

City of O'Fallon Planning and Development Department

100 North Main Street
O'Fallon, Missouri 63366
www.ofallon.mo.us
(636) 379-5544



For additional information send inquiries to:
E-mail: tcoffman@ofallon.mo.us or **Fax:** (636) 240-5511

Zoning/Rezoning Application

Subject Property Information (Please Type or Print):

Property Location (Including Address, if applicable): _____

Proposed Use of Property: _____

Has the Subject Property Been Annexed? _____ Yes _____ No If "Yes", Date of Annexation: _____

If "No", Provide the Date of the Pending Annexation Hearings: 1st Reading: _____ 2nd Reading: _____

Current Zoning (Including Political Jurisdiction): _____

Proposed Zoning: _____

Contact Information (Please Type or Print):

Applicant:

Name: _____

Contact Person: _____

Address: _____

City/State/Zip: _____

Phone: _____

Fax: _____

E-mail: _____

Property Owner:

Name: _____

Contact Person: _____

Address: _____

City/State/Zip: _____

Phone: _____

Fax: _____

E-mail: _____

Contract Purchaser (if applicable):

Name: _____

Contact Person: _____

Address: _____

City/State/Zip: _____

Phone: _____

Fax: _____

E-mail: _____

Engineer:

Name: _____

Contact Person: _____

Address: _____

City/State/Zip: _____

Phone: _____

Fax: _____

E-mail: _____

Application Fees: \$100.00 at the time of Submittal. The applicant will subsequently be billed for the cost of the Legal Notice advertising the required Public Hearings before the Planning and Zoning Commission and City Council, plus a \$0.62 mailing fee for the notification of each adjacent property owner within a 300' radius of the subject site.

□ **Sign Posting Requirements:** Upon filing an application requesting a *Zoning District Classification Amendment (Zoning/Rezoning)*, the petitioner shall, within seven (7) days of the application filing deadline (12 Noon the following Friday), post a sign(s) upon the subject property advertising the Public Hearings before the Planning and Zoning Commission and City Council. It shall be the responsibility of the petitioner to make, buy, or rent the sign(s) and to post the same. Signs posted under the requirements of this Section are exempt from the *Signage Regulations* contained within Chapter 410 (*Signage Regulations*) of the *Municipal Code*. The required sign(s) shall be designed, placed, and removed in accordance with the following requirements:

- a) **Sign Specifications:** The required sign(s) shall be a minimum of twenty-four (24) square feet in size. The sign(s) shall be constructed of medium density overlay (MDO) board, laminated plywood, or any other wood material that is completely covered or encased in a durable material. The sign(s) shall have a white background with black lettering in bold print. The sign heading shall read "Public Hearing Notice" in a minimum of six (6) inch lettering followed by the "requested action" in a minimum of four (4) inch lettering. The remainder of the lettering shall be a minimum of two (2) inches in height. To insure clarity and readability, all sign lettering shall be mechanically printed in a standard recognizable type face (hand lettering is prohibited). In addition to the "Public Hearing Notice" heading, the sign(s) shall contain the following information:
 - (1) The requested action (*Zoning* or *Rezoning*).
 - (2) Date, time, and location of the Public Hearings before the Planning and Zoning Commission and the City Council.
 - (3) Project name.
 - (4) Existing *Zoning*.
 - (5) Proposed *Zoning*.
 - (6) Acreage of the site.
 - (7) Ward number.
 - (8) Contact name and phone number of the applicant.
 - (9) The following statement: "For possible updated information regarding the date, time and location of the Public Hearings or for further details on the requested action, please contact the City of O'Fallon Planning and Development Department at 636-379-5544."
- b) **Required Number of Signs:** One (1) sign shall be placed along each street that abuts the subject site. However, the Director of Planning and Development shall have the discretion of waiving the requirements for sign placement along multiple street frontages if he/she determines that sign placement along the most heavily traveled street frontage(s) will suffice. If the subject site has more than three hundred (300) feet of frontage along any street, the Director of Planning and Development shall have the discretion of requiring the placement of additional signs. If the subject site does not abut a street, the sign(s) shall be placed on each side of any contiguous land owned by the petitioner or owner(s) of the subject site which does abut a street. If no such contiguous property is owned by the applicant or owner(s) of the subject site, the sign(s) shall be placed in such location(s) as deemed appropriate by the Director of Planning and Development to best inform the general public of the Public Hearing(s). If the Director of Planning and Development determines that there is no location where a sign could be placed that would be visible to the general public, the Director shall have the discretion of waiving the sign posting requirements.
- c) **Sign Placement:** The required sign(s) shall be posted in a conspicuous location unobstructed to view from the street, and shall be placed no closer than ten (10) feet from any right-of-way line and/or property line and no further than fifteen (15) feet back from the right-of-way line and/or property line. The required sign(s) shall not be erected in the street right-of-way or in a manner that would obstruct the vision of motorists or pedestrians per the *Sight Triangle* requirements of Section 400.260(F) of the

Zoning Code. Unless otherwise approved by the Director of Planning and Development, all signs shall be freestanding and the bottom edge shall be a minimum of four (4) feet from the ground.

- d) Verification of Sign Posting: The petitioner shall post the required sign(s) within seven (7) days of the application filing deadline (12 Noon the following Friday). Staff of the Planning and Development Department will verify that the required sign(s) have been posted in accordance with the requirements of this Article by this deadline. If the petitioner fails to post the required sign(s) per the requirements of this Article by this deadline, the application will not be placed on the originally requested agenda of the Planning and Zoning Commission, and a letter will be sent to the petitioner which outlines the reasons for the postponement of the requested action and which also provides a schedule of upcoming meetings and the corresponding sign posting deadlines.
- e) Sign Removal: The required sign(s) shall remain posted until final action is taken on the proposed *Zoning/Rezoning*. The applicant shall remove all signs within seven (7) days of final action.

CHECKLIST

The application shall be accompanied by the following information:

- Provide twenty-five (25) folded scaled map of the property, correlated with the legal description, and clearly showing the location of the property. The names of the owners and the *Zoning District* classification (regardless of Political Jurisdiction) of the properties within an area determined by lines drawn parallel to and within a distance of three-hundred (300) feet of the subject property shall be shown on the map. Provide a Site Location Map.
- Provide a Legal Description of the site (both a printed copy and an electronic copy).
- Written response to the six (6) *Findings of Fact* required listed below for *Zoning* and *Rezoning* per Section 400.680 of the *Zoning Code*.
- Provide one (1) copy of the map in 11" x 17" (for filing purpose).
- If the above information does not appear on the map or accompanying the application, the proposal may not be scheduled for the Planning and Zoning Commission meeting requested.

FINDINGS OF FACT REQUIRED

In reviewing any application for *Zoning* or *Rezoning*, the Planning and Zoning Commission shall identify and evaluate all factors relevant to the application, and shall report its *Findings* in full, along with its recommendations for disposition of the proposed *Zoning* or *Rezoning* to the City Council. The facts to be considered by the Planning and Zoning Commission shall include but not be limited to the following:

1. Whether or not the requested *Zoning* change is justified by a change in conditions since the original Ordinance was adopted, or by an error in the original Ordinance.
2. The precedents, the possible effects of such precedents, which might likely result from approval or denial of the application.
3. The ability of the City or other government agencies to provide any services, facilities and/or programs that might likely result from approval or denial of the petition.
4. The effect of approval of the application on the condition and/or value of property in the City or in adjacent civil divisions.
5. The *Zoning* and land use recommended by the City's adopted *Comprehensive Plan*.
6. The Commission may require additional information when deemed necessary.

Zoning/Rezoning Application

Please Note:

- Approval of the proposed *Zoning* or *Rezoning* does not guarantee approval of the proposed use. A *Site Plan* must be reviewed and approved by the Planning and Zoning Commission before any use will be approved.
- Any existing structures on site will be “grandfathered” under the previous *Zoning*. However, if any new structures are built, or if existing structures are modified, then they will have to comply with the requirements of the new *Zoning District* classification.
- Any business occupying the site requires approval of a *Business License*.

Applicant Signature

Date

Owner’s Signature

Date

<u>For Internal Use Only</u>
Case Number: _____
Date of Submittal: _____
Fee(s) Paid to Date: _____