

City of Purcell, Oklahoma

Rezoning Application Packet

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Purcell, Oklahoma 73080-0071

GENERAL INFORMATION

PLEASE READ CAREFULLY BEFORE SUBMITTING APPLICATION

INTRODUCTION

This application packet has been compiled in an effort to make the process of your re-zoning request as simple as possible. If you will follow the directions included and provide all of the information requested, it will speed the entire process.

LEGAL REQUIREMENTS

The following is an extract of the City of Purcell Code of Ordinances, dated February 4, 2013, dealing with re-zoning.

SECTION. 122-13. REZONING AND AMENDMENT APPLICATIONS.

- A. *Right to petition for change.* Any person, firm, or corporation having a proprietary interest in any property may petition the city council for a change or amendment to the provisions of the zoning regulations or official zoning district map by obtaining, filling out, and filing a formal application for rezoning or zoning ordinance amendment with the city clerk.
- B. *Fees.* The fee for filing such application shall include the notice and publication costs of such application, the review costs incurred by city personnel, and other administrative costs. The minimum fee for such applications shall be as set by the city council plus a fee plus per acre for each acre over five acres. The city clerk may automatically increase the fees due to increases in the costs of mailing or publication.
- C. *Notification of planning commission.* The city clerk shall notify the city building official and the chair of the planning commission and cause the application to be placed on the agenda for the next scheduled meeting of the planning commission.
- D. *Commission consideration.* The planning commission shall consider any rezoning or zoning regulations amendment application at a regular, public meeting prior to making and submitting recommendations to the city council. At least fifteen (15) days' notice of the date, time, and place of the hearing shall be published in a newspaper of general circulation in the city. Such notice shall include a map of the area to be affected which indicates street names or numbers, streams, or other significant landmarks in such area.
- E. *Public hearing.* No rezoning, amendment, change, or supplement shall become effective until a public hearing shall have been held by the city council at which parties in interest and other citizens shall have an opportunity to be heard. Notice of such public hearing, to include the time and place of such hearing, shall be given at least twenty (20) days prior to such hearing by publication in the official newspaper of the city, and, in addition to publication, notice shall also be given by mailing written notice signed by the city clerk to all owners of property within a three-hundred (300) foot radius of the exterior boundary of the subject property. Such notice shall be mailed not less than twenty (20) days before the date set for hearing and the notice shall contain:
 - 1. Legal description of the property and the street address or approximate location in the city;
 - 2. Present zoning district classification of the property and the classification sought by the applicant; and
 - 3. The date, time, and place of the public hearing.

F. *Protests against proposed change.* Protests against proposed changes shall be filed at least three (3) days before the date of the public hearings. If protests are filed by:

1. The owners of twenty (20) percent or more of the area of the lots included in a proposed change; or
2. The owners of fifty (50) percent or more of the area of the lots within a three hundred (300) foot radius of the exterior boundary of the territory included in a proposed change;

then the proposed change or amendment shall not become effective except by the favorable vote of three-fifths (3/5) of all the members of the city council.

G. *Initiation of studies or administrative proposals.* The city council or the planning commission may, from time to time, initiate studies or administrative proposals for changes or amendments to the zoning regulations, provided that they are in the public interest, and provided also that, before taking action on any such study or proposal, the city shall have submitted the same to the planning commission for its recommendations and adequate and legal public hearings shall have been held by the city council.

H. *Finalization of change.* All amendments, changes, supplements, or rezonings shall become final and effective upon passage and publication of an ordinance indicating the amendment, change, supplement, or rezoning.

TIME LINES

As you can see by the requirements set out in the Code at Ordinances and by various State Statutes, re-zoning is not an over night process. You should figure at least two months from the time of your application until the re-zoning becomes final if approved.

Some dates that will affect the approval process are scheduled meetings and publication days for the Purcell Register. The Planning Commission meets on the fourth Monday of each month and the City Commission meets the first Monday of each month. The Purcell Register is published each Thursday (we need to have any notices in their office no later than the preceding Tuesday at noon).

Another factor that slows the process is that unless it can be shown that the re-zoning is necessary for the public health, safety, or welfare of the citizen's of Purcell, a non-emergency ordinance requires two meetings for final passage.

COSTS

The City Commission has set the application fee for a re-zone application at \$400.00 + cost of certified mailing. This amount is due at the time of your application.

PROPERTY OWNERS WITHIN 300 FEET

The City requires a letter of certification from an abstract company on the 300' document. This information is available from the McClain County Treasurer's office located on the third floor of the County Courthouse. The City recognizes the person, firm, or corporation that pays taxes on a specified piece of property as the recognized owner or agent of the owner for notification purposes. The owner pays this cost to the abstract company.

ASSISTANCE

The City of Purcell staff stands ready to assist you with your application. If you should have questions please feel free to contact the City Clerk or Code Enforcement officer. (405) 527-4656.

City of Purcell, Oklahoma

APPLICATION FOR REZONING

APPLICATION NUMBER: _____ DATE OF APPPLICATION: _____

I/We, the undersigned, being owners of more that fifty-one percent (51%) of the following described property, do hereby make application and petition the Purcell City Commission to rezone the above mentioned property in accordance with Section 122-13 of the City of Purcell Code of Ordinances (2013).

In Support of this application the following facts are shown:

1. PROPERTY LOCATION

Street Address or Approximate Location: _____

Legal Description: _____

2. PRESENT ZONING DISTRICT CLASSIFICATION: _____.

CLASSIFICATION SOUGHT BY APPLICANT(S): _____.

3. SIZE OF PROPERTY PROPOSED FOR REZONING:

Frontage on Street: _____ feet, Lot Depth: _____ feet.

4. PROPOSED USE OF THE PROPERTY:

5. BUILDINGS TO BE CONSTRUCTED:

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6. INDIVIDUALS, FIRMS, OR CORPORATIONS OWNING PROPERTY LOCATED WITHIN 300 FEET (NOT INCLUDING STREETS AND ALLEYS) OF THE PROPERTY PROPOSED FOR REZONING:

(Attach list of names and certificate from the Abstract Co.)

7. GENERAL INFORMATION: (Note: Information in 7b, c, and d is not required for single-family residential applications)

a. A drawing showing the following **MUST** be attached to this application:

(1) Property Lines with all Easements.

(2) Front, side, and rear yard building line.

b. Maximum building height _____ feet.

c. Number of off-street parking spaces. _____

d. Type of Surface for parking spaces. _____

e. Applicant or Contact Person Information:

Name: _____

Address: _____

City, State, Zip: _____ Phone: _____

APPLICANT SIGNATURE

APPLICANT NAME PRINTED

CO-APPLICANT SIGNATURE

CO-APPLICANT NAME PRINTED

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Information on this page to be completed by City of Purcell staff

DATE FILED: _____
Andrea Millsap, City Clerk

CODE ADMINISTRATION REVIEW BY: _____ COMMENTS ATTACHED: Y/N

FIRE DEPARTMENT REVIEW BY: _____ COMMENTS ATTACHED: Y/N

RECOMMENDATIONS OF THE PURCELL PLANNING COMMISSION

DATE: _____ APPROVE: _____ DENY: _____

Reasons for denial recommendation: _____

Number of Members Present: _____ Approval: _____ Denial: _____ Abstaining: _____

Chairman Signature

ACTION OF CITY COMMISSION

DATE: _____ APPROVE: _____ DENY: _____ ORDINANCE NUMBER: _____

Application fee of \$400 paid: Y/N Receipt Number: _____ Date: _____
+ Cost of mailing

Remarks or other information: