



CITY OF SPRINGVILLE

Building & Zoning Department

P.O. Box 948
151 Industrial Drive
Springville, AL 35146
205-467-2312



REZONING REQUEST

APPLICANT INFORMATION:			
Name:		Phone #:	
Mailing Address:		Email:	
PROPERTY OWNER INFORMATION (if not applicant):			
Name:		Phone #:	
Mailing Address:		Email:	
PROPERTY UNDER CONSIDERATION:			
Property Address:		Parcel ID # or PPIN:	
Acreage:	Proposed Zoning:	Current Zoning:	Current Land Use:
Reason for Rezoning Request: <i>(attach additional sheet if necessary)</i>			
Please refer to the attached Subdivision Regulations Ordinance # 2007-12 for detailed document requirements for submittal.			
Applicant's Signature:		Owner's Signature (if not applicant):	
(FOR OFFICE USE ONLY)			
Documents Submitted: <i>(21 days)</i> Application Fee Written Request Vicinity Map/Site Plan Availability of Utilities		Date Received:	
		Fee: \$100.00	Receipt #:
Other Documents Requested or Notes:			
PUBLIC NOTICES:			
1 st Public Hearing Date:		1 st Public Posting & Notices Mailed: <i>(15 days)</i>	
Planning Commission Recommendation to City Council: Approve Deny Date: <i>The City Council is not bound by the recommendation of the Planning Commission, nor is it even necessary for the Planning Commission to make any specific recommendation for or against adoption.</i>			
2 nd Public Hearing Date: <i>(City Council Meeting)</i>		2 nd Public Posting & Notices Mailed: <i>(15 days)</i>	
City Council Decision:	Approved Denied	Ordinance # Date:	Zoning Map Changed Date: From To

If you have any questions, please contact the Building & Zoning Department
at 205-467-2312 or email us at zoning@cityofspringville.com

ARTICLE X
SECTION 4
REZONING and AMENDMENT PROCEDURES

X-4.1. Petition. Petitions as described in Article X-2.1 for proposed changes of the Zoning District Boundaries or of the zoning regulations may be initiated by the City Council, the Planning and Zoning Board, or by petition of lot owners or their agents.

X-4.2. Application Filing Procedure. When a rezoning request is made by the lot owner or his authorized agent, the procedures of this Section shall be followed.

X-4.2.1. Application. The application for rezoning shall be made on a form available from the Building Official's Office.

X-4.2.2. Required Information. The application shall contain the following information, which shall be provided by the applicant or his or her duly authorized representative:

1. Name and address of the applicant.
2. Address and legal description of the lot under consideration.
3. Present zoning of the lot under consideration.
4. Requested zoning classification.
5. Reason for the rezoning request.
6. Availability of required utilities.
7. A map, drawn to scale, indicating the dimensions and exact location of the site in relation to the vicinity in which it is located; location of all public rights-of-way; location and dimension of all existing and proposed buildings and structures on the site and adjacent sites and the nature and location of all existing and proposed facilities for the disposal of storm water drainage, and expected traffic volumes.
8. A complete list, names and mailing addresses, of those lot owners with and contiguous to the site for which an application for change is being made, as well as a complete list of all owners, along with their mailing address, of lots within 500 feet of the subject lot, as shown on the official records of the office of the County Tax Assessor.

X-4.2.3. Submitting Application. The application shall be submitted to the City Clerk at least twenty-one (21) days prior to the Planning and Zoning Board's regularly scheduled meeting. A rezoning fee of \$100 is required at the time of filing the application for change.

ARTICLE X
SECTION 5
PUBLIC HEARING BY THE PLANNING and ZONING BOARD

X-5.1. Procedure. After the application for change has been properly filed with the City and the required fee paid, the following procedure shall apply:

X-5.1.1. Notice to Adjoining Lot Owner's. At least fifteen (15) days prior to the Planning and Zoning Board meeting at which the rezoning request is to be presented and initially considered, the City Clerk or his/her duly authorized representative shall give, or cause to be given, written notice to all lot owners adjoining the boundaries of the subject lot as shown by the Official records of the County Tax Assessor, on a date not more than one (1) year prior to the date of such notice. This notice shall state:

1. The location of rezoning request (by mailing address or legal description).
2. The nature of the rezoning request indicating the current zoning classification(s) of the site and the proposed rezoning classification(s).
3. The correct time, date and location of the Planning and Zoning Board meeting at which said rezoning request is to be formally presented and considered.
4. A brief statement to the public informing them that they will have an opportunity to speak for or against such proposed change at the public hearing.

X-5.1.2. Notice Given. Such notice shall be deemed to be given when deposited in the United States Mail, first class postage pre-paid, addressed to such lot owners at their addresses as shown on the Official records of the Office of the County Tax Assessor. Any error in the giving of any such notice shall not invalidate the giving of notice provided that no more than five percent (5%) of the total number of notices given contain any such error.

X-5.1.3. Public Hearing. The Planning and Zoning Board shall hold a public hearing at the first regularly scheduled meeting after compliance with notice requirements as set forth herein are met, and the Planning and Zoning Board shall render a decision on the application at that meeting or at the next regularly scheduled meeting unless additional information is required. If additional information is required, the Planning and Zoning Board shall have thirty (30) days from the date of submission of this additional information to the City, in which to make a recommendation on the request to the City Council. NOTE: The municipal governing body (City Council) is not bound by the recommendations of the Planning and Zoning Board, nor is it even necessary for the Planning and Zoning Board to make any specific recommendations for or against adoption. The law merely requires consideration and a report by the Planning and Zoning Board on zoning measures before the municipal governing body has power to enact them. Once the governing body receives the report of the Planning and Zoning Board, the responsibility shifts to the governing body to follow the procedures set out at Section 11-52-77, Code of Alabama 1975, as amended.

ARTICLE X
SECTION 6
PUBLIC HEARING BY THE CITY COUNCIL

X-6.1. Recommendation of the Planning and Zoning Board. Upon receipt of the recommendation of the Planning and Zoning Board, the City Council shall give a "first reading" of the proposed amendment at the next regularly scheduled City Council meeting after notice and set same for a public hearing.

X-6.2. Notification of Adjoining Lot Owners. Following proper notification of adjoining lot owners as enunciated in Article X-5.1, the City shall publish the proposed request in full for one insertion in a newspaper of general circulation published within the city, or post the notice in four (4) public places traditionally used by the City for such purposes, not less than fifteen (15) days in advance of such hearing, together with a notice stating the time and place that the Ordinance is to be considered by the municipal governing body and stating further that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of such Ordinance, one week after the first insertion, the municipal governing body shall have published a synopsis of the proposed Ordinance, which synopsis shall refer to the date and name of the newspaper in which the proposed Ordinance was first published. Both such insertion shall be published at least fifteen (15) days in advance of the passage of the Ordinance. If there is no newspaper of general circulation published within the municipality, then the governing body must cause the Ordinance and the notice to be posted in four conspicuous places within the municipality.

X-6.3. Action from Public Hearing. After such hearing by the municipal governing body (City Council), the Ordinance may be adopted as reported by the Planning and Zoning Board or in such amended form as it deems best in its discretion. However, if the City Council makes substantial changes in the Ordinance which it first advertised or posted, whichever is applicable, the City Council should hold another public hearing after giving notice as required.

X-6.4. Adoption. After adoption of the Ordinance by the City Council, it must again be published in the same manner as are all municipal Ordinances according to the provisions of Section 11-45-8 of the Code of Alabama, 1975, as amended.

ARTICLE X
SECTION 7
ZONING AMENDMENTS BY THE CITY

X-7.1. Zoning Amendments by the City. The Planning and Zoning Board and/or City Council, may upon its own initiative, begin the process of rezoning lot and/or other amendments. They may upon their own initiative, hold public hearings for the consideration of any proposed amendment to the

provisions of this Ordinance after notice thereof is given in accordance with the provisions of this Ordinance, relative to aforementioned procedures for notification, advertisement or posting, hearings, and adoption.

X-7.2. Planning and Zoning Board. The regulations and the number, area, and boundaries or districts established by this Ordinance may be amended, supplemented, changed, modified, or repealed by the City Council of the City of Springville, but no amendment shall become effective unless it is first submitted to the Springville Planning and Zoning Board. At its own initiative this body may hold public hearings, public notice of which shall be given, for the consideration of any proposed amendment to the provisions of this Ordinance or to the Zoning Map of Springville, and report its recommendations to the City Council of Springville. The provisions of Sections 11-52-74 and 11-52-77, Code of Alabama, 1975 or as same may be amended shall apply to all changes and amendments.

ARTICLE X
SECTION 8
LIMIT ON REZONING REQUESTS

X-8.1. Limit on Rezoning Requests. If the proposal is rejected by the Planning and Zoning Board, the decision may be appealed to the City Council. Should the City Council then deny the appeal, the same kind of rezoning of the same tract or parcel of land will not be considered by the Planning and Zoning Board until a period of one (1) year has elapsed from the date of such action by the City Council. Further, a withdrawal of the application for rezoning after the hearings held by the Planning and Zoning Board, but prior to the hearing held by the City Council shall also required a one (1) year time period before another application on the same request may be submitted. However, the Planning and Zoning Board may adjust this time period if in the opinion of a majority of the Board, an unusual situation or circumstance exists which would warrant another hearing or if a different proposal is made on the lot. Each time the rezoning amendment application is made, the required administration fee must be paid, and under no condition shall said sum or any part thereof b refunded for failure of such proposal or amendment to be enacted into law.