

PZ Meeting:
CC Meeting:
Case #



DO NOT WRITE ABOVE THIS LINE

**ECONOMIC DEVELOPMENT & PLANNING DIVISION
APPLICATION FOR ZONE CHANGE**

OWNER/APPLICANT/AGENT INFORMATION SECTION (OWNER(S) MUST SIGN OR SUBMIT LETTER(S) OF AUTHORIZATION)

NAME OF PROPERTY OWNER: _____
 MAILING ADDRESS: _____
 PHONE NUMBER: _____ FAX NO.: _____ E-MAIL: _____
 OWNER SIGNATURE: _____ DATE: _____
 PRINTED NAME & TITLE (IF ANY): _____

NAME OF APPLICANT (FILL IN ONLY IF OTHER THAN OWNER): _____
 MAILING ADDRESS: _____
 PHONE NUMBER: _____ FAX NO.: _____ E-MAIL: _____
 APPLICANT SIGNATURE: _____ DATE: _____
 PRINTED NAME & TITLE (IF ANY): _____

NAME OF REPRESENTING AGENT (IF ANY): _____
 MAILING ADDRESS: _____
 PHONE NUMBER: _____ FAX NO.: _____ E-MAIL: _____
 AGENT SIGNATURE: _____ DATE: _____
 PRINTED NAME & TITLE (IF ANY): _____

PRESENT ZONING: _____ REQUESTED ZONING: _____ TOTAL LAND AREA (ACRES) _____

PROPERTY IDENTIFICATION (LOTS, BLOCKS, TRACTS, ABSTRACTS) _____

ADDRESS AND LOCATION OF THE PARCEL(S): _____

APPLICATION & SIGN FEES (Please fill in appropriate blanks and enter total fee due)

____ Less than 1/2 acre	\$ 150.00
____ 1/2 acre up to 4.99 acres	\$ 250.00
____ 5 acres up to 24.99 acres	\$ 400.00

____ 25 acres up to 49.99 acres	\$ 750.00
____ 50 acres up to 99.99 acres	\$1,000.00
____ 100 acres and more	\$1,500.00

____ # of Zone Change Signs at \$35 per sign (1 sign required for each 5 acres (maximum of 5 signs per site))	\$ _____
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TOTAL DUE \$ _____



ZONING INSTRUCTIONS

PERSONS FILING PROPOSALS TO AMEND THE ZONING ORDINANCE MUST BE FULLY PREPARED TO PRESENT THEIR PROPOSALS AT THE SCHEDULED PUBLIC HEARING. FAILURE TO BE PREPARED WILL BE SUFFICIENT GROUNDS FOR DENIAL OR DISMISSAL.

A PROPOSAL DENIED BY THE CITY COUNCIL CANNOT BE ACCEPTED AS A NEW REQUEST UNTIL ONE (1) YEAR AFTER THE ORIGINAL PROPOSAL WAS DENIED.

1. **WHO MAY PROPOSE A ZONING DISTRICT CHANGE?** A change of zoning district may be proposed to act for the owner only by the owner of the property involved, his attorney, or by a person having written authorization.

2. **WHAT IS MY FILING DEADLINE?** Proposals should be filed, checked for completeness and accepted by the Economic Development & Planning no later than fifteen (15) days prior to the hearing date. If required information is missing or in error, the proposal will be returned for completion and will need to be re-submitted.

3. **HOW DO I SUBMIT MY PROPOSAL?** The City of Lewisville will supply you with the application form. When there are several owners involved, one person may take the form to the other owners for their signatures.
 - Application for Zone Change.
 - A Letter of authorization from the owner is needed if the property owner is not signing the application.
 - One 8-1/2" x 11" metes & bounds description - one for each tract and/or proposed zoning classification (an example is attached).
 - One 8-1/2" x 11" or one 11" x 17" zoning exhibit map, plat, or survey showing the property location, the acreage, the current zoning, the proposed zoning, and the surrounding zoning (an example is attached).
 - Filing fee and sign fee.

4. **WHAT FILING FEE IS REQUIRED?** The application and filing fee must be submitted at the same time. In addition to the application fee there is a \$35.00 fee for each zone change sign (see Sign Posting Information).

SIZE OF PROPERTY	ZONING FEES
Less than 1/2 acre	\$ 150.00
1/2 acre up to 4.99 acres	\$ 250.00
5 acres up to 24.99 acres	\$ 400.00
25 acres up to 49.99 acres	\$ 750.00
50 acres up to 99.99 acres	\$1,000.00
100 acres and more	\$1,500.00

5. **WHEN ARE ZONING PROPOSALS HEARD?** Planning & Zoning Commission hearings are scheduled when all information is received and the staff review is complete.
6. **WHAT IS THE PURPOSE OF THE PUBLIC HEARING?** Zoning regulations are established to promote and protect the public health, safety, and general welfare of all citizens. The purpose of the hearing is to give the proponent of a change and any others who may be affected by it an opportunity to say how the public would be impacted by the proposal.
7. **WHAT KEY INFORMATION SHOULD I PRESENT?** Your presentation may be short and simple or may include maps, handouts, or whatever is necessary to support your request. Points you may want to touch on include:
 - Present and proposed zoning or use.
 - Compatibility of proposed zoning with surrounding zoning uses.
 - Important physical features such as topography, roadways, etc.
 - Need for your zoning in the location.
 - Is the request generally consistent with City's land use plan?
 - Is there support for your request by your neighbors?
 - Any other facts you feel are worthwhile.

When called upon, give all the facts in your initial presentation. The Commission can consider only the information that is made available to it. Failure to present supporting facts will not be considered as sufficient grounds for rehearing or continuance.

8. **WHO SHOULD PRESENT MY PROPOSAL?** The owner (or applicant, if request is made by someone else with owner's permission) should make the presentation. The property owner should be present at the hearing. In some instances, he may find it helpful to employ the services of professional or technical persons acquainted with zoning regulations or property development to act as a representing agent.
9. **IS ZONING COMMISSION ACTION FINAL?** No. The Planning & Zoning Commission can only make recommendations to the City Council for approval or denial on zoning change proposals. The City Council must hold a public hearing and adopt an ordinance before new classifications or regulations become effective. If the Planning & Zoning Commission recommends denial, it takes four (4) votes of the Council, rather than a simple majority, to approve the request.
10. **IS A PUBLIC HEARING BEFORE THE CITY COUNCIL SCHEDULED AUTOMATICALLY ON PLANNING AND ZONING COMMISSION RECOMMENDATIONS?** Yes. Whether the Commission recommends approval or denial, the City Council will set a date for the public hearing on the proposed ordinance covering the change. This date is usually scheduled for the first Monday in the month following the date of the Zoning Commission hearing, unless the applicant requests to not be scheduled. The request is also advertised in the City's official newspaper at least fifteen (15) days prior to the hearing before the City Council.
11. **WHEN IS THE EFFECTIVE DATE OF ZONING ORDINANCE AMENDMENT?** The change becomes effective on adoption of the Ordinance by the City Council.



SIGN POSTING INFORMATION

A sign indicating a pending zoning change is to be placed on the property involved in your application. Signs are to be purchased by the applicant at \$35.00 per sign. The cost of the sign(s) is in addition to the required zoning change filing fee. Signs may be reused, but only official City signs are deemed to meet this requirement. In posting the signs, the following guidelines must be adhered to:

1. The applicant or a designated representative is responsible for posting a sign or signs referencing a pending zoning change.
2. One (1) sign must be posted for each five (5) acres in the area of requested zoning change with a minimum of one (1) sign and a maximum of five (5) signs per site. Under certain circumstances, City Staff may authorize a reduction in the number of required signs.
3. The sign(s) must be posted a minimum of ten (10) days prior to the Planning & Zoning Commission hearing date.
4. The sign(s) must be in a conspicuous place on the subject property facing the street bounding the property. If more than one street bounds the property, the sign must be placed at the corner of the intersecting streets or on the street that is most heavily traveled. In cases where sizable acreage is involved, signs must be placed at several locations in public view.
5. If the sign is not displayed on the property on the day of the Planning & Zoning Commission hearing on subject property, it may result in the Commission delaying action on the case until another hearing date after the proper posting of the sign(s).
6. If the sign is removed from the property or is damaged by vandals or the weather, another sign shall be required.
7. If the zoning change application is withdrawn in writing prior to a notice of City Council Public Hearing on the request being submitted to the City's official newspaper, the sign must be removed within 24 hours of submission of the written notice to the City. If written notice is received after the City has submitted the notice of Public Hearing to the official newspaper, the sign must remain on the property until action is taken by the City Council.
8. If the zoning change application is forwarded to the City Council, the sign must remain on the property until final action has been taken on the case by the City Council. If the sign is found to be missing at any time before the City Council hearing, it may result in the Council delaying action on the case and setting another hearing date.
9. After the City Council has made a decision on the application, the sign(s) must be removed from the property within 10 days. After 10 days, the City may remove the signs.

Please keep in mind that it is the applicant's responsibility to post the sign(s) and see that it remains posted during the time the application is being processed. Any questions regarding the posting of signs should be directed to the Planning & Zoning Division of the City of Lewisville.

EXAMPLE – PROPERTY DESCRIPTION (METES & BOUNDS)

TRACT 1

LEGAL DESCRIPTION

BEING a 7.97 acre tract of land situated in the Thomas B. Garvin Survey, Abstract No. 506, in the City of Lewisville, Denton County, Texas, and being a portion of Lot 1, Block H, Final Plat of Vista Ridge, an addition as recorded in Cabinet F, Slide 271 of the plat records of Denton County, Texas;

COMMENCING at the southeast corner of said Lot 1, Block H and being on the north right-of-way of Spur 553 (variable width right-of-way) and the west boundary line of a tract owned by Denton County Levee Improvement District No. 1 (DCLID No. 1);

THENCE northerly along the east boundary of said Lot 1, Block H and the west line of said DCLID No. 1 tract and leaving said Spur 553, N 13° 22' 36", a distance of 237.30 feet to a point for a corner;

THENCE N 08° 42' 39" W, 99.14 feet to a point for corner;

THENCE N 13° 40' 10" W, 148.19 feet;

THENCE N 55° 01' 00" W, 109.86 feet to a point for corner;

THENCE N 18° 26' 37" W, 47.43 feet to a point for corner;

THENCE N 02° 39' 04" W, 8.62 feet to the POINT OF BEGINNING;

THENCE westerly and leaving said east boundary line of said Lot 1, Block H and the west line of said DCLID No. 1 tract, S 78° 42' 58" W, 746.06 feet to a point for corner;

THENCE N 01° 06' 32" E, 540.65 feet to a point for corner on the north boundary line of said Lot 1, Block H and the south line of the tract owned by DCLID No. 1;

THENCE easterly along said north boundary line and the south line of said DCLID No. 1 tract, S 87° 46' 04" E, 211.67 feet to a point for corner;

THENCE N 86° 29' 55" E, 213.40 feet to a point for corner;

THENCE N 88° 32' 28" E, 237.08 feet to a point for corner;

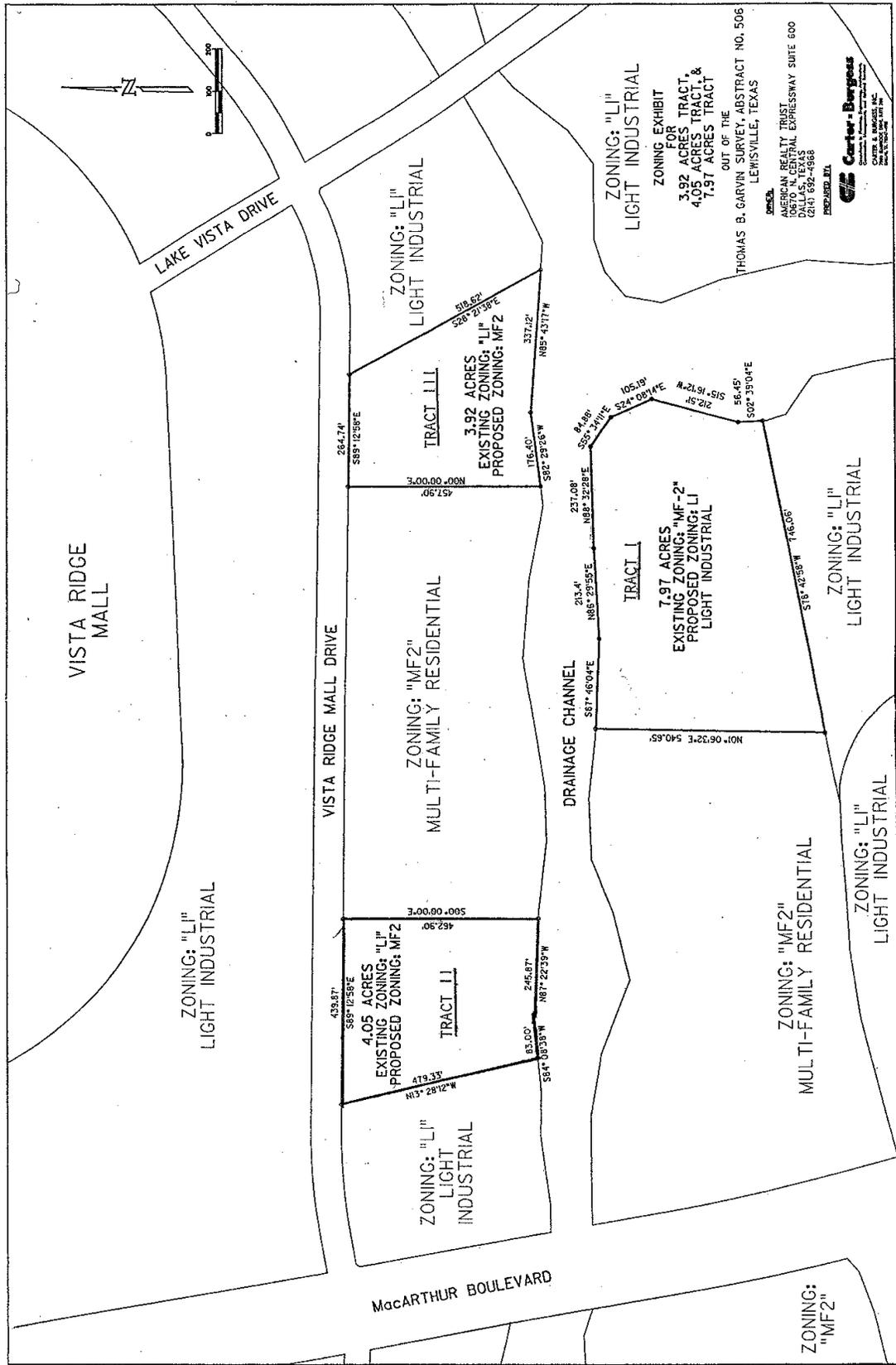
THENCE S 55° 34' 11" E, 84.88 feet to a point for corner on the east boundary line of said Lot 1, Block H and the west line of said DCLID No. 1 tract;

THENCE southerly along said east boundary line, S 24° 08' 14" E, 105.19 feet to a point for corner;

THENCE S 15° 16' 12" W, 212.51 feet to a point for corner;

THENCE S 02° 39' 04" E, 56.45 feet to the POINT OF BEGINNING and containing 7.97 acres of land, more or less.

EXAMPLE - ZONING EXHIBIT



THOMAS B. GARVIN SURVEY, ABSTRACT NO. 506
LEWISVILLE, TEXAS

AMERICAN REALTY TRUST
10670 N. CENTRAL EXPRESSWAY SUITE 600
DALLAS, TEXAS 75243-5988

Carter Burgess
Carter & Burgess, Inc.
10000 North Central Expressway, Suite 600
Dallas, Texas 75243-5988
TEL: 972.382.1000
FAX: 972.382.1001



2013

Zone Change Request Schedule

Application Submittal Deadline	P&Z Meetings <i>(1st Tuesday of each month)</i> 6:30 p.m.	City Council Meetings 7:00 p.m.
1/21/13	2/5/13	3/4/13
2/18/13	3/5/13	4/1/13
3/18/13	4/2/13	5/6/13
4/22/13	5/7/13	6/3/13
5/20/13	6/4/13	7/1/13
6/17/13	7/2/13	8/5/13
7/22/13	8/6/13	9/9/13
8/19/13	9/3/13	10/7/13
9/16/13	10/1/13	11/4/13
11/4/13	11/19/13	12/16/13
11/18/13	12/3/13	1/6/14

Note

Items submitted by the submittal date does not guarantee placement on an agenda
 Items must be deemed complete before they will be placed on an agenda