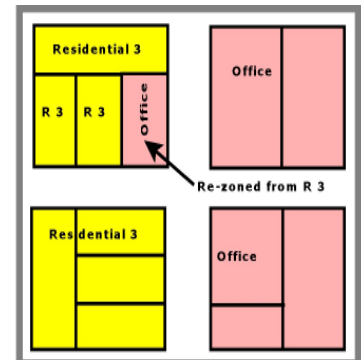




Re-Zoning (or District-Change) (Sec. 1242.05)

Re-zoning is an amendment to the Official Zoning Map of the City of Lima, whereby the zoning of one or more parcels is changed from one district to another. You would pursue a re-zoning if, for example, you wish to conduct land uses that are not allowed in the district under which your property is currently zoned. You must have an intended or proposed activity to locate on the property in order to apply for a re-zoning.



Re-zoning [applications](#) are filed with the Dept. of Community Development at least 3 weeks before the next meeting of the City Planning Commission (CPC). Upon receipt of an application, Planning Staff will review the application for [completeness](#) and accuracy of information. The petitioner is responsible for [informing all owners](#) of properties abutting the parcel/s to be re-zoned. After a [date](#) has been set for the CPC meeting, Staff will proceed with the review: assessing the likely impacts of the proposed use on the immediate neighborhood; and evaluating the merits of the proposed re-zoning to the community as a whole. A significant feature of the review highlights whether or not the proposed use and the other uses allowed in the new zoning district would be consistent with the emerging pattern of development or character of the neighborhood.

The CPC holds a public meeting on each re-zoning application. At the meeting the CPC will hear Staff comments. You or your agent will have an opportunity to speak at this time. Being a public meeting, concerned residents may be allowed to express their concerns on the proposed district-change. After considering the comments and evidences, the CPC recommends either approval or denial to the City Council.

The City Council conducts the public hearing. Again, you or your agent will have an opportunity to speak. And again being a public hearing, concerned residents are encouraged to express their concerns on the proposed district-change. City Council must vote and pass legislation on a re-zoning request before a change becomes effective.

It is strongly suggested to schedule a pre-application meeting with the Planning staff of the Dept. of Community Devt. to discuss the proposed re-zoning in detail and to receive staff suggestions on how to proceed.

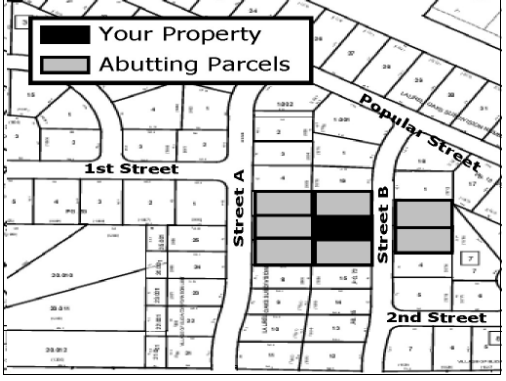
The [process](#) usually takes between 6 and 12 weeks to re-zone a property, which covers the time required for public notifications, site inspection and use evaluation, and report preparation, and perhaps a 2nd hearing if necessary. The fee is \$300.

For further details, call the Planning Division of Department of Community Development at (419) 221-5146.



Re-Zoning or District Change

Checklist of Requirements

- [] 1. 8 copies of the **COMPLETED Zoning Modification Request Form**, which contains among other information, the following:
- a. The name and street address of the petitioner
 - b. The parcel number/s and lot number/s of the real estate proposed to be changed (**NOTE**: if your petition covers 2 or more parcels, you may be required by the County Recorder's Office to re-plat said parcels into one parcel)
 - c. **Reasons** for the re-zoning, **plans** therefor and **indication of facts** that the change in zoning will not be detrimental to the general public interest
 - d. A list of the **names and mailing addresses of all owners of property** contiguous to and directly across the street from such parcel/s to be re-zoned; (Obtained at the County Recorder's Office)
 - e. A [vicinity map](#) showing the subject parcel/s and the lands contiguous thereto
 - f. A to-scale site plan and parking system and elevation drawings of the proposed structure (preferably reduced to 8.5" x 11").
- 
- A vicinity map showing a street grid. The map includes 1st Street, 2nd Street, Street A, Street B, and Popular Street. A legend indicates that black-shaded areas represent "Your Property" and grey-shaded areas represent "Abutting Parcels". The subject property is located at the intersection of Street A and Street B, between 1st Street and 2nd Street.
- [] 2. **A certificate of mailing** stamped by the US Postal Service showing the list of adjacent property owners to whom information regarding the intent to vacate the roadway have been mailed (obtain [sample letter](#) from City Planning Staff);
- [] 3. The **fee** of \$300.00 payable to the City of Lima Treasurer.
- [] 4. Other information that **may be required** –
- site plan
 - elevation drawings
 - parking plan, landscape plan
 - traffic study
 - photos or renderings of sample structures

Sample Letter to Abutting Property Owners (Re-zoning)

Disclaimer: If you choose to adopt this SAMPLE letter or portions thereof, you are legally responsible for any liability that may arise from its use and issuance.

(Date)

(Name of Property Owner-of-Record)
(Home or Business Mailing Address of Property Owner)

SUBJECT: Proposed Re-zoning

Dear Property Owner:

As a property owner in the City of Lima, you are being notified of an intention to re-zone a parcel that is adjacent to your property. Attached is a copy of the petition to Lima City Council to re-zone _____ (street address with house number) _____ (If a street address is not available, as in the case of vacant lots, indicate the full parcel number/s.) from (current zoning) to (proposed zoning). The attached petition indicates the reasons for the re-zoning and the plans associated with it.

Should you have comments in support of or against this intention, you may wish to express them in writing to the City Planning Commission which will consider the matter in a public meeting on _____ (date of CPC meeting) _____. Please send your written comments, if any, to:

City Planning Commission (re: Re-zoning)
Dept. of Community Development
50 Town Square
Lima, OH 45801

Should the petition be elevated to Lima City Council, you will be informed and invited to participate in a public hearing for this purpose. In this public hearing by City Council, you will have the privilege to personally express your comments, if any, on the proposed re-zoning.

Meanwhile, if you have questions regarding this petition, please give us a call at this number: (your phone number with area code) — or call the city's Dept. of Community Development at (419) 221-5146.

Thank you.

NOTE: This meeting date will be determined when you submit a complete application to the Dept. of Community Devt.

(Printed Name and Signature of Petitioner or Agent)



ZONING MODIFICATION REQUEST

Instructions

The following instructions are intended to provide direction on properly completing the Zoning Modification Request (ZMR) form. It is recommended that as much information as possible be provided. If these instructions do not provide sufficient insight and/or clarity about the requested information, you are encouraged to contact the Dept. of Community Development at 221-5146. **Please submit eight (8) complete copies of the petition, three (3) weeks before the regularly scheduled meeting of the Board of Adjustment or City Planning Commission.**

Use the back of the form or attach additional pages if more space is needed. Please indicate the question number for any extended response.

Section A

- LOCATION: the street address of the subject property.
- Tax Parcel No.: the 14 digit number utilized by the Allen County Auditor to identify the subject property.
- Petitioner: the name of the person(s) responsible for submitting the ZMR.
- Owner: indicate whether the petitioner is the legal owner of the premises. The property owner must be one of the petitioners and signatories.
- Mailing Address: the mailing address of the petitioner if different from LOCATION and a phone number to reach the petitioner during regular business hours.
- Attorney/Agent: the name and phone number of any person acting as attorney or agent for the petitioner.
- REQUEST: indicate the type of ZMR by completing the appropriate line(s).
- If requesting a district change (*authorizes ALL uses listed in a zoning district*) indicate the current and proposed zoning districts and the purpose for which the property would be used.
 - If requesting a Special Use Permit (*authorizes a SPECIFIED USE ONLY, WITH CONDITIONS with no change in zoning district*) indicate the purpose for which the property will be used.
 - If requesting a variance (*a permanent variation from any standard listed in zoning regulations*) indicate the Section number and the purpose for which the property would be used.
 - If requesting a Special Permit (*authorizes and establishes conditions for some uses listed in zoning regulations*) indicate the Section number and the purpose for which the property would be used.

Section B

1. Reason for request: provide a detailed reason and/or explanation for the requested change.
2. If cited for zoning violation: describe the circumstances which resulted in the citation and provide a copy of any citation or correspondence from city officials.
3. Current use: describe how the property is currently utilized including the activities conducted on the premises.
4. Proposed use(s): describe the development plan for the property including buildings, improvements, renovations and the activities to be conducted on the premises if the ZMR is authorized. *Clearly state your case.*
5. Special Considerations or Situation: indicate facts that the re-zoning or variance will not be detrimental to public interest. Also, provide a detailed explanation of any special condition or unique situation involving the premises and its vicinity and/or the petitioner's situation.

Section C

6. Legal Description: provide the legal description for the property as it appears on the deed record of the Allen County Recorder.
7. Adjoining Owners: provide the names, full mailing addresses, and parcel numbers for the owners of every parcel which either adjoins, abuts or faces the subject property. THIS INFORMATION MUST BE AS IT APPEARS ON THE RECORD OF THE ALLEN COUNTY AUDITOR. To ensure all required names are provided, visualize enlarging the subject property until its parcel lines touch the adjoining properties in every direction, including lots across any street or alley. The required information for any parcel which falls within the visualized area must be provided.

Attachments: at a minimum, a to-scale site plan of the project and an exterior elevation (drawing) showing how the proposed structure/addition would look like MUST be provided. Attach a copy of any decision of the Building Commissioner or Building and Zoning Administrator. Indicate the category (✓) and number (#) of attachments provided as supporting materials.

The person completing this request attests to the accuracy of the information provided by virtue of his/her signature. ANY ERROR OR OMISSION MAY BE THE CAUSE FOR PROCEDURAL OR OTHER ERRORS WHICH MAY INVALIDATE ACTION TAKEN ON THE ZONING MODIFICATION REQUEST.

DO NOT WRITE IN SHADED AREAS.

SUPPLEMENTAL INSTRUCTIONS

Zoning Modification Request

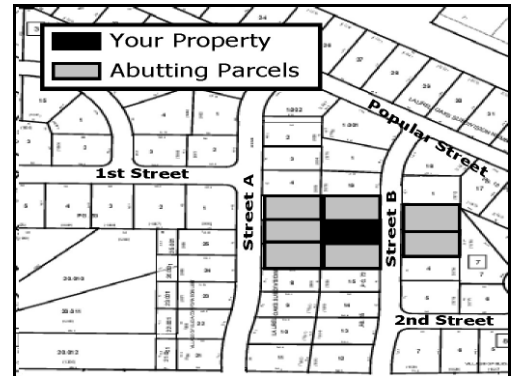
You are required to provide a vicinity map locating the parcel for which a Zoning Modification Request is filed and the names of adjoining owners (Section C. 6.).

The recommended source for this information is the:

Tax Map Office
Room 202 - 2nd Floor
Allen County Courthouse

Tele: (419) 228-3700 Ext. 8743

You may ask for either Judy or Mike from 8:00 AM to 4:30 PM weekdays.



Vicinity Map

You should request the following:

1. A copy of the tax map(s) which show the subject property and the abutting parcels.
2. A copy of the "parcel printout" for the subject property and all abutting/adjoining parcels.

There is a modest charge (currently \$.25) for each item provided by the Tax Map Office. The total charge is usually about \$2.

Please print the following 2-page form, **fill out legibly** and mail (or deliver) with required attachments and fee to:

Planning Division
Department of Community Development
City of Lima
50 Town Square
Lima, OH 45801



ZONING MODIFICATION REQUEST
City of Lima

Date Received : _____

Complete
 Incomplete

Case No. _____

Section A

LOCATION _____ Tax Parcel No. _____

Petitioner _____ Owner? Yes ___ No ___

Mailing Address _____ Phone _____

Attorney/Agent _____ Phone _____

REQUEST Change District from _____ to _____

Special Use Permit for _____

Variance from COL Section _____ for _____

Special Permit per COL Section _____ for _____

Section B

1. Reason for Request _____

2. Have you been cited by the City for a zoning violation? Yes ___ No ___ If yes, explain:

3. Current Use _____

4. Proposed Use (Provide additional sheets if necessary) _____

5. Special Considerations or Situation (Provide additional sheets if necessary)

Section C

6. Legal Description _____

7. Adjoining Owners	Full Mailing Address	Tax Parcel No.
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

ATTACHMENTS: Site Plan _____ Map _____ Elevation Drawing _____ Other _____

The undersigned attest to the accuracy of the information contained herein. **PRINT and SIGN**

Petitioner/Agent _____

Owner _____

CPC	Date _____	Approved _____	Denied _____	Vote _____
BOA	Date _____	Approved _____	Denied _____	Vote _____
Conditions _____				



FREQUENTLY ASKED QUESTIONS

CITY PLANNING COMMISSION ACTIONS

Zoning reclassification - *If approved*, the petition and recommendation will be forwarded to Lima City Council. Upon receipt, Lima City Council will schedule a public hearing and send notices to the adjoining owners. The public hearing is part of a regular Lima City Council meeting (Monday at 7:30 PM) and you will receive a notice of the hearing date. The public hearing is normally held about 45 days after City Planning Commission action. You may wish to contact the Lima City Council Clerk at (419) 221-5218 if you have questions about the notice for a zoning request.

If denied, no further action will be taken unless the petitioner requests, in writing, that the case be forwarded to Lima City Council for consideration on appeal. It requires a 2/3 vote of Lima City Council to reverse a decision of the City Planning Commission. If appealed, the same public hearing process and notification process will be followed as noted above. There is no additional charge for an appeal.

Alley vacation - *If approved*, the petition and recommendation will be forwarded to Lima City Council. Upon receipt, Lima City Council will schedule a public hearing and send notices to the adjoining owners. The public hearing is part of a regular Lima City Council meeting (Monday at 7:30 PM) and you will receive a notice of the hearing date. The public hearing is normally held about 45 days after City Planning Commission action. You may wish to contact the Lima City Council Clerk at (419) 221-5218 if you have questions about the notice for an alley vacation request.

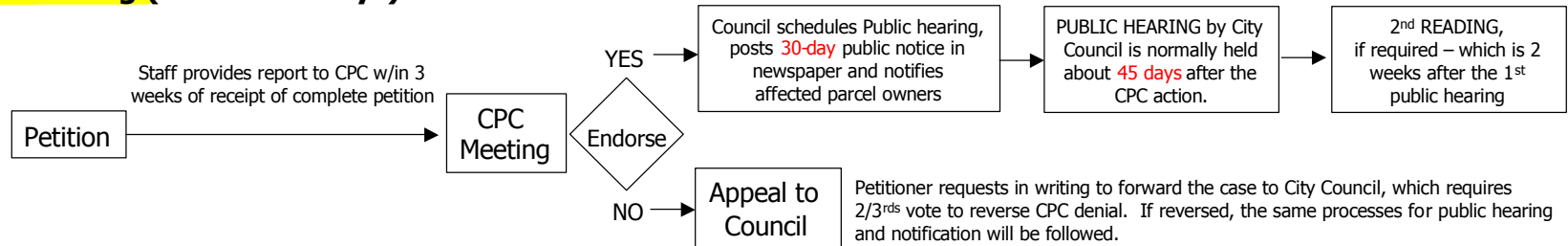
If denied, no further action will be taken unless the petitioner requests, in writing, that the case be forwarded to Lima City Council for consideration on appeal. It requires a 2/3 vote of Lima City Council to reverse a decision of the City Planning Commission. If appealed, the same public hearing process and notification process will be followed as noted above. There is no additional charge for an appeal.

Occupancy Permit (R-3 District) - Before final action by City Council to authorize a business office in an R-3 zoning district, the request must be referred to the City Planning Commission for study and report on the effect of the proposed use on the character and development of the neighborhood.

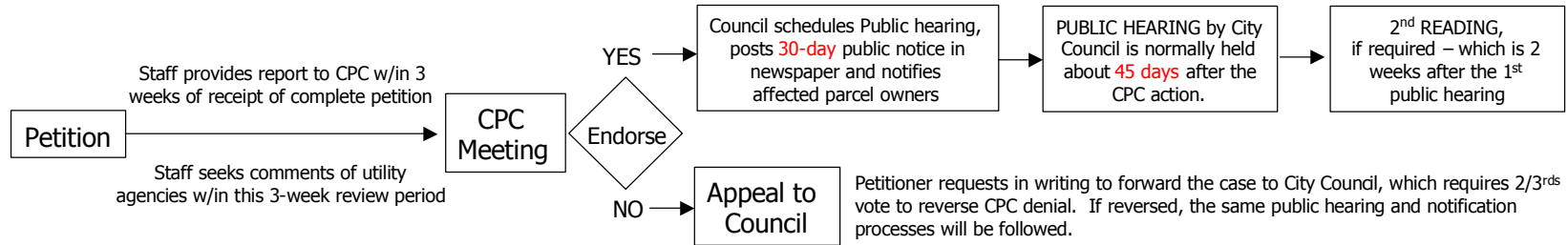
General Process Flow Chart for Re-zoning, Vacation and Occupancy Permit Petitions

COMPLETE PETITIONS MUST BE RECEIVED 3 WEEKS BEFORE MEETING DATE OF CPC

Re-Zoning (≈ 70 to 85 days)



Roadway Vacation (≈ 70 to 85 days)



Occupancy Permit (≈ 30 to 70 days)

