



Petition for Rezoning

Property Owner: _____

Property Address: _____

Property Zoning: _____

Requested Zoning: _____

Legal Description: _____

Please provide a detailed explanation of why this change is being requested:

Additional Notices; Signs. Any person who requests a land use plan amendment or rezoning of property shall cause to be erected at all the street frontages of the property a notification sign, stating a notification message as prescribed by City staff, and intended to inform the public of the proposed change and the time and place of the hearing on said change. Notification signage will be black letters on a white sign board and will be installed in accordance with the following minimum stand:

Speed Limit:	Lettering:	Number of Signs on Each Street Frontage:	Minimum:
20-35 MPH	3 Inches	One per 300'	2' x 2'
36 MPH & Greater	6 Inches	One per 1,000'	4' x 8'

Such signs shall be erected no less than seven days before the hearing before the Plan and Zoning Commission and shall remain in place until the final hearing before the City Council. It shall be the responsibility of the property owner to ensure that the signs are erected and maintained to be visible from the street rights-of-way in accordance with the provisions of this section. The failure on the part of the property owner to erect and maintain the signs may be considered by the Commission and Council, along with all other facts and circumstances, in determining whether the request for rezoning shall be granted. The property owner shall remove the signage within seven days of the date of the final action on the rezoning or land use plan amendment by the City Council. Any person who removes a sign erected by the property owner, without the property owner's consent, shall be guilty of a misdemeanor. *(Subsection 165.44(8) by Ord. 393 - Dec. 08 Supp.)*

I understand that there are no guarantees of passage of this request by the Planning & Zoning Commission or by the City Council. If the request is not granted the fee for variance is nonrefundable. All neighboring property owners within 200 feet will be notified of this variance request, plus a notice will be published in a local newspaper.

See attached sections from the City of Huxley Code of Ordinances.

Signed: _____ Date: _____

Please attach:

- List of all property owners and addresses as required by code section 165.44(2).
- Petition for amendment to zoning map fee: \$200

Office Use Only:

Date Submitted: _____

Board Review Date: _____

Council Review Date: _____

Date Hearing Advertised: _____

Decision of the Commission & Council:

CHAPTER 165 ZONING REGULATIONS

CODE OF ORDINANCES, HUXLEY, IOWA

165.44 AMENDMENTS. The regulations imposed and districts created by this chapter may, from time to time, be amended, supplemented, changed, modified or repealed as follows:

1. Initiation. The Council may act on its own initiative, with or without prior citizen request, to amend this chapter. Any interested citizen, including the owner of record title or of equitable title to affected property, may petition for amendment of this chapter.

2. Form of Petition. A petition to amend this chapter shall state: (i) the legal description of the affected property; (ii) the street address of the affected property; (iii) the existing and proposed designation or regulation; (iv) a concise statement of the purpose of the amendment; and (v) the names and addresses of the owners of record and equitable title located within 200 feet of the boundary of the affected property. A petition shall be dated and signed by its sponsor.

3. Review of Proposed Amendment. Within 30 days of receipt by the City, the Commission shall review a petition for amendment and report its recommendations to the Council. The Council may refer self-initiated amendments to the Commission for consideration upon such conditions as it may direct.

4. Notice and Hearing. If the Council resolves to consider for passage a proposed amendment to this chapter, the Council shall set a time and date for hearing upon the proposed amendment. Notice of the hearing describing the affected property and purpose of the hearing shall be published at least once not less than seven or more than 20 days prior to the hearing date, but not earlier than the next regularly scheduled Council meeting following the date notice is published. The Clerk shall send notice of the hearing by ordinary mail to owners of property within 200 feet of the boundaries of the affected property.

5. Protest. Protest of a proposed amendment must be in writing submitted to the Council before or at the public hearing on the proposed amendment. If 20% or more of the owners of property within two hundred feet of the boundaries of the affected

property file a written protest, the proposed amendment shall not be effective unless three-fourths of the Council members vote in favor of the proposed amendment.

6. Action by Council. The Council shall not be required to act upon a proposed amendment. At any time prior to a hearing on a proposed amendment, the Council may either act unfavorably on the proposed amendment or take no action. After a hearing, the Council may act either favorably or unfavorably on the proposed amendment or take no action. If the Council acts unfavorably on the proposed amendment, no petition that is substantially the same as the proposed amendment rejected, shall be submitted for one year after the unfavorable action. Nothing herein shall prevent the Council from acting on its own initiative.

7. Costs. The sponsor of a petition for amendment of this chapter shall be liable to the City for the reasonable costs of amending this chapter, including but not limited to the cost of publication of notice, and, unless waived by the Council, shall pay such cost at the office of the Clerk upon demand or shall pay such fee as the Council may prescribe by ordinance.

8. Additional Notices; Signs. Any person who requests a land use plan amendment or rezoning of property shall cause to be erected at all of the street frontages of the property a notification sign, stating a notification message as prescribed by City staff, and intended to inform the public of the proposed change and the time and place of the hearing on said change. Notification signage will be black letters on a white sign board and will be installed in accordance with the following minimum stand:

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165.45 VIOLATION. Each day a violation of this chapter continues shall be considered a separate offense. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties provided in this section. Nothing in this section shall prevent the City from taking any other lawful action as is necessary to prevent or remedy any violation.