

**CADIZ TRIGG COUNTY PLANNING COMMISSION
ZONING CHANGE REQUEST – CITY OF CADIZ
CADIZ, KENTUCKY**

APPLICATION FOR ZONING MAP AMENDMENT

(All Applicants requesting a Zone Change or Annexation must be represented by an Attorney.)

DATE: _____ Nonrefundable Fee: \$_____

1. Owner(s) of Property (names and addresses):

2. Property address:

3. Existing zoning classification of property: _____

4. Existing use of property: _____

5. Requested zoning classification of property: _____

6. Property size: _____ acres

7. Use and zoning classification of surrounding property: Use Zoning

North: _____

South: _____

East: _____

West: _____

8. Does the property in question, or any portion of it, adjoin property located outside of the boundaries of the City of Cadiz, Kentucky? _____ yes _____ no

9. Urban services to property in question:
Exists ("yes" or "no"): Provided by:

Sewage _____

Refuse _____

Water _____

Electric _____

Gas _____

Storm sewers _____

10. Legal justification for requested change (see, Kentucky Revised Statutes section 100.213) and summary of factual grounds in support of such legal justification (attach additional sheet(s) if necessary):

- 11. Attach copy of deed to completed application.
- 12. Attach a copy of aerial view of area to be considered for rezoning.
- 12. Attach written proposed Findings of Fact supporting zone change request to completed application.
- 13. Attach completed List of Surrounding Property Owners to completed application.
- 14. Please provide a total of 12 copies of the application and all additional information.

15. If this is an Annexation please see page 8 of this document for additional instruction.

“The undersigned, being all of the Owners of the property as to which a zone change is requested, do by my/our signature(s) below hereby certify that to the best of my/our knowledge and belief, all application materials submitted in and with this application are true and correct.”

Dated: _____ Signatures: _____

(EXAMPLE) LIST OF ADJOINING PROPERTY OWNERS

Instructions: Provide the information detailed below on a separate typed sheet as to every other tract of property which adjoins (or touches, however small the common boundary) the tract of property involved in this zone change request.

**ADDRESSES OF ALL NAMES OF PROPERTY PROPERTY OWNER'S
ADJOINING PROPERTIES OWNERS MAILING ADDRESS**

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____

FINDINGS OF FACT CHECKLIST

NOTE: The items here scheduled represent the minimal jurisdictional and factual items required to (i) satisfy the legal requirements necessary to give jurisdiction to the planning commission to entertain the zone change application; and (ii) satisfy the legal requirements necessary to permit the planning commission to evaluate the merits of the zone change application. Proposed Findings of Fact submitted by the applicant *must* include these items and *should* in addition include all other facts which the applicant deems to be in further support of the particular zone change requested. *Each separate finding of fact should be established by the Applicant through the introduction of evidence (through witness testimony or through other evidence) offered in the course of the hearing before the planning commission.*

FINDINGS RE: PUBLISHED NOTICE

____ Notice of hearing before the planning commission published in The Cadiz Record at least once and not less than 7 days nor more than 21 days before the hearing date (as established by the Affidavit of publisher with copy of notice attached). *KRS 424.130 (d); KRS 424.170*

____ Notice included (i) street address of property in question or, if none, (ii) a geographic description of property sufficient to locate and identify the property, and the names of 2 streets on either side of the property which intersect the street on which the property is located. *KRS 100.211 (3)*

FINDINGS RE: POSTING OF NOTICE

____ Sign posted conspicuously on the property in question. *KRS 100.212 (1)*

____ Sign posted 14 consecutive days immediately prior to the hearing. *KRS 100.212 (1)*

____ Sign contains phrase “zoning change” with proposed classification change in letters 3 inches in height, and shows time, place, and date of hearing in letters at least 1 inch in height. *KRS 100.212 (1) (a)*

____ Sign constructed of durable material and states the telephone number of Cadiz Trigg County Planning Commission. *KRS 100.212 (1) (b)*

FINDINGS RE: MAILING OF NOTICE

____ Applicant confirmed that the identities and addresses of the owners of every parcel of property adjoining the property in question, as per the records maintained by the Trigg County Property Valuation Administrator, was provided to the planning commission. *KRS 100.212 (2)*

____ Secretary of planning commission certified that notice of the hearing before the planning commission was given by her to such owners via first class mail at least 14 days in advance of the hearing. *KRS 100.212 (2)*

FINDINGS RE: LEGAL BASIS FOR REQUESTED ZONE CHANGE

KRS 100.213 provides for three possible (and not necessarily mutually exclusive) grounds at least one of which must be established at the hearing before any zone change can be granted, namely:

- (1) that the requested zone change is in agreement with the comprehensive plan;
- (2) that the existing zoning classification is inappropriate and the requested zoning classification is appropriate; and
- (3) that there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area.

The Applicant should introduce at the hearing before the planning commission evidence showing that at least one of these three conditions exists as to the property in question. *The mere recitation at the hearing of these legal standards will not suffice for this purpose; factual evidence showing that one of these standards has been met is required for the requested zone change even to be considered, much less granted.*

____ The existence of facts as would show that at least one of the above-listed three standards has been met. *KRS 100.213*