

**CITY OF CLEBURNE
REZONING APPLICATION
(APPLICATION FOR AMENDMENT, REVISION OR CHANGE
OF THE ZONING DISTRICT MAP OF THE CITY OF CLEBURNE)**

*** NOTE: THE REQUEST IS FINAL ONLY WHEN THE CLEBURNE
CITY COUNCIL HAS TAKEN FINAL ACTION ON IT. THE APPLICANT IS CAUTIONED NOT TO
MAKE ANY FINANCIAL OR LEGAL COMMITMENTS TO THE PROPERTY UNTIL FINAL
DISPOSITION OF THE REQUEST. ***

DATE: _____

PROPERTY ADDRESS: _____

LEGAL DESCRIPTION: _____

AREA IN ACRES: _____

PRESENT ZONING CLASSIFICATION: _____, **PROPOSED ZONING:** _____

PRESENT USE: _____

PROPOSED USE: _____

REASON FOR REQUEST: _____

OWNER'S NAME: _____

OWNER'S ADDRESS: _____

CITY, STATE, ZIP: _____ **PHONE: ()** _____

REPRESENTATIVE'S NAME: _____

REPRESENTATIVE'S ADDRESS: _____

CITY, STATE, ZIP: _____ **PHONE: ()** _____

**REZONING APPLICATION
PAGE 2**

The rezoning application must be completed along with the following required information:

- _____ 1) A notarized letter from the property owner authorizing a representative to present the request, if the property owner will not be presenting the request.

- _____ (2) A plat, map, survey sketch with metes and bounds, or drawing that clearly indicates the location and dimensions of the property, including the layout of existing structures.
- _____ (3) A recorded copy of the Warranty Deed showing proof of ownership of the property and the volume and page number where it was filed with the Johnson County Clerk.
- _____ (4) Tax certificate from the Johnson County Tax Collector's Office (costs \$10.00 payable at the tax office).
- _____ (5) Non-refundable application fee of \$150.

I attest that the above information is true and accurate to the best of my knowledge that I am now or will be fully prepared to present the above proposal at the Planning & Zoning Commission hearing. I understand that if any of the above information is found to be wrong or inaccurate that my application may be removed from consideration prior to the time the application is voted upon by the governing body of the City.

I understand that in the event the undersigned is not present or represented at the public hearing the Zoning Commission shall have the power to dismiss this proposal either at the call of the case or after hearing and such dismissal shall constitute a denial by both the Planning & Zoning Commission and the City Council.

I reserve the right to withdraw this proposal. However, written withdrawal filed at any time after the giving of notice of the Planning & Zoning Commission hearing shall constitute a denial by the Commission and City Council. I understand that the filing fee is not refundable upon withdrawal of proposal.

Attesting to inaccurate or false information on this zoning application can result in conviction of a misdemeanor and fine not to exceed \$2,000.

SIGNATURE OF PROPERTY OWNER _____ DATE: _____

SIGNATURE OF REPRESENTATIVE _____ DATE: _____

 FEE: \$150.00 DATE PAID: _____ RECEIVED BY: _____

SET FOR P&Z AGENDA: _____

SET FOR COUNCIL AGENDA:

(Note: It is the responsibility of the requestor to verify that the intended use fits within the requested new category of zoning. Keep in mind that some zoning categories stand alone and are not cumulative.)

**CITY OF CLEBURNE
REZONING APPLICATION
GENERAL INFORMATION**

I. APPLICATION

Application must be completed and on file with all required information furnished and all fees paid prior to the scheduled deadline to be placed on the upcoming agenda.

II. PLANNING AND ZONING CONSIDERATION

The Planning and Zoning Commission is a recommending board to the City Council and can take one of several actions regarding a Rezoning request. These could include, but not be limited to the following:

- A. Recommend approval as submitted.
- B. Recommend approval, based on another hardship.
- C. Recommend denial.
- D. Postpone or continuance of request for further study.

III. CITY COUNCIL

Once the Planning and Zoning Commission has made its recommendation, the request is submitted for public hearing before the City Council. The City Council then may take one of several actions, including but not limited to the following:

- A. Approve the request.
- B. Approve request as amended.
- C. Deny the request.
- D. Postpone or continuance of request for further study.

IV. GENERAL INFORMATION

- A. There is a non-refundable application fee of \$150 due any payable to the City of Cleburne before the application is considered to be complete.
- B. The applicant must provide a legal description of the property, must provide a copy of a recorded Warranty Deed showing proof of ownership to the property with the volume and page number it was filed under at the Johnson County Court House, a copy of a survey, map or plat, and an original tax certificate from the Johnson County Tax Office..
- C. The applicant must be the owner of the property. However, if the property owner will not be presenting the request, he must submit a notarized letter authorizing a representative to present the request.

**REZONING APPLICATION
GENERAL INFORMATION
PAGE 4**

- D. The applicant may wish to obtain the signatures of the property owners within 200 feet. The City Staff will prepare a list of the names and addresses of the property owners within 200 feet (according to the most current tax roll); and a petition form to be used in securing the signatures of those property owners who do not object to the request.
- E. The property owners within 200 feet of the property will be notified by letter prior to the Planning & Zoning and City Council hearings.
- F. Anyone may speak regarding the request.

EXAMPLE ONLY
USE ONLY IF ANOTHER ENTITY WILL BE REPRESENTING THE REQUEST

Date: _____

City of Cleburne
Attention: Planning & Zoning Department
10 North Robinson
Cleburne, TX 76031

Dear Mayor and City Council:

I/we _____, authorize _____ to represent
YOU OR YOUR ORGANIZATION YOUR REPRESENTATIVE
me/us in all scheduled hearings and meetings before the City of Cleburne.

regarding the request to rezone property located at _____.
ADDRESS AND LEGAL DESCRIPTION

Thank you for helping us resolve this request.

Sincerely,

State of Texas §
County of Johnson §

BEFORE ME, the undersigned authority, in and for said County, Texas, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the ____ day of _____, A.D. _____.

Notary Public in and for Johnson County, Texas

Criteria For Determining The
Merit Of Rezoning Requests
For the City of Cleburne, Texas

Purpose: It is the intent of this listing of criteria to not limit future rezoning requests for certain uses to a designated geographical area of the city; but rather to allow the placement of future rezoning requests for certain uses in any area of Cleburne, based upon the individual merits of each application.

Criteria: Each application shall be considered with respect to promoting the health, safety, and general welfare of the community. In pursuit of this goal, each future rezoning requests for certain uses shall be measured and considered by the following criteria:

1. Does the request represent an application of recognized planning principles that encourages the future growth of the community in an orderly and economically beneficial manner?
2. Does the request introduce a land use that would be considered compatible with the existing land uses in the area, using general planning principles?
3. Does the request contribute to the well being of the community such that it maintains or increases the value of private property in the vicinity?
4. Does the request contribute to the well being of the community by encouraging additional economic development?
5. Would the impact of the request, on the immediate thoroughfare corridor, be such that value and commerce would be encouraged to continue and grow?

The consideration of any and all requests to rezone private property for certain uses shall meet the above five part test. All criteria shall be met in the affirmative in order to recommend approval of the application.