____ at
_____ in Gassville, Arkansas.

ALL PARTIES IN THE INTEREST MAY BE HEARD at the same time and place or may notify the Gassville
Planning Commission by letter of their views on this matter.

THE PROPOSED AMENDMENT is on file for public inspection at the Building Official's Office.

Dated this _____ day of _____, 20_____.

GASSVILLE PLANNING COMMISSION

BY: _____
Secretary

CERTIFICATION TO CITY COUNCIL

TO: City Council
City of Gassville, Arkansas

FROM: Gassville Planning Commission

The following items are transmitted herewith:

These items are true and exact copies of those adopted by the Gassville Planning Commission.

The statutory requirements have been met including:

Notice of public hearing was given on _____, 20____.
Public hearing was conducted on _____, 20____.
Proposal adopted by Planning Commission on _____, 20____.

The Gassville Planning Commission recommends and requests the following action to be taken by the City Council:

Recommended for the following reasons:

Signed by Planning Chairman

Date _____

Filed with City Clerk: _____

Date _____

Reviewed by City Attorney: _____

Date _____

APPLICATION TO THE BOARD OF ZONING ADJUSTMENT

Applies to:

Appeals from a decision of the Building Official concerning his interpretation of the zoning regulations;

Requests for variances from the zoning regulations due to unique characteristics of the property. (Does **not** apply to a request for any use in an zone where said use is not permitted--this would require an amendment to the zoning regulations.)

Steps Involved:

Step 1

ANY PERSON, or his legally designated agenda, prepares an application for hearing before the Board of Zoning Adjustment. (Form No. 5 is provided on a following page.) The application is submitted to the Building Official with legible copies mailed to each member of the Board of Zoning Adjustment. The Applicant is responsible for the mailing and delivery of copies.

The Secretary of the Board of Zoning Adjustment may schedule the public hearing on the application or he may defer this action to the board. The NOTICE OF PUBLIC HEARING must published at least one time not less than 7 days prior to the public hearing. (The content of this notice is shown on Form No. 6 herein.) (Chapter V, Section 8.A) The advertising cost of publishing the Notice of Public Hearing is paid for by the Applicant.

Step 2

BOARD OF ZONING ADJUSTMENT holds the public hearing on the application. Following the hearing and reaching decision the Board may either (1) deny the application, (2) grant the request in a modified form, or (3) grant the request as submitted.

(An appeal from the decision of Board of Zoning Adjustment may be made only in a court of having jurisdiction-- chancery Court or Circuit Court--Chancery Court or Circuit Court--but no to the City Council.) (Arkansas Statues 102829 par. 1 (b-1).

APPLICATION FOR HEARING

Filing Date _____, 20_____
B.Z.A. _____

TO THE CITY OF GASSVILLE BOARD OF ZONING ADJUSTMENT:

Application is hereby made to the City of Gassville Board of Zoning Adjustment pursuant to the Arkansas laws, Act 186 of 1957, Acts of Arkansas, as amended, and the City of Gassville Zoning Regulations, Ordinance 97-08, as amended, requesting a hearing related to the following described property:

- 1) Legal Description:

- 2) Street Address or approximation thereof _____

- 3) Title to this property is vested in _____ Address _____

- 4) (There are) (There are no) deed restrictions pertaining to the variances of appeal requested herein. Any restrictions are described: _____

- 5) The hearing is requested for the following reason:

() Appeal from a decision of the Building Official concerning his interpretation of the zoning regulations. Explain: _____

 _____ Zoning Article No. _____

() Request for a variance from the zoning regulations due to unique characteristics of the property. Explain: _____

 _____ Zoning Article No. _____

() Request to (remodel) (expand) a nonconforming structure. Explain: _____

- 6) A map of the subject property is enclosed herewith as a mean of illustrating the problem of concern. Where applicable, the map show (1) the approximate dimensions of property line and adjoining rights-of-way, (2) approximate outline location of buildings with appropriate dimensions, and (3) land uses and owners' names of adjacent properties.

- 7) It is understood that the Notice of Public Hearing will be published at least 7 days prior to said hearing in a newspaper of general circulation in the City of Gassville. The charge for this publication is to be paid for by the Applicant.
- 8) It is understood by the Applicant that the Board of Zoning Adjustment may request that additional notice of said public hearing be given to certain interested persons and organizations.
- 9) Submit original with attachments to the Building Official of the City of Gassville and deliver a legible copy with all attachments to the Chairman of the Planning Commission. Use additional sheets if above spaces are inadequate. The Applicant is responsible for the delivery and mailing of all copies.
- 10) Under penalties of perjury, I declare that I have examined this petition, including accompanying materials and statements, and to the best of my knowledge and belief it is true, correct, and complete.

Respectfully submitted,

Signed by

APPLICANT (S): _____
 ADDRESS: _____
 TELEPHONE: _____

(Do Not write below this line)

BUILDING OFFICIAL:

Date: _____ Filing date _____

All 10 (ten) points in order? _____

Required number of copies mailed by Applicant? _____

Time and Date of public hearing _____

Notice published (newspaper and date) _____

Copy attached? _____

Application approved by Board of Zoning Adjustment? _____ Date _____

subject to: _____

Application disapproved by Board of Zoning Adjustment? _____ Date _____

reasons: _____

Board's action was () was not () appealed to a court of record: _____

Date appealed: _____

Court of record action on appeal: _____

Signed by City of Gassville Building Official: _____ Date: _____

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF ZONING ADJUSTMENT

NOTICE IS HEREBY GIVEN THAT an application by _____
for a hearing before the City of Gassville Planning Commission Board of Zoning Adjustment has been
filed with Board of Zoning Adjustment wherein the appeal or application for a variance and the content
of the application is described as follows:

A PUBLIC HEARING on said application will be held by the Gassville Board of Zoning Adjustment at
_____ AM/PM on _____, 20____ at _____ in Gassville, AR.

ALL PARTIES IN INTEREST MAY BE HEARD at said time and place or may notify the Gassville Board of
Zoning Adjustment by letter of their views on this matter.

THE APPLICATION is on file for public inspection at the Building Official's office in the City Hall.

Dated this _____ day of _____, 20_____.

GASSVILLE BOARD OF ZONING ADJUSTMENT

By: _____
Secretary