



Rezone

Application & Procedural Requirements

All below requirements must be met and submitted to Community development within (7) days before the scheduled Planning Commission meeting.

1. Submit application for rezone in writing to Director of Community Development/Community Services Supervisor.
2. **Proof of ownership of said property must be submitted with application.** (Warranty deed, property tax letter, etc.)
3. **If the owner of said property will not be available, a notarized letter signed by the property owner must be presented identifying their representative/agent by name.**
4. Pay \$40 rezone fee.
5. Provide 12 copies of vicinity map (8.5 x 11" size) clearly outlining the property in question.
6. Place a notice of public hearing in a newspaper of general circulation at least fifteen (15) days prior to the Planning Commission meeting that states the purpose of application, location of the property involved, date, time, and place of the public hearing. (See attachment 1)
7. Provide "Proof of Publication" (a document you will get from the newspaper office) shall be furnished by the applicant to the Director of Community Development/Community Services Supervisor prior to or at the public hearing.
8. Send, or have mailed on your behalf, a notice of public hearing to all persons that lease or own property within 300 feet of the proposed zoning change. (Attachment 3) If you mail the notice, you should provide the Community Development Department with the green return receipts supplied by the post office. The notice of public hearing may also be delivered by hand, but you must maintain signatures showing receipt of the public notice.

Written notice to these individuals must be given 15 days in advance of the public hearing.

9. Provide the Community Development Department with a scale drawing of the site and the surrounding area for a minimum distance of three hundred (300) feet from each boundary of the site showing the locations of existing streets, property lines and the name and last known address of the recorded legal owners of all properties shown on the drawing.
10. Post a "Subject to Rezone" sign on the property.



SUBMISSION REQUIREMENTS

11. Community Development Department staff and other Benton Department heads review the application and make a recommendation to approve or deny the request.
12. Planning Commission reviews the rezone request. If rezone request is recommended to the City Council, applicant will need to furnish to the Community Development Department a written ordinance to adopt the zoning change. An editable Word document of the ordinance will also need to be submitted to the City Clerk (cityclerk@bentonar.org).
13. If City Council approves the rezone, ordinance will become effective thirty (30) days after final reading. **Ordinance will be published in the newspaper and cost of publication will be billed to applicants. The Ordinance must be filed with the County Clerk and this filing fee will also be the applicant's responsibility.**

No application for a rezone may be resubmitted within 12 months from the date of the action of the City Council unless the Planning Commission finds that a substantial change in conditions has occurred.

NOTICE: COMPLETED APPLICATION AND FEE MUST BE RETURNED TO CITY HALL NO LATER THAN THE LAST DAY OF THE MONTH. APPLICATIONS SUBMITTED AFTER THE FIRST DAY OF THE MONTH WILL NOT BE ON THAT MONTH'S AGENDA. ALL ITEMS IDENTIFIED FOR SITE SPECIFIC REZONES MUST BE COMPLETED WHEN APPLICATION IS MADE. NO REQUESTS FOR REZONES WILL BE ACCEPTED UNLESS APPLICATION AND SITE PLANS ARE COMPLETE.

Note to Staff: Zoning ordinances should be forwarded to Metroplan for mapping.



REZONE APPLICATION

TO THE BENTON, ARKANSAS PLANNING COMMISSION:

Applicant's Name

Address of subject property.....

Legal description of subject property.....

.....

.....

.....

Parcel Number

It is requested that the above described property, currently in a _____
Zone District, be changed to a _____ Zone District. Attached hereto
as a part of this application is an accurate scale drawing of the site and the surrounding
area for a minimum distance of three hundred (300) feet from each boundary of the site
showing locations of existing streets, property lines and the name and last known address
of the recorded legal owners of all properties shown on the drawing. I hereby certify that
I am the owner of the property identified in this application and to the best of my
knowledge and belief, is true and correct.

Signed..... Email.....

Address..... Phone.....

Subscribed and certified to me this _____ day of _____, 20__

Receipt Number

Planning Department Representative

NOTE: THIS APPLICATION NEED NOT BE FILED IN PERSON AT THE OFFICE
OF THE PLANNING COMMISSION; HOWEVER, WHEN FILING
BY MAIL OR SECOND PARTY, THE SIGNATURE MUST BE
NOTARIZED.



SITE PLAN SPECIFICATIONS

The submission requirements for the review of a "site plan" shall include a site plan, a site plan drawn on paper or film no larger than twenty-four (24) inches by thirty-six (36) inches, and no smaller than twelve (12) inches by twenty-four (24) inches, and includes:

- (1) Graphic scale and north arrow
- (2) Existing or proposed lot lines
- (3) Existing and proposed vehicular and pedestrian circulation systems including streets, alleys, walkways, service areas and loading areas, the location and arrangement of off-street parking areas and all points of vehicular ingress and egress.
- (4) Proposed perimeter treatment of the property, indicating screening materials to be used including earth berms, fences, walls, and plant materials together with a description of uses, setbacks, and their relationship to surrounding areas.
- (5) Schematic landscape plan showing proposed treatment of the areas designated as either buffers or private common open space.
- (6) Location and dimension of all existing and proposed utility and street easements and all existing public improvements within the site.
- (7) Proposed location of structures and structural dimensions, dimension distances between buildings, and distances from structures to property lines.
- (8) A topographical cross section map of the site showing all drainage facilities.

Quantitative data including the following information:

- (1) Statement of use of building and grounds.
- (2) Proposed per cent of building coverage of principal and accessory buildings relative to parcel size.
- (3) Parcel size.
- (4) Proposed floor area ration of principal and accessory buildings relative to parcel size.
- (5) Proposed number of parking spaces.
- (6) A registered land survey showing the exact property or boundary lines, including a legal description of the total site(s) proposed for development, including a statement of present and proposed ownership.

BE EXPLICIT AND ADDRESS EACH OF THE ABOVE, OR IF THEY DO NOT APPLY, WRITE "Does not apply" BY EACH REQUIREMENT THAT DOES NOT APPLY.



City of Benton, AR
The heart of Arkansas...

ATTACHMENT I

SAMPLE NEWSPAPER NOTICE

NOTICE

Notice is hereby given that a hearing will be held by the Planning Commission of the City of Benton, AR on the ____ day of ____, 20__ at ____ .p.m. at 114

South East Street on the petition of [your name] for rezoning to a [type of rezone request] on the [property address] on the following lands to wit: [legal description] in the City of Benton, Saline County, Arkansas.



ATTACHMENT 3

SAMPLE LETTER OF INTENT

[Date]

To the Benton City Planning Commission:

It is my intent to re-zone [property location] for the purpose of [state reason]. Therefore, I am requesting that the above named property be re-zoned for [re-zone requested].

It is my intent to have the same property be re-zoned for [name use].

Sincerely,

[Your name]

[Your address]

[Your phone]