

**Changes to Chapter 153.283 (F)(2), Chapter 153.122 (B)(2), and Chapter 153.263 (B) regarding notification requirements.**

**REZONINGS AND PLANNED UNIT DEVELOPMENTS:**

Current Code:

**153.283 AMENDMENTS.**

(F) (2) Individual property owners applying for changes to the official zoning map shall present evidence or an affidavit, at least ten days prior to the required public hearing, that all property owners within one hundred feet have been notified of the proposed zoning change and of the time, date, and place of the public hearing.

Proposed Code:

**153.283 AMENDMENTS.**

(F) (2) Individual property owners applying for changes to the official zoning map shall present evidence ~~or an affidavit,~~ to the zoning official, at least ten days prior to the required public hearing, that all property owners within ~~one hundred feet~~ two hundred (200) feet of the boundaries of the subject property have been notified of the proposed zoning change, and of the time, date, and place of the public hearing. Such evidence shall consist of postmarked, certified receipts and/or return receipts.

**CONDITIONAL USE PERMITS:**

Current Code:

**153.122 PROCEDURE FOR AUTHORIZING.**

(B)(2) The applicant shall present evidence to the zoning official, at least ten days prior to the required public hearing, that all property owners within 200 feet of the boundaries of the subject property have been notified of the proposed use, and of the time, date, and place of the hearing. Such evidence shall consist of postmarked, certified receipts and/or return receipts and/or dated, signed acknowledgments of receipt of notification; and shall be accompanied by a plat map showing the location of those properties, the owners of which the applicant certifies have been so notified.

Proposed Code:

**153.122 PROCEDURE FOR AUTHORIZING.**

(B)(2) The applicant shall present evidence to the zoning official, at least ten days prior to the required public hearing, that all property owners within two hundred (200) feet of the boundaries of the subject property have been notified of the proposed use, and of the time, date, and place of the public hearing. Such evidence shall consist of postmarked, certified receipts and/or return receipts. ~~and/or dated, signed acknowledgments of receipt of notification; and shall be accompanied by a plat map showing the location of those properties, the owners of which the applicant certifies have been so notified.~~

## VARIANCES:

### Current Code:

#### **§ 153.263 PROCEDURE FOR APPLICATION AND APPEALS.**

(B) *Public hearing and notice.* The board shall fix a reasonable time for the public hearing of an application or appeal, give public notice of the time and place thereof, as well as due notice to the parties in interest, and decide same within a reasonable time. Said public notice shall be published at least once not less than seven days preceding the date of such hearing, in a newspaper of general circulation in the city. The public notice shall give the particular location of the property on which the application or appeal is requested, as well as a brief statement of what the application or appeal consists. Evidence of notification of all adjoining property owners shall accompany all applications for variances. Such notification shall include the above described public notice information, as well as the time and place where the public hearing will be conducted. Public hearings may be adjourned from time to time, and, if the time and place of the adjourned meeting is publicly announced when the adjournment is made, no further notice of such adjourned meeting need be published. At a public hearing any party may appear in person, by agent, or by attorney.

### Proposed Code:

#### **§ 153.263 PROCEDURE FOR APPLICATION AND APPEALS.**

(B) *Public hearing and notice.*

- a) The board shall fix a reasonable time for the public hearing of an application or appeal, give public notice of the time and place thereof, as well as due notice to the parties in interest, and decide same within a reasonable time. Said public notice shall be published at least once not less than seven days preceding the date of such hearing, in a newspaper of general circulation in the city. The public notice shall give the particular location of the property on which the application or appeal is requested, as well as a brief statement of what the application or appeal consists.
- b) Evidence of notification of all adjoining property owners shall accompany all applications for variances. **The applicant shall present evidence to the zoning official, at least ten days prior to the required public hearing, that all property owners within two hundred (200) feet of the boundaries of the subject property have been notified of the particular location of the property, a brief statement of what the application or appeal consists, and of the time, date, and place of the public hearing. Such evidence shall consist of postmarked, certified receipts and/or return receipts. ~~Such notification shall include the above described public notice information, as well as the time and place where the public hearing will be conducted.~~**
- c) Public hearings may be adjourned from time to time, and, if the time and place of the adjourned meeting is publicly announced when the adjournment is made, no further notice of such adjourned meeting need be published. At a public hearing any party may appear in person, by agent, or by attorney.