



201 Bolivar Street/PO Box 1729 \* Sanger, TX 76266  
940-458-2059(office) 940-458-4072(fax) www.sangertexas.org

## ZONING CHANGE/SUP APPLICATION

☐

Zoning Change

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Specific Use Permit

### Applicant

### Owner (if different from applicant)

Name: Jason Smith	Name: Sanger lodging llc
Company: Office of Architecture and Design	Company:
Address: 4355 West Emerald, Suite 110	Address: 1400 N Stemmons St
City, State, Zip Boise, ID 83706	City, State, Zip Sanger, Texas 76266
Phone: (208) 949-7850	Phone: 9402062001
Fax:	Fax:
Email: jason@oa-d.com	Email: Dev@ntxhotels.com

### Submittal Checklist

<input type="checkbox"/>	Site Plan (for Specific Use Permits Only)
<input type="checkbox"/>	Letter of Intent
<input type="checkbox"/>	Application Fee (Check Payable to City of Sanger)

I certify that I am the legal owner of the above referenced property and that to the best of my knowledge this is a true description of the property upon which I have requested the above checked action. I designate the applicant listed as my representative.

Describe the subject property (address, location, size, etc.):


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Describe the proposed zoning change or Specific Use Permit (SUP):


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Owner Signature

7/18/22

Date

  
Applicant Signature

7/13/22

Date

### Office Use

	Fee
	Date



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## **ZONING CHANGE/SUP APPLICATION**

A request for rezoning is a proposed amendment to the Official Zoning Map. The zoning district boundaries on the Official Zoning Map can be amended through the adoption of an ordinance by the City Council. A request to rezone property must include the contents listed below. The City of Sanger will act on the request through the process described herein.

### **SUBMITTAL REQUIREMENTS:**

- Letter of Intent
- Site Plan (required for Specific Use Permits only)
- Application form signed by the owner and describing the property
- Application Fee

**APPLICATION FEES:** The application fee covers part of the cost for the city to review and act on the rezoning request, including providing notice of the public hearings as required by law. The application fee is non-refundable.

- Zoning Change
  - Up to 5 acres: \$250.00
  - 5+ acres to 25 acres: \$400.00
  - 25+ acres to 50 acres: \$600.00
  - 50+ acres: \$800.00
- Specific Use Permit
  - Flat \$250.00

**SUBMITTAL DEADLINES:** The deadline for zoning application is 26 days prior to the Planning & Zoning Commission meeting. This provides adequate time to publish and mail the required notices for the public hearings. Meeting dates and deadlines are sometimes adjusted for holidays. Consult the published schedule and city staff for more information.



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## **ZONING CHANGE REQUEST PROCESS**

The process for considering and acting on a request for an amendment to the Official Zoning Map involved the following steps:

1. Pre-Application Consultation: A pre-application consultation with the city staff is recommended for all proposed map amendments. Staff can describe the review process and the criteria used for considering proposed map amendments.
2. Application: The completed application, letter of intent, description of the property, and application fee should be submitted to the Department of Development Services on or before the deadline.
3. Public Notification: State law and the Zoning Ordinance require the public to be notified of the public hearings that the Planning & Zoning Commission and the City Council will conduct on the proposed rezoning. Notice of the public hearing must be published in the newspaper at least fifteen (15) days prior. Notification of the public hearing is also mailed to the owners of the property within 200 feet of the proposed rezoning at least ten (10) days prior.
4. Planning & Zoning Commission: The Planning & Zoning Commission will hold at least one (1) public hearing on the proposed rezoning. The applicant is expected to address the Commission to describe the proposed rezoning and answer questions. During the public hearing, anyone in attendance may address the Commission with comments and questions. City Staff will prepare a report for the Commission and possibly make a recommendation to the Commission. After the public hearing, the Commission will prepare a report making a recommendation to the City Council.
5. City Council: The City Council will hold a separate public hearing on the proposed rezoning. The applicant is expected to address the Council to describe the proposed rezoning and answer questions. During the public hearing, anyone in attendance may address the Council with comments and questions. The City Council can approve the proposed rezoning by adopting an ordinance.

## **SPECIFIC USE PERMIT REQUEST PROCESS**

The process for considering and acting on a request for a Specific Use Permit is identical to the process for a zoning change. A site plan is required to be submitted along with the application and letter of intent.



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## **ZONING CHANGE REQUEST CRITERIA**

The Zoning Ordinance sets the following criteria for the consideration of changes to the Official Zoning Map.

In making its determination, the Planning & Zoning Commission shall consider the following factors:

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole.
2. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers and other utilities to the area and shall note the findings.
3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unsuitable for development.
4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.
5. The manner in which other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved, and whether such designation for other areas should also be modified.
6. Any other factors which will substantially affect the public health, safety, morals, or general welfare.

If the Planning & Zoning Commission recommends denial of the proposed amendment to the Official Zoning Map, a  $\frac{3}{4}$  majority vote of the City Council is required to approve it (four (4) votes to approve from the five (5) City Council members).

A request that has been denied may be resubmitted at any time, unless it is denied with prejudice, triggering a one (1) year waiting period.

A  $\frac{3}{4}$  favorable vote of the City Council can also be required if the proposed change is properly protested by the owner(s) of twenty percent (20%) of the area to be changed or the area within 200 feet of the proposed change.



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## **SPECIFIC USE PERMIT CRITERIA**

In recommending that a Specific Use Permit for the premises under consideration be granted, the Planning & Zoning Commission shall determine that such uses are harmonious and adaptable to building structures and uses of adjacent property and other property in the vicinity of the premises under consideration, and shall make recommendations as to requirements for the paving of streets, alleys and sidewalks, means of access to public streets, provisions for drainage, adequate off-street parking, protective screening and open space, heights of structures, and compatibility of buildings.

In granting a Specific Use Permit, the City Council may impose conditions which shall be complied with by the owner guarantee before a certificate of occupancy may be issued by the building inspector for use of the building on such property pursuant to such Specific Use Permit; and such conditions precedent to the granting of the certificate of occupancy.

No Specific Use Permit shall be granted unless the applicant, owner, and grantee of the Specific Use Permit shall be willing to accept and agree to be bound by and comply with the written requirements of the Specific Use Permit, as attached to the site plan drawing (or drawings) and approved by the Planning & Zoning Commission and City Council. No public hearing is necessary for site plan approval.

The Board of Adjustment shall not have jurisdiction to hear, review, reverse or modify any decision, determination or ruling with respect to the granting, extension, revocation, modification to any other action taken relating to such specific use permit.

Whenever regulations or restrictions imposed by this ordinance are either more or less restrictive than regulations imposed by any governmental authority through legislation, rule, or regulation, the regulations, rules or restrictions which are more restrictive or impose higher standards or requirements shall govern. Regardless of any other provision of this ordinance, no land shall be used and no structure erected or maintained in violation of any State or Federal pollution control or environmental protection law or regulation.



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## **GUIDELINES FOR LETTER OF INTENT**

All rezoning applications should include a Letter of Intent. The Letter of Intent is the applicant's opportunity to describe and justify the proposed zoning change to the City Staff, the Planning & Zoning Commission, the City Council, and the public at large. The Commission and Council will receive copies of the letter prior to the public hearings.

Recommended content for a Letter of Intent:

- Describe the area proposed for rezoning. The description can include any or all of the following:
  - Metes and bounds description, such as a survey
  - Legal description, such as a tract and abstract, or a lot, block, and subdivision
  - Physical address
  - Location (southwest corner of This Street and That Road, across the street from Landmark)
  - Denton Central Appraisal District reference numbers
  - Acreage or square footage of property
  - If only a portion of tract, lot, or property is requested for rezoning, a detailed description of the portion is required.
- Identify the current zoning district the property is within
- Identify the zoning district the applicant is requesting for the property
- Describe the current physical condition of the property, such as existing buildings, parking lots, trees, or unusual features
- Describe the reason(s) why the applicant is requesting a rezoning. Review the criteria the city will use to review requested rezoning's.
- Contact information for the applicant or representative. This can be the owner, the prospective buyer, or someone else designated as point of contact.

## **GUIDELINES FOR SITE PLAN OF SPECIFIC USE PERMIT REQUESTS**

An application for Specific Use Permit (SUP) shall be accompanied by a site plan drawn to scale and showing the general arrangements of the project, together with essential requirements such as:

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|---|--|
| • off-street parking facilities   | • means of ingress and egress to public streets  |
| • location and construction of signs  | • the relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of two (200) hundred feet. |
| • size, height, construction materials and locations of buildings, and uses to be permitted |  |
| • visual screening such as walls, landscaping, and fences                                   |  |

*The Planning & Zoning Commission or City Council may require information, operating data, and expert evaluation concerning the location and function and characteristics of any building or use proposed.*