



Munis ID # _____

Planning & Development Zoning Action Application

Owner _____ Phone _____

Owner Address _____

E-mail _____

Representative of Owner (if applicable) _____ Phone _____

Representative Address _____

Representative E-mail _____

I. Proposed Action

As owner or agent of the owner, I hereby request a Public Hearing by the City of Horn Lake to consider the following action for the property described in this application:

_____ Rezoning from _____ to _____ and/or
_____ Conditional Use to allow _____ (land use)

II. Property Location

Legal Description: Lot(s) _____ of Block _____ of _____ Subdivision

Street Address: _____ Located _____ feet from the

Intersection of _____ street and _____ street on the (east/west/north/south) side of
_____ street. **Tax Parcel Number:** _____

(Attach a legal survey with legal description with application.)

III. Detailed Property Information

Lot Frontage _____ feet Lot Depth _____ feet Square footage/acres _____

Current Land Use _____ Proposed Land Use _____

Number and use of existing buildings: Residential _____ Commercial _____ Industrial _____

Have there been any City Code Violations on this property within the past 12 months? _____

Give date(s) and action taken to remedy _____

Has a rezoning or a conditional use been denied within the past 12 months? _____

Give date(s) and action taken to remedy _____

IV. Letter of Intent

Each application must include a letter or report that addresses the questions in **Section V** and/or **Section VII** and any other information pertinent to your case. The burden of proof is on the applicant. Include photographs, charts, or other exhibits that will substantiate your argument. If you are applying for a rezoning and a conditional use you must address both rezoning and conditional use questions.

Please submit twenty (20) copies of your application, survey, and legal description of the property.

Legal Survey/Description _____ Letter of Intent _____

Permit Fee _____ Cash _____ Check _____ Card _____ Receipt # _____

Approved by _____ Date _____ Permit # _____

Affidavit of Posting with photo received by _____ Date _____

V. Rezoning Action Information Required

The State of Mississippi requires that applicants for rezoning of property must demonstrate by clear and convincing evidence that either: (A) There was a mistake in the original zoning (mapping error only); **or** that (B) The character of the surrounding area has changed to such an extent as to justify rezoning **and** there is a public need for additional property to be zoned in accordance with the request in said application.

- a) Describe significant land use change in the neighborhood or vicinity of the property that you believe justifies this rezoning.
- b) Explain why you believe the city needs additional land zoned for the type of zoning district classification you are requesting.
- c) Describe other property that has been rezoned in the general vicinity of the subject property within the past five (5) years.

VI. Conditional Use Action Information Required

In order to be considered, applicants for a Conditional Use must address the following questions adequately:

- a) Will this use substantially increase traffic hazards or congestion?
- b) Will this use substantially increase fire hazards?
- c) Will this use adversely affect the character of the neighborhood?
- d) Will this use overtax public utilities or community facilities (including streets, schools, and public utilities)?

VII. Sign Posting

Note to Applicant: The applicant is responsible for posting a sign on the subject property a minimum of fifteen (15) days prior to the Planning Commission Public Hearing date (the day of the hearing may count as one of the 15 days.) Please confirm the date(s) of the Planning Commission hearing and the Board of Aldermen meeting at the time of submittal of this application. Maintain the sign on the property until after the final hearing. Signs should be removed within seven (7) days after the final hearing. After installation of the sign, please execute the **Section X Affidavit of Posting** along with a photograph of the sign and return to the Planning Department.

Sign Specifications

- 4' X 4' feet in size
- Laminated plywood or MDO board
- Front, back, and all edges painted with two coats of cardinal red acrylic exterior enamel
- White letters sized per above (decals)
- Sign attached with 6 screws to two (2) 4" X 4" X 8' poles

<p style="text-align: center;">CITY OF HORN LAKE (1" letters) PUBLIC NOTICE (1" letters)</p> <p style="text-align: center;">ZONING HEARING (4" letters) City Hall (1" letters) 3101 Goodman Road Horn Lake, MS 38637 662-393-6705</p> <p style="text-align: center;">PLANNING COMMISSION: (TIME AND DATE) (1 ½" letters) BOARD OF ALDERMEN: (TIME AND DATE) REQUEST: (1" letters) LOCATION: (1" letters) APPLICANT: (1 ½" letters) PHONE NUMBER: (1 ½" letters) Case File Available at City of Horn Lake (2" letters) 662-393-6705 (2" letters) Posting Date: (1" letters)</p> <p style="text-align: center;">Penalty for removing or defacing sign prior to date of hearing (1" letters)</p>

VIII. General Information and Fees

Zoning classification and permitted uses is governed by the Zoning Ordinance, (text and zoning map). Certain land uses are allowed in each zoning district “by right” and others are allowed “conditionally.” If the use is allowed “by right”, you have the right to use the property without zoning action subject to the regulations and ordinances of the city. If the proposed use is not allowed “by right” but is allowed by “conditional Use” the Board of Aldermen must approve the conditional use. If the proposed use is not allowed at all, you may ask the city to “rezone” the property.

The Board uses criteria given in **Sections V** and **Section VI** and the Comprehensive Plan, Land Use Map to help determine whether the action you are proposing is in the overall public interest of the city and whether the rezoning and/or conditional use will negatively affect surrounding property.

Rezoning of property and approval of conditional uses both require a public hearing by the Planning Commission and the Board of Aldermen. You should contact the Planning Director by phone or e-mail to arrange a meeting, determine the current zoning of property and the uses permitted, and the zoning action process.

Zoning Action Application Process

- Application and fees due on or before the 1st business day of the month
- Public Notification process—Minimum of 15 days prior to Planning Commission Meeting
 - City publishes a legal ad
 - Applicant installs Public Notice Sign on property, takes photographs and returns “Affidavit of Posting” to Planning Department.
- Technical Review Committee—(Planning, Fire, Police, Engineer, Building, and Public Works) reviews application
- Planning Commission Public Hearing—The last Monday of the month.
- Appeal Period—Persons aggrieved by Planning Commission vote may appeal within the ten (10) day period immediately following the PC hearing by writing a letter to the Planning Department.
- Board of Aldermen Public Hearing—the third Tuesday of the month following the Planning Commission meeting.

Zoning Action Requested	Fees
Rezoning to Agricultural district	\$250
Rezoning to R-30, R-20, R-15, R-12 district	\$250 for five acres or less. Additional \$50 for each acre above five with \$2,000 maximum fee
Rezoning to any other residential, commercial, industrial or PUD districts	\$500 for five acres or less. Additional \$50 for each acre above five with \$5,000 maximum fee
Conditional Use	\$200 (Applicants for rezoning and conditional uses shall pay both fees.)

IX. Owner's Declaration and Signature

I (we) hereby certify that I (we) are the owner(s) of the property described in the attached legal description, that all information contained in this application is true and correct to the best of my (our) knowledge, and that the applicant and/or agent listed above is authorized to act as the applicant and/or agent in the pursuit of rezoning of this property. Permission is hereby given the duly authorized representative of the City of Horn Lake to make an investigation of the need for the Zoning Action request and verify authenticity of the applicant(s) and property owner(s). It is further understood that the Planning Director and staff may inspect the subject property, make photographs and obtain any verifications and data necessary for preparation of a staff report to the Planning Commission and the Board of Aldermen.

Signature Date

Signature Date

Witness the Signatures of the owner(s) of the property located at _____ Horn Lake, MS

On this, the _____ day of _____, 20_____.

**STATE OF MISSISSIPPI
COUNTY OF DESOTO**

Personally came and appeared before me, the within named:

who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledged to me that they are the owner(s) of the subject property as described in this Zoning Action Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the _____ day of _____, 20_____.

NOTARY PUBLIC

My Commission expires:

X. Affidavit of Posting

Project Name _____

Location _____

Site Posting Date _____

Applicant Name _____

In order to provide adequate notice to interested parties, the applicant shall erect, not less than fifteen (15) calendar days prior to the date of the public hearing, a notice of the date, time and place of the public hearing and a summary of the request. Such notice will be clearly legible and wherever possible, placed adjacent to the right-of-way of a public street or road. **It shall be the responsibility of the applicant to erect and maintain the notice on the subject property until final disposition of the case and to remove the sign within one week of the final public hearing.** The Planning Director shall determine the number of notices and locations required.

I confirm that the sign has been installed on the subject property for the case as listed above. Photographs of the sign posting have been submitted.

Applicant Signature Date

**STATE OF MISSISSIPPI
COUNTY OF DESOTO**

Personally came and appeared before me, the within named:

who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the _____ day of _____, 20_____.

NOTARY PUBLIC

My Commission expires:
