City of Brentwood
Planning and Codes Department
5211 Maryland Way
P.O. Box 788
Brentwood, TN 37024-0788

Office (615) 371-2204
Fax (615) 371-2233
Inspection Request (615) 661-7077
Internet www.brentwood-tn.org

APPLICATION FOR

♦ REQUEST FOR ZONING CHANGE ♦

(YEAR 2012)

♦ GENERAL INFORMATION:

Project Name: _____

Project Location (address): _____

Map / Group / Parcel #: _____

(obtain this information from the Williamson County Property Assessor's data. If more than one parcel, attach a separate sheet listing tax map information for each parcel)

Current Zoning: _____

Requested Change: _____

Area of Property (acres): _____

Property Description: Attach a current description of the affected property's location, boundariesand size, in sufficient detail and accuracy, as determined by the Planning Director, so as to clearly delineate the area to be rezoned.

♦ APPLICANT INFORMATION:

Name: _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: (____)_____ Fax Number: (____)_____

Email Address: _____

Signature of Owner's
Authorized Representative: _____

Print Name: _____

♦ OWNER INFORMATION:

Name: _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: (____)_____ Fax Number: (____)_____

Email Address: _____

Owner's Signature: _____

Print Name: _____

This application shall be signed by all owners of the property, provided that if any interest in the affected property is owned by a corporate entity, limited partnership, governmental entity or nonprofit organization, such form shall be signed by a duly authorized official of such owner.

♦ REVIEW FEES:

The Brentwood Board of Commissioners has adopted the following sliding schedule of application fees for a zoning district change, effective March 7, 2005:

- **Less than twenty-five (25) acres - $1,000.00**
- **Twenty-five (25) acres but less than fifty (50) acres - $2,000.00**
- **Fifty (50) acres but less than one hundred (100) acres - $3,000.00**
- **One hundred (100) acres but less than two hundred (200) acres - $4,000.00**
- **Two hundred (200) acres or greater - $5,000.00**

FOR STAFF USE ONLY:

FEE SUBMITTED: $_____ RECEIPT #: _____ PROJECT NUMBER: _____

♦ INFORMATION REQUIRED AS PART OF THE INITIAL SUBMITTAL:

- Fifteen (15) complete sets of the proposed development plan(s);
- Completed, signed request for zone change application;
- The applicable review fee;
- Written authorization from the current property owner;
- A current property description;
- A vicinity map showing the parcel configuration in an area 250 feet surrounding the subject property.
- Digital files in .jpg format on CD-ROM for use as part of the presentation to the Board of Commissioners.

♦ IMPORTANT ADDITIONAL INFORMATION:

All information as required by applicable sections of the Brentwood Municipal Code and this application shall be included as part of the initial original submittal package. Failure to include a complete review package may result in the delay of the rezoning application.

The Board of Commissioners has established a policy that all requests for rezoning will be heard on first reading at the first regularly scheduled meeting of the month. The Board of Commissioners meets on the second and fourth Monday of the month. There are several exceptions, please see the adopted schedule, located on-line at www.brentwood-tn.org.

Written notification shall be sent to all adjacent property owners within 1000 feet of the subject property. These notifications shall be sent via certified mail, return receipt requested. a listing, sorted alphabetically of all property owners notified and green return Receipt cards shall be forwarded to staff for inclusion in the city rezoning file.

City of Brentwood Municipal Code Section 78-87
Procedure for Zoning District Change.

(a) *Contents of rezoning request.* Any request for a zoning district change shall be submitted to the planning director and shall include the following:

(1) A completed request for rezoning form, which must be signed by all owners of the property, provided that if any interest in the affected property is owned by a corporate entity, limited partnership, governmental entity or nonprofit organization, such form shall be signed by a duly authorized official of such owner. The planning director shall prescribe the format of such form.

(2) A current description of the affected property's location, boundaries and size, in sufficient detail and accuracy as determined by the planning director so as to clearly delineate the area to be rezoned.

(3) Map and information regarding the physical characteristics of the surrounding area within at least 250 feet of the development.

(4) A statement of the nature of the landowner's interest in any proposed development of the land and a written statement of concurrence from all parties having a beneficial interest in the affected property.

(5) An application fee, based on the total acreage proposed for rezoning, as set forth below:
   a. less than 25 acres - $1,000.00.
   b. at least 25 acres but less than 50 acres - $2,000.00.
   c. at least 50 acres but less than 100 acres - $3,000.00.
   d. at least 100 acres but less than 200 acres - $4,000.00.
   e. 200 acres or greater - $5,000.00.

(b) *Community meeting.* The parties requesting the zoning district change shall hold a community meeting to present the particulars of the proposed rezoning, including the details of any associated development plans. The community meeting shall be held at the city's public library or municipal center, or, with the planning director's approval, at a service/institution facility with indoor meeting rooms that is located near the affected property proposed for rezoning. This meeting shall take place prior to the planning commission meeting at which the rezoning is to be considered.

(c) *Written notification to affected property owners.* The parties requesting the zoning district change shall make a reasonable effort to notify all property owners within 1,000 feet of the boundaries of the property proposed for rezoning at least ten days prior to the community meeting. The notification boundary area shall be determined by the planning director or his designee. Notification shall be satisfied by the parties through evidence of delivery confirmation or proof of delivery attempt to the property owner by the U.S. Postal Service. The property owners data base used for notification shall be the latest certified tax year information available through the Williamson County Property Assessor's Office. Said notification shall include notice of the community meeting, as well as notice of the scheduled meetings of the planning commission and the board of commissioners at which the rezoning is to be considered.

(d) *Signs.* The parties requesting the zoning district change shall post official city rezoning signs on each street frontage of the property stating the current zoning, the requested zoning change, and dates of the community meeting and public hearing. Such signs shall be located five feet from the street right-of-way or 15 feet from the edge of the pavement, and shall be a minimum of foursquare feet in size, with no element higher than six feet from grade. To ensure proper visibility, the planning and codes department shall inspect and approve the location of the sign. Such signs shall be secured with a deposit of $150.00 per sign, shall be erected a minimum of 15 days prior to the required community meeting, and shall be returned within five days following the public hearing before the board of commissioners.

(e) *Agenda scheduling.* No request for a zoning district change shall be considered by the board of commissioners until the request is deemed complete by the planning director. When an application for a zoning district change is complete, consideration of the change shall be scheduled on the agenda of the board of commissioners for first reading, provided that first reading shall be scheduled for the first meeting of any given month to allow for timely scheduling of the required community meeting. If a request for a zoning district change is deemed incomplete by the planning director, he shall notify the parties making the request of the need for additional information. Such notification shall be sent by the planning director within ten days of the submittal of an original request or amended request. Until deemed complete by the planning director, a request shall be held in abeyance and not submitted to the board of commissioners for consideration.

(f) *Timetable for consideration and approval.*

(1) After a rezoning ordinance has been officially placed on the board of commissioners agenda for consideration on first reading, the applicant shall be allowed a maximum of 120 days from that meeting date to complete the rezoning process.

(2) After the zoning district change is officially placed on the agenda, the applicant may obtain, at any time, a deferral of consideration by the board of commissioners and/or planning commission. However, if the deferral(s) initiated by the applicant result in the rezoning process exceeding 120 days, the rezoning ordinance shall be deemed void.

(3) If the rezoning ordinance is deemed void, any further request for a rezoning district change shall require the applicant to submit a new application for consideration on first reading, based on the latest procedural requirements and technical standards in the zoning ordinance.

(4) The 120-day time limitation established herein shall not apply to any deferrals of consideration resulting from formal action by the board of commissioners or planning commission. If any such actions occur, the 120 day period shall be extended by the number of days during which consideration is deferred by the action of either board.

(g) *Re-submittals.* A submittal of a request for a zoning district change for any property for which a rezoning was previously disapproved by the board of commissioners or voided due to deferrals shall not be accepted by the planning director for a period of six months following the last action of the board of commissioners or the date the request became void. However, the board of commissioners may, by majority vote, direct the planning director to reinitiate a rezoning ordinance at any time under the procedures set forth herein.

(h) *Correction of errors.* In the event a minor error, as defined in this subsection, is discovered in the description of the location, boundaries or size of property which has been rezoned pursuant to this section, a corrected description may be substituted with the approval of the planning director. The corrected description shall thereafter serve as the basis for delineating the area which has been rezoned. An error shall be considered a “minor error” if the erroneous description and the corrected description differ by no more than one acre in total area, and any minimum amount of land required under the applicable zoning district is maintained. An error other than a minor error, as defined herein, shall require such corrective action by the board of commissioners and planning commission as deemed necessary by the city attorney.

Sec. 78-88. Planning commission review.

No amendment to this chapter, nor any zoning district change shall become effective unless the amendment is first submitted to the planning commission for its recommendations regarding approval or disapproval. If the planning commission recommends disapproval of an amendment, it shall require a favorable vote of the majority of the entire membership of the board of commissioners to become effective. If the planning commission does not provide a recommendation on the proposed amendment within 35 days after passage on first reading by the board of commissioners, the absence of action shall be considered as a recommendation for approval of the proposed amendment; provided, however, that a party requesting a zoning district change may waive this provision and consent to an extension of time for the planning commission's recommendation.