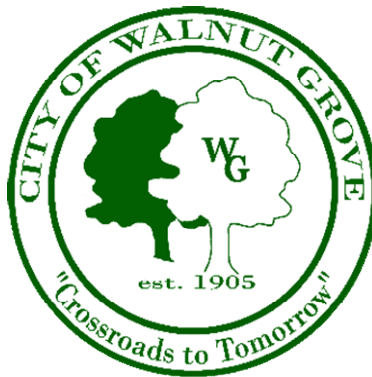


REZONING APPLICATION



CITY OF WALNUT GROVE, GA
2581 LEONE AVE
LOGANVILLE, GA 30052
770-787-0046
codeoffice@cityofwalnutgrove.com

**CITY OF WALNUT GROVE
REZONING PROCESS**

1. Any individuals or parties interested in rezoning property within the City of Walnut Grove, or requesting a Conditional Use Permit from the City, must start the process by contacting the City Clerk to obtain a Rezoning Application packet.
2. The applicant must complete the application and provide ALL requested information and documentation before the City Clerk will accept the application and filing fee a minimum of 30 days before a potential City Council meeting/Public hearing date. **IMPORTANT** - A completed application and filing fee is required before a Public Hearing will be scheduled.
3. The City Clerk will place a legal notice in the *Walton Daily Tribune* at least 15 days before the public hearing.
4. Upon request by the City Council, the City Planner will review the application and make a written recommendation to the City Council. The written recommendation is sent to the City Clerk for distribution to City Council the week prior to the public hearing. Additional copies of the report may be obtained from the City Clerk at (770) 787-0046.
5. A public hearing sign is erected on the property at least 15 days before the first public hearing. This sign will be erected by a City Hall staff member.
6. The City Council meets on the third Thursday of each month. This meeting is held at 7:00 p.m. at the Walnut Grove Municipal Building and Park, 1021 Park Street Loganville, GA 30052
7. Once an application is made, the applicant may withdraw the application without prejudice only before legal advertisement of a public hearing is placed in the *Walton Daily Tribune*.
8. All applications advertised shall receive action by the Mayor and City Council. Written notification of withdrawal is required. Please review Section 1607 of the Zoning Ordinance (Mayor and Council Action) for more information on possible actions by the Mayor and Council.
9. No application or reapplication affecting the same land shall be acted upon with 12 months from the date of last action by the Mayor and City Council unless waived by the Mayor and City Council.
10. All applicants, their attorneys, or representatives, must submit information as required by the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions (forms are attached to the rezoning application).

REQUIRED ITEMS (FROM SECTION 1602 OF THE ZONING ORDINANCE)

1) **APPLICATION FEE**

One (1) check made payable to City of Walnut Grove in the amount of _____ (\$ _____) per application request.

Acceptable payment methods are cash or check.

2) **LEGAL DESCRIPTION**

The legal description must be a "metes and bounds" description. It must establish a point of beginning and from the point of beginning give each dimension bounding the property, calling the directions (such as north, northeasterly, southerly, etc.) which the boundary follows around the property returning to the point of beginning. If there are multiple property owners, all properties must be combined into one legal description. If the properties are not contiguous, a separate application and legal description must be submitted for each property. For requests for multiple zoning districts, a separate application and legal description must be submitted for each district requested. The legal description must also include the tax parcel numbers of the properties to be considered.

3) **BOUNDARY SURVEY**

Three (3) copies of a boundary survey to scale for the subject property displaying all metes and bounds is required. This is not necessary if the Site Plan (next item) includes this information.

4) **SITE PLAN**

A minimum of three (3) copies of a Site Plan to scale are required. This site plan must show be prepared and sealed by an architect, engineer, landscape architect or surveyor whose state registration is current and showing the following information (as applicable):

1. North arrow, land lot and district
2. Property lines with dimensions and angles of turns
3. Adjoining streets with present right of way and pavement widths
4. Location of existing structures
5. Present and proposed zoning
6. Proposed structures, parking, loading and driveways
7. For residential zoning district proposals (excluding a PUD request), the following additional information is required:
 - a) Show how the proposed property is to be subdivided including proposed streets.
 - b) List how utilities are to be provided including but not limited to water, sewer, well, septic tank.
 - c) State minimum lot size and total number of lots proposed.
 - d) State minimum house size proposed.
8. For commercial or Non-Residential and Multi-family Proposals:
 - a) Show proposed layout of building locations with driveway and parking lots.
 - b) Show proposed curb cuts or existing driveway/roadways.
 - c) Show all required buffers and building set back lines.

- d) List how utilities are to be provided including but not limited to water, sewer, well, septic tank.
- e) State the density per acre and the square feet per acre area of total buildings

One (1) 8-1/2" X 11" reduction of the site plan and any other supporting documents/exhibits shall be provided by the applicant.

Note – A proposed Planned Unit Development will require several detailed exhibits and reports to be filed with the rezoning application. Please see **“ADDITIONAL EXHIBITS (IF REQUIRED)”** for a complete list of items required.

5) **LETTER OF INTENT**

One (1) copy of a Letter of Intent

The letter of Intent must give details of the proposed use of the property and should include at least the following information (as applicable):

- A statement as to what the proposed use of the property
- The acreage or size of the tract
- The zoning classification requested
- The number of lots or number of dwelling units including proposed house size
- The density in terms of gross square footage per acre (for proposed commercial, industrial, office or institutional use)
- The number of parking spaces
- The height of buildings
- Any requested change in buffers

6) **NOTARIZED SIGNATURES**

The application form must have notarized signatures of both the property owner(s) and the applicant(s), or an attachment if multiple owners are involved.

7) **CONFLICT OF INTEREST CERTIFICATION FORM**

This form must be signed, notarized and submitted with the required information within ten days of the filing of the rezoning application.

8) **PROOF OF PAID PROPERTY TAXES**

The applicant must provide proof that current property taxes have been paid on the land proposed for rezoning. This form must be signed by the applicant, verified and signed by the Walton County Tax Commissioner's Office, and submitted when the application is filed.

9) **AVAILABILITY OF WATER/SEWER UTILITIES**

Water availability letters may be obtained from Walton County Water Department _____ . Sewer availability will need to be coordinated with the City Clerk and the City Engineer, Precision Planning, Inc. Please contact the City Clerk to set up a meeting with the engineer regarding sewer availability.

ADDITIONAL EXHIBITS (if required)

1) **PLANNED UNIT DEVELOPMENTS (ZONING ORDINANCE, SECTION 906)**

The following addition exhibits, reports and documents are required for a Planned Unit Development rezoning request. If these documents are not submitted at the time of filing the rezoning application, then the City will not schedule a Public Hearing until all documents have been received.

- A location map indicating existing zoning on the site and the adjacent areas.
- A concept plan drawn no smaller than one inch equals 100 feet, including the following information:
 - Lot lines and setbacks;
 - Location, shape, size and height of existing and proposed buildings, decorative walls and elements and entrance features;
 - Topography with contour intervals no greater than 10 feet;
 - Lakes, ponds and floodplains and the sources of floodplain data;
 - Stormwater detention areas;
 - Existing and proposed landscaping;
 - Recreation facilities (if applicable);
 - Stages of development, if any;
 - Location of off-street parking.
- Floor plans and elevations of all typical units and any other structures such as recreation buildings.
- Information indicating the following:
 - Gross and net acreage (see definition of net density);
 - Lot sizes (dimensions and square footage);
 - Building heights and stories;
 - Building coverage for each lot;
 - Amount of common open space in square feet (if applicable);
 - All tree areas to be retained or added;
 - Parking facilities;
 - Such other architectural and engineering data as may be required to evaluate the project.
- Written Report. This shall describe the land uses proposed and the type, nature, size, intent, and characteristics of the proposed development. This report shall include:
 - A description of the proposal including proposed uses and location;
 - The proposed standards for development, including restrictions on use of the property, density, setback requirements, and any proposed restrictive covenants;
 - An explanation of why the proposed development standards are necessary, if the proposed standards vary from existing standards in this ordinance;
 - Plans for utilities, including water, sewer, and drainage;
 - Plans for protection of abutting properties, including buffers, screening, and landscaping;
 - Data stating the total number of acres (or square feet) proposed for every proposed use;
 - Proposed development timetable;
 - For any PUD or portion thereof within an overlay district- reserved.
 - Any streets and common open spaces not proposed for dedication to the City shall have the proposed maintenance and ownership agreements explained in detail;
 - The architectural style and proposed site of all structures shall be indicated;
 - Note - Limited commercial uses may be included within the Planned Unit Development. However, these uses shall be only of a convenience neighborhood retail nature intended to serve the needs of the residents of the development. Similar land uses should face across streets, and dissimilar land uses should abut at rear lot lines or across alleys. A commercial use may not be open from 11:00 p.m. to 6:00 a.m. Residential uses in

commercial buildings are permitted only above the first floor. Drive through facilities that permit people to remain in their vehicles while receiving services or products are prohibited, with the exception of fueling facilities of a service station. The retail uses shall be specified as a part of the proposal and shall be limited to a total of 10,000 square feet of gross floor area. Such uses may be proposed only on developments of 5 acres or more. Construction of any approved commercial portion must occur at the same time as the construction of the residential development; and

- **Required Detailed Site Plans.** These shall be prepared by a registered engineer, architect, land surveyor, or landscape architect. The site plan shall bear the official registration seal of the professional(s) who prepared the plan, and shall include as a minimum:
 - survey of the property indicating all property dimensions, property size, adjoining owners, scale, north arrow, and tie-in point to a known location (road intersection, land lot corner, etc.),
 - proposed platting (subdivision), streets, setbacks, building sites, type of use for each building site, access to the site, internal access and circulation, off-street parking areas, proposed public facilities and open areas, name of the development, and any special drainage features, and
 - If the proposal includes the subdivision of land for any purpose or for the provision of new public or private streets, any additional information required under the city's *Land Development Ordinance*. The rezoning request and the proposed subdivision of the property shall be processed simultaneously. Any requested variance from the *Land Development Ordinance* shall be listed on the site plan and explained in the written report.
 - The proposed size, location, number of units and number of bedrooms of all residential structures shall be noted.
 - The development controls for the subject property shall be shown (lot coverage, setbacks, building heights, lot sizes, and all other dimensions).
- Additional data required by the Zoning Administrator (City Clerk).

2) **BUILDING CODE COMPLIANCE FOR CONVERSION OF RESIDENTIAL STRUCTURES TO A COMMERCIAL USE**

- When a non-residential rezoning for conversion of an existing one-family or two-family residential structure is requested, the applicant must apply for a Building Compliance Inspection from the City Clerk.
- The Building Compliance Inspection application must be filed at the same time the rezoning application is filed. If a Building Compliance Inspection has been completed in the past, the applicant may submit a letter showing compliance for that use from the City Clerk. If a Building Compliance Inspection is not completed, the rezoning application will be held and may be subject to administrative withdrawal. If the application is administratively withdrawn, the rezoning application fees will be refunded.
- When the inspection is complete, the City Inspector will forward a copy of the completed inspection report to the City Clerk and City Planner.

3) **DEVELOPMENTS OF REGIONAL IMPACT**

If the proposed development meets any of the following thresholds, regional review as a Development of Regional Impact (DRI) must be completed by the Northeast Georgia Regional Commission (NEGRC). The review must be initiated by the City. For information regarding this process, contact the City Planner at 770-338-8000.

TYPE OF DEVELOPMENT	THRESHOLD (EFFECTIVE 1/1/02)
Office	Greater than 400,00 gross sq. ft.
Commercial	Greater than 300,000 gross sq. ft.
Wholesale and Distribution	Greater than 500,000 gross sq.ft.
Hospitals and Health Care Facilities	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day.
Housing	Greater than 400 new lots or units
Industrial	Greater than 500,000 gross sq.ft; or employing more than 1,600 workers; or covering more than 400 acres
Hotels	Greater than 400 rooms
Mixed Use	Greater than 400,000 gross sq. ft. (cumulative); or covering more than 120 acres
Airports	All new airports, runways, and runway extensions
Attractions & Recreational Facilities	Greater than 1,500 parking spaces or a seating capacity of more than 6,000
Post Secondary Schools	New school with capacity of more than 2,400 students, or, expansion of this type of school by at least 25% of capacity
Waste Handling Facilities	New facility or expansion of use of an existing facility by 50% or more; and located within one-half mile of a jurisdictional boundary
Quarries, Asphalt & Cement Plants	New facility or expansion of existing facility by more than 50%; located within one-half mile of a jurisdictional boundary
Wastewater treatment Facilities	New facility or expansion of existing facility by more than 50%; and located within one-half mile of a jurisdictional boundary
Petroleum Storage facilities	Storage greater than 50,000 barrels, if within 1000 feet of any water supply; otherwise storage capacity greater than 200,000 barrels; and located within one-half mile of a jurisdictional boundary
Water Supply Intakes/Reservoirs	New Facility
Intermodal Terminals	New Facility
Truck Stops	A new facility with more than three (3) diesel fuel pumps; or containing one-half acre of truck parking , or ten (10) truck parking spaces
Any other development types not identified above (including parking facilities)	1,000 parking spaces

REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF WALNUT GROVE, GEORGIA

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
CITY: _____	CITY: _____
STATE: _____ ZIP: _____	STATE: _____ ZIP: _____
PHONE: _____	PHONE: _____
CONTACT PERSON: _____ PHONE: _____	
APPLICANT'S E-MAIL: _____	

*Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary)

APPLICANT IS THE:		
<input type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER	<input type="checkbox"/> CONTRACT PURCHASER
PRESENT ZONING DISTRICT(S): _____ REQUESTED ZONING DISTRICT: _____		
PARCEL ID NUMBER: _____ - _____ - _____ ACREAGE: _____		
ADDRESS OF PROPERTY: _____		
PROPOSED DEVELOPMENT: _____		

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: _____	NO. OF BUILDINGS/LOTS: _____
DWELLING UNIT SIZE (SQ. FT.): _____	TOTAL GROSS SQUARE FEET: _____
GROSS DENSITY: _____	DENSITY: _____
NET DENSITY: _____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED.

CASE: _____

DATE RECEIVED: _____

REZONING APPLICANT'S RESPONSE

STANDARDS OF REVIEW

PURSUANT TO SECTION 1608.OF THE CITY OF WALNUT GROVE ZONING ORDINANCE, THE CITY COUNCIL FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

THE EXISTING LAND USE PATTERN

THE POSSIBLE CREATION OF AN ISOLATED DISTRICT UNRELATED TO ADJACENT AND NEARBY DISTRICTS;

THE POPULATION DENSITY PATTERN AND POSSIBLE INCREASE OR OVER-TAXING OF THE LOAD ON PUBLIC FACILITIES INCLUDING, BUT NOT LIMITED TO, SCHOOL, UTILITIES, AND STREETS;

THE COSTS TO THE CITY AND OTHER GOVERNMENTAL ENTITIES IN PROVIDING, IMPROVING, INCREASING OR MAINTAINING PUBLIC UTILITIES, SCHOOLS, STREETS, LAW ENFORCEMENT, FIRE PROTECTION AND OTHER PUBLIC SERVICES;

THE POSSIBLE IMPACT ON THE ENVIRONMENT, INCLUDING, BUT NOT LIMITED TO DRAINAGE, SOIL EROSION AND SEDIMENTATION, FLOODING, AIR QUALITY AND WATER QUALITY;

WHETHER THE PROPOSED ZONING AMENDMENT WILL ALLOW USES WHICH WILL BE A DETRIMENT TO THE VALUE OF ADJACENT PROPERTY IN ACCORDANCE WITH EXISTING REGULATIONS;

WHETHER THERE ARE SUBSTANTIAL REASONS WHY THE PROPERTY CANNOT BE USED AND DEVELOPED IN ACCORDANCE WITH THE EXISTING REGULATIONS;

THE AESTHETIC EFFECT OF THE EXISTING AND PROPOSED USE OF THE PROPERTY AS IT RELATES TO THE SURROUNDING AREA;

THE EXTENT TO WHICH THE PROPOSED ZONING AMENDMENT IS CONSISTENT WITH THE COMPREHENSIVE LAND USE PLAN;

THE POSSIBLE EFFECTS OF THE PROPOSED ZONING AMENDMENT ON THE CHARACTER OF THE ZONING DISTRICT, A PARTICULAR PIECE OF PROPERTY, NEIGHBORHOOD, A PARTICULAR AREA OR THE COMMUNITY AS A WHOLE;

THE RELATIONSHIP THAT THE PROPOSED ZONING AMENDMENT BEARS TO THE PURPOSE OF THE OVERALL ZONING SCHEME, WITH DUE CONSIDERATION GIVEN TO WHETHER THE PROPOSED ZONING WILL CARRY OUT THE PURPOSES OF THESE REGULATIONS;

ANY APPLICATION FOR A ZONING MAP AMENDMENT WHICH DOES NOT CONTAIN A SPECIFIC SITE PLAN CARRIES A REBUTTABLE PRESUMPTION THAT SUCH REZONING SHALL ADVERSELY EFFECT THE ZONING SCHEME;

THE CONSIDERATION OF THE PRESERVATION OF THE INTEGRITY OF RESIDENTIAL NEIGHBORHOODS SHALL BE CONSIDERED TO CARRY GREAT WEIGHT;

IN INSTANCES WHEN PROPERTY FRONTS ON A MAJOR THOROUGHFARE AND ALSO ADJOINS AN ESTABLISHED RESIDENTIAL NEIGHBORHOOD, THE FACTOR OF PRESERVATION OF THE NEIGHBORHOOD SHALL BE CONSIDERED TO CARRY GREAT WEIGHT;

WHETHER THE PROPERTY AFFECTED BY THE DECISION HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED; AND

WHETHER OTHER CONDITIONS EXIST THAT AFFECT USE AND DEVELOPMENT OF THE PROPERTY IN QUESTION AND SUPPORT APPROVAL OR DENIAL.

CASE: _____

DATE RECEIVED: _____

REZONING APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT IF THE APPLICATION IS DENIED BY THE MAYOR AND COUNCIL OF THE CITY OF WALNUT GROVE, THEN NO APPLICATION OR RE-APPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF THE DENIAL.

SIGNATURE OF APPLICANT

DATE

TYPE OR PRINT NAME AND TITLE

SIGNATURE OF NOTARY PUBLIC

DATE

NOTARY SEAL

CASE: _____

DATE RECEIVED: _____

REZONING PROPERTY OWNER'S CERTIFICATION

THE UNDERSIGNED BELOW ACKNOWLEDGES THAT THEY ARE THE OWNER(S) OF SAID LAND TO BE CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE MAYOR AND COUNCIL OF THE CITY OF WALNUT GROVE.

SIGNATURE OF OWNER

DATE

TYPE OR PRINT NAME AND TITLE

SIGNATURE OF NOTARY PUBLIC

DATE

NOTARY SEAL

CASE: _____

DATE RECEIVED: _____

CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

THE UNDERSIGNED BELOW, MAKING APPLICATION FOR REZONING, HAS COMPLIED WITH THE OFFICIAL CODE OF GEORGIA SECTION 36-67A-1, ET. SEQ, CONFLICT OF INTEREST IN ZONING ACTIONS, AND HAS SUBMITTED OR ATTACHED THE REQUIRED INFORMATION ON THE FORMS PROVIDED.

SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE DATE TYPE OR PRINT NAME AND TITLE

SIGNATURE OF NOTARY PUBLIC DATE NOTARY SEAL

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

HAVE YOU, WITHIN THE TWO YEARS IMMEDIATELY PRECEDING THE FILING OF THIS APPLICATION, MADE CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE TO THE MAYOR AND/OR COUNCIL MEMBERS AND/OR PLANNING COMMISSION MEMBERS OF THE CITY OF WALNUT GROVE?

_____ (YES / NO)

YOUR NAME

IF THE ANSWER IS YES, PLEASE COMPLETE THE FOLLOWING SECTION:

NAME AND OFFICAL POSITION OF GOVERNMENT OFFICAL	CONTRIBUTIONS (LIST ALL WHICH AGGREGATE TO \$250 OR MORE)	DATE CONTRIBUTION WAS MADE (WITHIN LAST TWO YEARS)

ATTACH ADDITIONAL SHEETS IF NECESSARY TO DISCLOSE OR DESCRIBE ALL CONTRIBUTIONS.

CASE: _____

DATE RECEIVED: _____

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL WALNUT GROVE CITY AND COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF WALTON COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

NOTE: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.

PARCEL ID. NUMBER:

(MAP REFERENCE NUMBER)

DISTRICT	LAND LOT	PARCEL
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SIGNATURE OF APPLICANT

DATE

TYPE OR PRINT NAME AND TITLE

TAX COMMISSIONERS USE ONLY

PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW.

NAME

TITLE

DATE

CASE: _____

DATE RECEIVED: _____

REZONING CHECKLIST

THE FOLLOWING IS A CHECKLIST OF INFORMATION REQUIRED FOR SUBMISSION OF A REZONING APPLICATION. THE CITY OF WALNUT GROVE RESERVES THE RIGHT TO REFUSE ANY INCOMPLETE APPLICATIONS.

- _____ Application Form
- _____ Legal Description
- _____ Boundary Survey
- _____ Site Plan (Twelve (12) copies and one (1) 8-1/2" X 11" reduction)
- _____ Standards of Review
- _____ Letter of Intent
- _____ Applicant Certification with Notarized Signature
- _____ Property Owner Certification with Notarized Signature
- _____ Conflict of Interest Certification/Campaign Contributions
- _____ Verification of Paid Property Taxes (most recent year)
- _____ Availability of Water/Sewer Utilities
- _____ Application Fee – make checks payable to City of Walnut Grove
(see fee schedule for correct amounts)

Additional Exhibits (if required):

- _____ Additional Exhibits as Required for PUD rezoning requests (Applicant will need to coordinate with the City Planner for review if the information meets the intent of the Zoning Ordinance.
- _____ Review Form for Development of Regional Impact
- _____ Building Compliance Inspection

PLEASE BRING THIS CHECKLIST WHEN FILING FOR REZONING.