



# Rezoning

## Application & Checklist

Application can be found at <http://www.tontitown.com/>

### Office Use Only:

Permit #: \_\_\_\_\_ Fee: \$ \_\_\_\_\_

Approved by: \_\_\_\_\_

Approved Date: \_\_\_\_\_

Please fill out this form completely, supplying all necessary information and documentation to support your request. **Your application will not be placed on the Planning Commission agenda until the application is completed and required information provided.**

<b>Property Description</b>	Site Address(s) _____ Parcel # _____
	_____ Acreage _____
	Current Zoning _____ Proposed Zoning _____
	Proposed Land Use _____ _____

<b>Representative Information</b>	Representative _____ Office Phone _____
	Business Name _____ Cell Phone _____
	Mailing Address _____ E-mail _____
	_____ <input type="checkbox"/> Check here if this is the primary contact.

<b>Property Owner Information</b>	Property Owner _____ Office Phone _____
	Business Name _____ Cell Phone _____
	Mailing Address _____ E-mail _____
	_____ <input type="checkbox"/> Check here if this is the primary contact.

<b>Representative Signature</b>	I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.
	Representative Signature _____ Date _____

<b>Owner Signature</b>	I certify under penalty of perjury that I am the owner of the property that is subject of this application and that I have read this application and consent to its filing. (If signed by the authorized agent, a letter from the property owner must be provided indicating that the agent is authorized to act on his/her behalf.)
	Owner Signature _____ Date _____

<b>Office Use Only</b>	Date Submitted: _____
	Zone: _____



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**Please Note: THE REZONING APPLICATION WILL NOT BE ACCEPTED AT THE DATE OF SUBMITTAL IF THE FIRST FIVE ITEMS ARE NOT MET.**

- 1. **Application (Required at time of application submittal):** Completed application form.
- 2. **Fee (Required at time of application submittal):** Payment of the application fee as shown on this link [http://www.amlegal.com/nxt/gateway.dll/Arkansas/tontitown\\_ar/titexvlandusage/chapter155fees?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:tontitown\\_ar\\$anc=](http://www.amlegal.com/nxt/gateway.dll/Arkansas/tontitown_ar/titexvlandusage/chapter155fees?f=templates$fn=default.htm$3.0$vid=amlegal:tontitown_ar$anc=)
- 3. **Warranty Deed (Required at time of application submittal):** A copy of the warranty deed showing the **current ownership** of the property is required. A survey may be required if the deed cannot be accurately drawn to meet the Arkansas minimum survey accuracy standards. If you do not have a warranty deed, a copy may be obtained from the Washington County Circuit Clerk office located in the Washington County Courthouse building at 280 N. College, Suite 302, Fayetteville, AR 72701. Phone number: (479) 444-1538.
- 4. **Legal Description (Required at time of application submittal):** A digital copy of an accurate legal description of the property must be submitted in Word & PDF format. The legal description shall be e-mailed to the Planning Clerk [planning@tontitownar.gov](mailto:planning@tontitownar.gov).  
  
Boundary Survey by Land Surveyor registered to practice in the State of Arkansas. **Two (2) copies** of this (24" by 36") folded to 8 ½ x 11-page size with title information on the outside and a digital copy of this file in DWG and PDF format shall accompany this application. The Plat drawing shall label at least 2 exterior boundary corners with State Plane Coordinates (based on City of Tontitown GIS Monuments or Monuments of equal or higher order utilizing the same datum's.) And an ACAD file that shall contain at a minimum **all items** shown visibly on the submitted original signed and sealed documents (may exclude professional seal). **"All DWG files submitted shall be on Arkansas State Plane North coordinate system."**  
  
**Waiver of Right (Private Property Protection Act MUST be completed and signed by property owner. See Attached**
- 5. **Narrative (Required at time of application submittal):** A typed or written statement addressing each of the following must be submitted:
  - A. State the current zoning designation and proposed zoning designation. An explanation of the proposed zoning change including current owner information and any proposed sales.
  - B. Reason (need) for requesting the zoning change.
  - C. Statement of how the property will relate to surrounding properties:
    - 1. Use.
    - 2. Traffic.
    - 3. Signage.
    - 4. Appearance.
  - D. Availability of water and sewer (state size of lines). If direct water and / or sewer is not available, state how lines will be accessed and connected. This information is available from the Water Department at (479) 361-2996 or download from the City of Tontitown's G.I.S. site.
  - E. Waiver of Rights and remedies, also known as the Private Property Protection Act MUST be completed with legal description and Signed by the property owner.
- 6. **Notification: Required Steps (Required by 2<sup>nd</sup> Tuesday of Month)**
  - A. Locate all the property owners within **200 feet** of the subject property. This information may be obtained from the Washington County website, a Title Company, which is listed in the yellow pages under *Title Companies* or it may be individually researched. See form letter Attached.
  - B. Obtain an 8.5" X 11" vicinity map from the Planning Department or create your own. The Planning Department can provide you with a vicinity map **per your request** two days (Wednesday) after the date of application submittal. **It is your responsibility to obtain a vicinity map.**
  - C. Complete the public notice letter provided within this application and attach a vicinity map. **Do not send public notices without a vicinity map.**
  - D. The public notices and attached vicinity map must be sent to all property owners within 200 feet by certified mail.
  - E. The following must be submitted to the Planning Department **by the 2<sup>nd</sup> (second) Tuesday of the month the application was made:**
    - 1. List of property owners within 200 feet signed by the authenticator.
    - 2. Certified mail receipts.
    - 3. Copy of sent public notice form and attached vicinity map.

**\*If the notification process is not completed per the steps listed above, this item will be REMOVED from the agenda and the item must be RESUBMITTED. NO EXCEPTIONS.**



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### Other Information:

- The Planning Department staff will advertise this rezoning request and notice of a public hearing in a local newspaper no later than 15 days prior to the Planning Commission date.
- The Planning Department staff will post a public hearing sign on the subject property no later than 15 days prior to the Planning Commission date.

#### **Procedure to withdraw a rezoning request:**

A rezoning request may be withdrawn by two methods:

- A. The owner(s) may make the request in writing and submit that request to the Planning Department one week before the Planning Commission meeting at which the public hearing will be held.
- B. The owner(s) may appear at the public hearing and request that the rezoning be withdrawn.

\*The applicant will not receive a refund if the item is removed from the agenda.

**IF REZONING IS APPROVED, THE PLANNING COMMISSION CHAIRMAN WILL FORWARD INFORMATION TO CITY ATTORNEY TO PREPARE ORDINANCE TO FORWARD FOR CITY COUNCIL ACTION.**