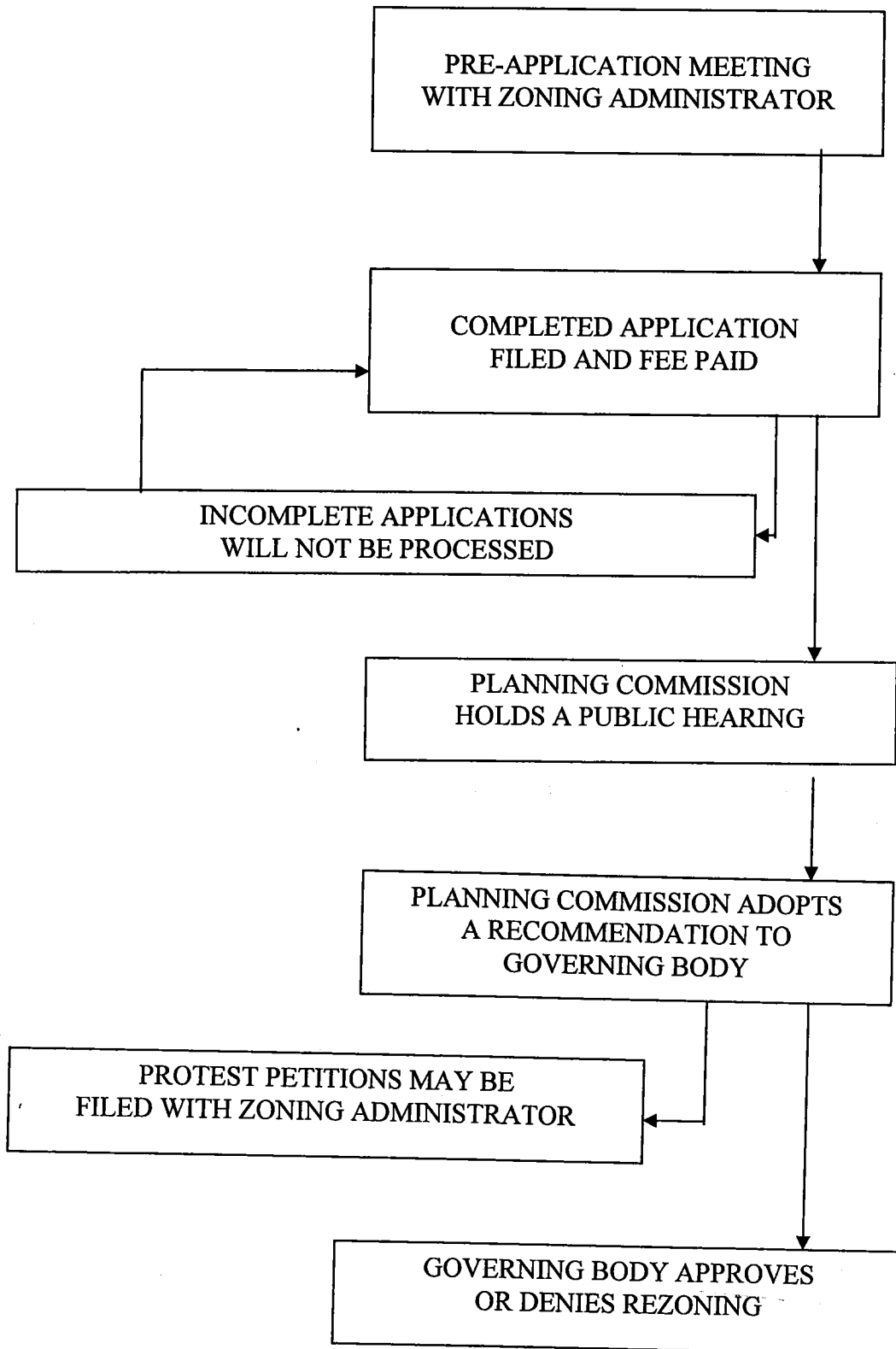


ZONING DISTRICT CHANGE



E. *Zoning District Change Procedure.* The Governing Body, Commission or the owner of the property affected may initiate a proposal to rezone a district.

1. The applicant shall first obtain the proper application form from the office of the Zoning Administrator (located within City Hall for the City of Bolivar) and receive a complete explanation of its requirements. The applicant may wish to discuss various zoning options and requirements for the property in question with the Zoning Administrator.
2. The rezoning application form must be completely filled out and returned to the office of the Zoning Administrator with the appropriate filing fee. Also required is a copy of a recorded warranty deed showing the current owner of the property in question and an ownership list obtained from a registered abstractor, title company or from current County records containing the names and mailing addresses of the owners of all property within a one hundred eighty-five (185) foot radius of, and including, the property for which the zoning change is requested.

An application shall not be scheduled for public hearing until the application form has been fully completed, the fee paid and all required information submitted.

3. The Commission shall hold a public hearing at which time citizens and parties of interest shall have a opportunity to be heard. The Planning and Zoning Department shall be responsible for having an official notice of public hearing published in a newspaper of general circulation at least fifteen (15) days before the hearing. This notice shall state the time and place of the hearing and shall describe generally the change requested. A written notice shall also be mailed to each property owner within a one hundred eighty-five (185) foot radius of the property in question at least fifteen (15) days prior to the public hearing. This notice shall also notify surrounding property owners of their right to file protest petitions and shall explain the protest procedure.
4. The public hearing may be adjourned from time to time. After adjournment, the Commission shall prepare and adopt its recommendation to the Governing Body. This recommendation shall be submitted along with an accurate record of the public hearing. For action on zoning amendments, a quorum of the Commission must be present. A quorum is more than one-half ($\frac{1}{2}$) of the total membership of the Planning Commission. When neither a vote for nor a vote against the rezoning has a majority of the quorum, it constitutes a "failure to recommend". Consequently, another recommendation must be made.

Protest petitions will be available in the planning and zoning office and must be filed within three (3) working days after the conclusion of the public hearing by the Commission. The petitions must be signed by all owners, including a spouse in jointly owned property, notarized and submitted within the three (3) day period in order to be valid. A sample form is included as part of this manual. In computing the protest area, it should be pointed out that the requirement is a protest by the owners of thirty percent (30%) or more of the land area to be affected by the proposed change and not thirty percent (30%) of the total number of owners; and that area devoted to public streets and rights-of-way is excluded from the computations. Protests or proposed zoning changes are allowed pursuant to Section 89.060, RSMo.

5. The Governing Body shall consider the application for rezoning, although not until the three (3) day protest period has expired, and may approve the recommendation of the Commission or take whatever action it deems necessary. If an adequate number of protest petitions have

been filed, the change can be approved only by as least a two-thirds ($\frac{2}{3}$) vote of all the members of Governing Body pursuant to Section 89.060, RSMo.

If the Governing Body approves the requested change, it shall adopt an ordinance to that effect. If the official Zoning Map has been adopted by reference, the amending ordinance shall define the change of boundary and shall order the official Zoning Map to be similarly amended.