



Village of Volente
 16201 Dodd Street, Suite 100
 Volente, Texas 78641
 512-250-2075

APPLICATION FOR ZONING
 (INCLUDE NECESSARY SUPPORTING MATERIAL)

ADDRESS OF PROPERTY:		NUMBER OF ACRES:	
LEGAL DESCRIPTION (SUBDIVISION, SECTION, LOT		CURRENT ZONING:	PROPOSED ZONING:
PROPERTY OWNER FIRM:	CONTACT NAME:	TELEPHONE:	E-MAIL
MAILING ADDRESS:		CITY:	STATE ZIP CODE
APPLICANT FIRM:	CONTACT NAME:	TELEPHONE:	E-MAIL
MAILING ADDRESS:		CITY:	STATE ZIP CODE
PROJECT AND PURPOSE FOR WHICH ZONING CHANGE IS SOUGHT:			

SUBMITTAL VERIFICATION/INSPECTION AUTHORIZATION: I, as owner of the property hereinafter referenced, do hereby execute this document, and acknowledge the above statements to be true and accurate to the best of knowledge. I have received, read and understand the terms and conditions of this request, and agree to compliance with all applicable codes and ordinances of the Village. I authorize my duly authorized agent to coordinate with the Village and its representatives to enter the property at reasonable times for the purposes of inspecting and monitoring the project according to the adopted codes of the City. This authorized agent is hereby given authority from me to consent to City inspections on my behalf.	
APPLICANT SIGNATURE	
_____	_____
PRINTED NAME	DATE

(FOR Village USE ONLY)

DATE SUBMITTED:
AMOUNT RECEIVED/Check #:
NOTES:

(ADDITIONAL SPACE AS NEEDED FOR AUTHORIZED AGENTS OF THE OWNER)

ADDRESS OF PROPERTY:

PRINTED NAME OF GENERAL CONTRACTOR, SUBCONTRACTOR, OR OTHER AUTHORIZED AGENTS OF OWNER

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Sec. 9.02.192 Administrative procedures for changes and amendments to zoning regulations and districts

(a) **Application.**

(1) Each application for zoning, a conditional use permit, or for an amendment or change to the existing provisions of this article shall be made in writing on an application form available at the village, filed with the village, and shall be accompanied by payment of the appropriate fee. The application shall also be accompanied by additional information materials, such as plans, maps, exhibits, legal description of property, architectural elevations, and information about proposed uses, as deemed necessary by the village, in order to ensure that the written request is understood. A conceptual site plan shall be submitted as prescribed in the village's site development ordinance, along with any application for a conditional use permit.

(2) All zoning applications shall be accompanied by a notarized statement verifying land ownership and, if applicable, authorization of a land owner's agent to file the change request.

(3) If it requires public improvement, all applications for zoning changes and amendments shall be accompanied by a traffic impact analysis, which scope and content shall comply with the village's site development ordinance.

(4) **Official submission date and completeness of application.**

(A) For the purpose of these regulations, the "official submission date" shall be the date upon which a complete application, that contains all elements and information required by this article, is first submitted to the village. No application shall be deemed officially submitted until the village determines that the application is complete and a fee receipt is issued by the village. Failure by the village to make a determination of completeness within ten (10) calendar days following the date on which the application was first received by the village, shall result in the application being deemed complete, and the "official submission date" shall become the tenth (10th) calendar day following initial receipt of the application by the village.

(B) Zoning-related applications which do not include all required information and materials will be considered incomplete, shall not be accepted for official submission by the village, and shall not be scheduled on a commission agenda until the proper information is provided to the village.

(b) **Public hearing and notice.**

(1) For zoning or rezoning requests involving real property, or for conditional use permits, the commission shall hold at least one (1) public hearing on each application. For proposed changes to district boundaries including rezoning requests, notice of the commission hearing shall be accomplished by publishing the purpose, time and place of the public hearing before the fifteenth (15th) day of the before [before the date of] the public hearing. Written notice of the public hearing to occur before the commission shall also be sent to all owners of property, as indicated by the most recently approved village tax roll, that is located within the area of application and within two hundred feet (200') of any property affected thereby, said written notice to be sent before the tenth (10th) day before the hearing date. Such notice may be served by using the last known address as listed on the most recently approved tax roll and depositing the notice, with first class postage paid, in the United States mail.

(2) For requests involving proposed changes to the text of this article, notice of the commission hearing shall be accomplished by publishing the purpose, time and place of the public hearing before the fifteenth (15th) day before the date of the public hearing. Changes in the text of this article which do not change district boundaries, or which do not involve specific real property, do not require written notification to individual property owners.

(3) The village may, at its option, establish additional rules and procedures for public notification of proposed zoning changes or development proposals such as site plans, plats and developer agreements, which may include, but not be limited to, the posting of a sign(s) on any property that is proposed for a zoning change or development by the applicant or its agent(s). Adherence to such rules and procedures, if so established by the village, shall be the responsibility of the applicant and shall be required as part of a zoning change.

(4) Parliamentary procedures shall be established by the council.

(c) Failure to appear. Failure of the applicant or representative to appear before the commission or the council for more than one (1) hearing without an approved delay by the council, shall constitute sufficient grounds for the commission or the council to table or deny the application unless the village is notified in writing by the applicant that the applicant will be unable to appear, at least seventy-two (72) hours prior to the hearing.

(d) Commission consideration and recommendation.

(1) The commission shall function in accordance with the applicable provisions in the village's Code of Ordinances.

(2) The commission shall hold a public hearing on a zoning or rezoning request, or application for conditional use permit, or a proposed text amendment to this article. After all public input has been received and the public hearing closed, the commission shall make its recommendations on the proposed zoning request application, and conceptual site plan, if submitted, stating its findings, its overall evaluation of the request, and its assessment regarding how the request relates to the village's comprehensive plan. The commission may, on its own motion or at the applicant's written request, defer its recommendations until it has had an opportunity to consider other information or proposed modifications to the request which may have a direct bearing thereon. If the commission elects to table the request, such tabling shall specifically state the time period of the tabling by citing the meeting date whereon the request will reappear on the commission's agenda.

(3) When the commission is ready to act upon the zoning request, it may recommend approval of the request as it was submitted by the applicant, approval of the request subject to certain conditions, or disapproval of the request. The commission's recommendation will be automatically forwarded to the council for a second (2nd) public hearing thereon.

(4) If the commission recommends denial of the zoning change request, it shall provide written reasons to the applicant for the denial, if requested by the applicant. The commission chairperson shall inform the applicant of the right to request reasons for the denial.

(e) Council consideration and approval.

(1) Applications forwarded from the commission to the council. Every application or proposal shall be automatically forwarded, along with the commission's recommendation, to the council for setting and holding of public hearing thereon following appropriate public hearing

notification as prescribed in subsection (b)(2) above.

(2) Council action on zoning, rezoning, conditional use permits and text amendment requests. After a public hearing is held before the council regarding the zoning application, the council may approve the request in whole or in part, deny the request in whole or in part, table the application to a future meeting, specifically citing the council meeting to which it was tabled, or it may refer the application back to the commission for further study.

(A) Council approval of a zoning application forwarded with a commission recommendation of approval or approval subject to certain conditions shall be by affirmative vote of the majority of the council members present and voting.

(B) Council approval of a zoning application forwarded with a commission recommendation of denial shall be by affirmative vote council [sic] of at least seventy-five percent (75%) of the entire council membership.

(C) If the council approves the amendment request, then subsection (e)(4) below will apply.

(D) If the council denies the request, then no other zoning application may be filed for all or part of the subject tract of land, or for that portion of this article, or in the case of a text amendment request submitted by a property owner or citizen, for a waiting period of six (6) months following the denial. In the instance that the request was initiated by the council and involved a proposed amendment to the text of this article, then there is no waiting period before the request can be reconsidered.

(E) The council may, at its option, waive the six (6) month waiting period if, after due consideration of the matter at a scheduled and posted meeting, it is determined that denial of the request was based upon erroneous or omitted information, or if substantial new information pertaining to the request is discovered.

(3) Protests. For zoning requests involving real property, an affirmative vote of at least seventy-five percent (75%) of all members of the council shall be required to approve any change in zoning when written objections are received from land owners of twenty percent (20%) or more of the land area covered by the proposed change, or of the land area within two hundred feet (200') of the subject property, in compliance with the provisions of section 211.006 of the Texas Local Government Code. If a protest against such proposed amendment, supplement or change has been filed with the village, duly signed and acknowledged by the owners of twenty percent (20%) or more, either of the area of the land included in such a proposed change or those immediately adjacent to the area thereof extending two hundred feet (200') therefrom, such amendments shall not become effective except by an affirmative vote of at least seventy-five percent (75%) of all members of the council.

(4) Final approval and ordinance adoption. Upon approval of the zoning amendment request by the council, the applicant shall submit all related material with revisions, if necessary, to the village for the preparation of the amending ordinance. The zoning request shall be deemed approved at the time the council makes a decision to approve the request as submitted or with certain conditions. However, the amending ordinance will not be prepared or formally adopted until a correct description and all required exhibits have been submitted to the village.

(Ordinance 2016-O-173, sec. 30.139, adopted 11/15/16)