



City of Mount Vernon, Ohio Application for Amendment Instructions

The following instructions will guide you in completing the application for amendment. If needed, additional typewritten pages may be attached to the application.

Applicant's Information

Owner's name. Enter the owner's name, address and phone number.

Agent's name. Enter the agent's name, address and phone number. If you are acting on behalf of the property owner, you must submit a written power of attorney from the owner authorizing you to act as their agent.

Petition form. Submit this completed form for multiple petitioners as in the case of multiple property owners in a large area to be rezoned.

Site Information

Site address. Enter the physical site address of the property.

Legal Description. This information can be found either on the deed or on the property tax billing. This information can also be obtained from the County Auditor's Office or off their web site at www.knoxcountyauditor.org.

If the property is a platted lot in a subdivision, you need only respond with the lot number and subdivision.

If the property is acreage and described by bearings and distances, you would fill in the blank as "m&b" and include the size of the parcel.

Parcel number. Can be found on the property tax billing and as an example will likely look like this "66-09999.000".

Deed volume and page number. Can be found on the deed.

Zoning District. This information can be obtained from the City Engineering Department. The Department is located at 40 Public Square and may be reached by phone at (740) 393-9528. In-depth discussions about the proposed zoning classification should be directed to:

Zoning Enforcement Officer
City of Mount Vernon, Ohio
40 Public Square
Mount Vernon, Ohio 43050

Telephone..... (740) 393-9520
Fax..... (740) 397-6595
e-mail mtvssd@mountvernonohio.org
web address..... www.mountvernonohio.org

Use of Property

Present Use. Describe the present use of the property and list the present zoning district.

Proposed Use. Describe in detail the proposed use of the property and list the proposed zoning district.

Documents to be Submitted

Proposed amending ordinance. Included in this packet is proposed format as approved by the City Law Director. Please prepare and submit this document.

A statement of reasons for the proposed amendment. This is statement must define and substantiate the rezoning request. Discussion should include discussion of the general compatibility with adjacent and other properties in the district; and the relationship of the proposed use to the comprehensive plan.

A vicinity map. A map, drawn to a scale approved by the Zoning Enforcement Officer showing the property lines and defining the tract or tract(s) to be rezoned, streets, rights of way and other such items as the Zoning Officer may require.

Mailing Addresses. A list of all property owners, along with their mailing addresses, who are within, contiguous to, or directly across the street from the parcel(s) proposed to be rezoned. These addresses can be obtained from the Knox County Auditor's Web Site (www.knoxcountyauditor.org). Once you find your parcel, click on the map tab. When the map appears click the buffer control to on. Click on the map to buffer the parcel. Click on "create report" in the left window, then click download data and print the report. We will accept the report, the information need not be re-typed.

Fee. A deposit of \$150.00 as established by ordinance is required to be submitted with the application. You will be billed for any expenses incurred in excess of the deposit.

When the application is completed it must be filed with the Clerk of Council. Questions regarding the legislative action or the rezoning process timeline should be directed to:

Clerk of Council
City of Mount Vernon, Ohio
40 Public Square
Mount Vernon, OH 43050

Telephone.....(740) 393-9517
Fax.....(740) 397-6595
e-mail clerkofcouncil@mountvernonohio.org
web address..... www.mountvernonohio.org



City of Mount Vernon, Ohio

Application for Zoning Amendment

<i>Applicant's Information</i>			
Owner's Name, Address and Phone			
Agent's Name, Address and Phone			
<i>Site Information</i>			
Site Address	Legal Description		
Parcel Number	Deed Volume and Page Number		
<i>Use of Property</i>			
Present Use	Present Zoning District		
Proposed Use	Proposed Zoning District		
<i>Documents to be Submitted</i>			
<p>The following documents must also be submitted with this application:</p> <ol style="list-style-type: none"> 1. The proposed amending ordinance, approved as to form by the City Law Director. 2. A statement of the reason(s) for the proposed amendment. 3. A vicinity map at a scale approved by the Zoning Enforcement Officer showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Zoning Enforcement Officer may require. 4. A list of all property owners and their mailing addresses who are within, contiguous to, or directly across the street from the parcel(s) proposed to be rezoned and others that may have a substantial interest in the case. 5. A statement on the ways in which the proposed amendment relates to the comprehensive plan. 6. The \$150.00 filing fee as established by ordinance. 			
<p>I hereby certify that the information submitted on this application and on any sketches, drawings or other documents submitted with this application is true and exact.</p>			
Date:		By:	
<i>Filing Information</i>			
Filing Date	Fee deposit	Date Paid	Receipt Number
	\$150.00		

CHAPTER 1156
Amendments

- 1156.01** Amendment of Zoning Ordinance and Zoning District Map.
- 1156.02** Form of application for amendment.
- 1156.03** Review procedure, Zoning Commission.
- 1156.04** Council hearing and consideration.
- 1156.05** Action by City Council.
- 1156.06** Resubmission of application.
- 1157.07** Effective date and referendum.

CROSS REFERENCES

Council may amend districting or zoning - see Ohio R.C. 713.10
Appeals - see Ohio R.C. 713.11, Ch. 2506

1156.01 AMENDMENT OF ZONING ORDINANCE AND ZONING DISTRICT MAP.

The provisions of this Zoning Ordinance and the district boundaries as established by the Zoning District Map may be amended to meet changing conditions or to better conform to good zoning practices. Amendments may be initiated:

- (a) By the adoption of a motion by the Planning Commission.
- (b) By the adoption of an ordinance by City Council.
- (c) By the filing of an application by at least one (1) owner or lessee of property within the area proposed to be changed or affected by said amendment.

1156.02 FORM OF APPLICATION FOR AMENDMENT.

(a) An application by property owners pursuant to Section 1156.01 (c) for a change of district boundaries shall be filed in writing in the office of the secretary of the Planning Commission. The applicant shall pay a fee as set by the Official Fee Schedule to defray the cost of advertising, staff review and other costs incidental to the application. The application shall contain the following:

- (1) The name, address, and phone number of the applicant.
- (2) The proposed amending ordinance, approved as to form by the City Law Director.
- (3) A statement of the reason(s) for the proposed amendment.
- (4) Present use.
- (5) Present zoning district.
- (6) Proposed use.
- (7) Proposed zoning district.
- (8) A vicinity map at a scale approved by the Zoning Enforcement Officer showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Zoning Enforcement Officer may require.
- (9) A list of all property owners and their mailing addresses who are within, contiguous to, or directly across the street from the parcel(s) proposed to be rezoned and others that may have a substantial interest in the case.
- (10) A statement on the ways in which the proposed amendment relates to the comprehensive plan.
- (11) A fee as established by City Council.

(b) When an amendment is initiated by the Planning Commission or Council pursuant to Section 1156.01 (a) or (b), a copy of the proposed ordinance shall be filed with the Zoning Enforcement Officer.

1156.03 REVIEW PROCEDURE, ZONING COMMISSION.

The Planning Commission shall review during public hearings all proposed amendments to this Zoning Ordinance or the Zoning District Map initiated pursuant to Section 1156.01(a), (b) or (c) and make

recommendations to Council on each proposed amendment pursuant to the following procedures:

- (a) Setting Hearing Date. Upon the initiation of an amendment to this Zoning Ordinance or the Zoning District map, the secretary of the Planning Commission shall promptly fix a date for a public hearing before the Planning Commission for review of the proposed amendment.
- (b) Publication of Notice of Hearing. Notice of the hearing before the Planning Commission shall be published once in one or more newspapers of general circulation in the City, at least seven days prior to the date fixed for the hearing. The notice shall include the place, time and date of the hearing and the nature of the proposed amendment. Failure of a newspaper to accurately or timely publish a properly submitted notice does not invalidate adoption of the proposed amendment as an amending ordinance.
- (c) Notice to Property Owners. A notice containing the information required by subsection (b) hereof shall be sent by first class mail to all property owners within, contiguous to or directly across a street from the area which is the subject of the proposed amendment, not less than seven days prior to the date fixed for the initial hearing. Failure of any such property owners to receive mail notice does not invalidate adoption of the proposed amendment as an amending ordinance.
- (d) Notice to State Director of Transportation. The secretary of the Planning Commission shall give notice by registered or certified mail to the State Director of Transportation of the initiation of any proposed amendment that:
 - (1) Affects any land within 300 feet of a proposed new highway; or
 - (2) Affects any land within 300 feet of any proposed changes to a highway as described in certification to local officials by the State Director of Transportation; or
 - (3) Affects any land within 500 feet from a proposed intersection of such a new highway and any existing public road or highway.
 - (4) If the Director of Transportation's response is negative, the Planning Commission will stay their proceedings until the reason for the negative response is resolved.
- (e) Hearing. In reviewing the proposed amendment and arriving at its recommendation, the Planning Commission shall consider the following factors:
 - (1) Compatibility of the amendment sought with the use of adjacent land, adjacent zoning and with land use plans for the general area.
 - (2) Impact of the adoption of an amendment sought on motor vehicle access and traffic flow in the general area.
 - (3) Impact of the adoption of the proposed amendment upon the public health, safety and general welfare of the residents of the city.
 - (4) Impact of the adoption of the proposed amendment on available public facilities, general expansion plans of the City, and the City's schedule for improvement of capital facilities.
- (f) Recommendations. No later than fifteen days following the last public hearing on the proposed amendment to the Planning Commission shall make one of the following recommendations to Council:
 - (1) That the proposed amendment be adopted.
 - (2) That the proposed amendment be adopted with modifications recommended by the Planning Commission.
 - (3) That the proposed amendment not be adopted.

1156.04 COUNCIL HEARING AND CONSIDERATION.

Council shall consider at public hearings all proposed amendments to this Zoning Ordinance and the Zoning District Map and the recommendations of the Planning Commission concerning proposed amendments, and act on the proposed amendments and recommendations, pursuant to the following procedures:

- (a) Upon receipt of the recommendations concerning proposed change or amendment, the City Council shall set a time for a public hearing.

- (b) Notice setting forth the time and place of the public hearing and a summary of the proposed change or amendment shall be given once by the City Council by publication in one or more newspapers of general circulation in the City at least thirty (30) days before the date of the public hearing. During such thirty (30) days the text or copy of such text, ordinance, measure, or regulation, together with the maps or plans or copies thereof forming part of or referred to in such ordinance, measure, or regulation and the maps, plans, and reports submitted by the Planning Commission shall be on file for public examination, in the office of the Clerk of Council or in such other office as may be designated by Council.
- (c) If the proposed change or amendment intends to rezone or redistrict ten (10) or less parcels of land, as listed on the tax duplicate, written notice of the public hearing shall be mailed by the Clerk of the Council, by first class mail, at least twenty (20) days before the date of the public hearing to the owners of property within and contiguous to and directly across the street from such parcel or parcels. Such notice is to be mailed to the address of such owners appearing on the County Auditor's current list or the County Treasurer's mailing list. The failure of delivery of such notice shall not invalidate any such ordinance, measure, or regulation.
- (d) At the time fixed for the public hearing, Council shall allow testimony from all persons interested in the proposed amendment. Council may consider the proposed amendment notwithstanding the failure of the Planning Commission to make one of the recommendations required by Section 1156.03 (f).

1156.05 ACTION BY CITY COUNCIL.

Within the next ninety days after the public hearing required by Section 1156.04, the City Council shall either adopt or deny the recommendation of the Planning Commission or adopt some modification thereof. In the event the City Council denies or modifies the recommendation of the Planning Commission, it must do so by not less than three-fourths of the full membership of Council. No such ordinance shall be passed unless it has been fully and distinctly read on three different days except that such ordinance may become emergency legislation if three-fourths of the members of City Council vote to dispense with this rule. No ordinance, measure, or regulation which is in accordance with the recommendation, plan, or report submitted by the Planning Commission shall be deemed to pass or take effect without the concurrence of at least a majority of the members elected to Council.

1156.06 RESUBMISSION OF APPLICATION.

If a proposed amendment or supplement initiated by application is disapproved by Council another application for amendment or supplement affecting the land included in the disapproved application shall not be submitted within one year from the date of disapproval, except with a statement by the Planning Commission of changed or changing conditions affecting the land sufficient to warrant reconsideration.

1156.07 EFFECTIVE DATE AND REFERENDUM.

(a) Such amendment adopted by City Council shall become effective thirty (30) days after the date of such adoption unless within thirty (30) days after the passage of the ordinance there is presented to the City Clerk a petition, signed by a number of qualified voters residing in the city equal to not less than ten (10) percent of the total vote cast in such area at the last preceding general election at which a Governor was elected, requesting the City Council to submit the zoning amendment to the electors of the City for approval or rejection at the next general election.

(b) No amendment for which such referendum vote has been requested shall be put into effect unless a majority of the vote cast on the issue is in favor of the amendment has been approved by the voters, it shall take effect immediately.

Proposed Amending Ordinance approved as to form by the City Law Director

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN DESCRIBED PROPERTY WITHIN THE CITY OF MOUNT VERNON FROM [INSERT EXISTING CLASSIFICATION] TO [INSERT PROPOSED CLASSIFICATION] UNDER THE MOUNT VERNON ZONING CODE.

WHEREAS, the Council for the City of Mount Vernon has received application for rezoning certain property within the City of Mount Vernon;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mount Vernon, Knox County, Ohio, that:

SECTION 1: That the City of Mount Vernon hereby amend the zoning classification of Lot [insert lot number] in the insert subdivision name Subdivision from [insert existing classification] to [insert proposed classification] under the City of Mount Vernon Zoning Code. (see attached map)

SECTION 2: That the zoning classification be recorded in the Title XI of the Planning and Zoning Codes of the Codified Ordinances of the City of Mount Vernon.

[insert name], President of Council

PASSED: _____, 20____.

ATTEST:

[insert name], Clerk of Council

APPROVED: _____, 20____

[insert name], Mayor