

Rezone Request

Application Requirements and Information

1. Complete application and submit a two hundred dollar (\$200) filing fee made payable to the City of Rogers with the completed application.
2. Provide a full legal description. Must not be abbreviated. Subdivision lot/block description is sufficient. This is used by Planning Staff to publish a legal notice for the public hearing. Visit with Planning Staff prior to completing the following step; the content of the legal notice can be used for the Notice of Public Hearing letter. Planning Staff will verify the accuracy of all information prior to applicant sending Certified Mail.
3. Applicant must notify all property owners within a 300-foot radius of the property of the public hearing via Certified Mail with return receipt requested (see attached sample letter for *Notice of Public Hearing for a Rezone Request*). The list of property owners can be obtained through a title or abstract company or the Benton County Assessor's Office. The title or abstract company is likely to charge for this service and will need a legal description. Certified Mail must be sent at least 15 days prior to the public hearing date. Bring the receipt cards and any returned mail, along with a list of all recipients, to the public hearing and remit items to Planning Staff.
4. Attach a signed and notarized copy of the Property Owner Affidavit (see attached). May be submitted with application.
5. Attach a signed and notarized copy of the Certification that covenants have been checked and proper steps taken to notify surrounding property owners (see attached). Provide at time of public hearing.
6. If approved by Planning Commission, a rezone ordinance should be completed and filed by the applicant by noon the day following the public hearing.
 - Notify the City Clerk's office of the rezone approval and request to be placed on the next City Council agenda.
 - Provide the name and contact number of the representative to attend the City Council meeting.
 - Provide a legally sufficient rezone ordinance by email. The City Clerk may require 25 copies of the ordinance.
 - Questions regarding these instructions should be directed to the City Clerk's office; City Hall; (479) 621-1117

NOTES:

- 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 must attend the public hearing to answer any questions from the Planning Commission.
- There is a 10-day appeal period following any Planning Commission decision.
- If the property to be rezoned is located within a PUD, the PUD must be revised prior to rezone.
- If the rezone request is for a density greater than RSF-3 or RMF-6, must provide an amenity agreement.

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.



**DEPT. OF COMMUNITY DEVELOPMENT
 PLANNING DIVISION
 CITY OF ROGERS, ARKANSAS
 301 W. CHESTNUT
 PHONE: (479) 621-1186
 FAX: (479) 986-6896**

OFFICE USE ONLY

Permit Fee: _____ (\$200)
 Zoning: _____ to _____
 Permit Number: _____
 CityView Application: _____
 Date: _____

REZONE APPLICATION

APPLICANT: _____

ADDRESS: _____ SUITE #: _____

GENERAL LOCATION OF PROPERTY: _____

PHONE #: _____ EMAIL: _____

PROPERTY OWNER: _____ PHONE #: _____

PRESENT USE: _____ ZONING: _____

PROPOSED USE: _____ ZONING: _____

Applicant Signature

Date

Attachment Checklist:

- Legal description of property
- Applicant Certification
- Property Owner Affidavit
- Site plan as needed

PLANNING STAFF PROVIDES:

DATE FILED: _____ PUBLIC HEARING DATE: _____ CERTIFIED MAIL DATE: _____

PLANNING COMMISSION ACTION: _____ DATE: _____

CITY COUNCIL ACTION: _____ DATE: _____

ORDINANCE NUMBER: _____ COMMENTS: _____

PROPERTY OWNER AFFIDAVIT

The petitioner, _____, petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

LEGAL DESCRIPTION:

LAYMAN'S DESCRIPTION:

PRESENT ZONING: _____

ZONING REQUEST: _____

Respectfully Submitted,

By: _____
(Property Owner Signature)

STATE OF ARKANSAS
COUNTY OF _____

Subscribed and sworn before me this the ____ day of _____, 20____.

Notary Signature

Notary Name Printed

Commission Expires

CERTIFICATION

I hereby state that to the best of my knowledge all property owners within 300 feet of my property have been notified by Certified mail at least 15 days prior to the upcoming public hearing for my rezone request.

Dated this the ____ day of _____, 20 ____.

Signed

Name Printed

STATE OF ARKANSAS

COUNTY OF _____

Subscribed and sworn before me this the ____ day of _____, 20 ____.

Notary Signature

Notary Name Printed

Commission Expires

SAMPLE LETTER

BEFORE THE PLANNING COMMISSION OF THE CITY OF ROGERS, ARKANSAS

NOTICE OF PUBLIC HEARING FOR A REZONE REQUEST

Notice is hereby given pursuant to Section 14-725-730 of the Rogers City Code that **(Insert Applicant Name)** is applying to the Rogers Planning Commission to rezone certain real property at **(Insert Location)**. The property is more particularly described as follows:

LEGAL DESCRIPTION: **(Insert complete legal description here or attach as Exhibit "A")**

LAYMAN'S DESCRIPTION: **(Insert street address)**

PRESENT ZONING: **(Insert current zoning designation)**

ZONING REQUEST: **(Insert proposed zoning designation)**

A public hearing by the Rogers Planning Commission will be held on _____, 20__ **(Date assigned by Planning Staff)** at 5:00 p.m. in the City Council Chambers of the City Hall Building located at 301 W. Chestnut Street, Rogers, Arkansas.

Respectfully Submitted,

By: _____
(Applicant's Signature)