



# Conditional Use Permit Application

Property Address: \_\_\_\_\_

Brief Project Description: \_\_\_\_\_

(Additional pertinent material describing the project may be attached)

## **Submission Requirements Checklist**

- Filing fee.
- Out boundary plat of the property.
- A proposed site plan if changes are proposed as part of the use operation.
- List of property owners and addresses within 200 feet of subject property.
- A letter addressed to the Planning and Zoning Commission formally requesting the CUP. The letter should describe the pro-posed use, location and hours of operation. The letter should also address the following Burden of Proof requirements.
  - In presenting any application for a conditional use permit to the Planning Commission for review and approval, the burden of proof shall rest with the applicant to provide any necessary evidence required by the Commission to clearly indicate that the proposed conditional use shall meet the following criteria:
    - a. The proposed conditional use complies with all applicable provisions of these regulations, including intensity of use regula-tions, yard regulations and use limitations.
    - b. The proposed conditional use at the specified location will contribute to and promote the welfare or convenience of the public.
    - c. The proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.
    - d. The location and size of the conditional use, the nature and intensity of the operation involved in or conducted in connec-tion with it, and the location of the site with respect to streets giving access to it are such that the conditional use will not domi-nate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applica-ble zoning district regulations. In determining whether the conditional use will so dominate the immediate neighborhood, consid-eration shall be given to:
      - i. The location, nature and height of buildings, structures, walls, and fences on the site, and
      - ii. The nature and extent of proposed landscaping and screening on the site.
    - e. Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations.
    - f. Adequate utility, drainage, and other such necessary facilities have been or will be provided.
    - g. Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.

## **Notice Process Summary**

**Requests are reviewed during a public hearing held before the Planning and Zoning Commission. Public hearings are advertised in a newspaper of general circulation and with a sign posted on the property 15 days prior to the public hearing date. The applicant is responsible for mailing public hearing notices to property owners within 200 feet of the subject property. Mailed notices shall be postmarked at least 15 days prior to the public hearing date. The Planning and Zoning Commission decision shall be submitted to the Board of Aldermen. The Board of Aldermen may accept the decision or choose to review the request. Protest petitions or appeals of decisions must be filed with the City Administrator and will be heard by the Board of Aldermen. See the City Code section below for detailed requirements and process.**

**Article X Special Procedures and Regulations, Section 405.610 Conditional Use Permit Procedure**

**Parties of Interest**

Legal Name to which this Permit is to be issued: \_\_\_\_\_

**Contact Person for the Business/Use**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Interested Party**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Interest in Property (owner/tenant/agent/etc.): \_\_\_\_\_

**Property Owner (if different from above)**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Site Description**

Property Legal Description: \_\_\_\_\_

Current Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_

Current Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

Total Site Area: \_\_\_\_\_

Total Building Area: \_\_\_\_\_ Number of Building Floors: \_\_\_\_\_

Total Number of On-site Parking Spaces: \_\_\_\_\_ Parking Location: \_\_\_\_\_

Proposed Days and Hours of Operation: \_\_\_\_\_

**Signatures**

Applicant Name: \_\_\_\_\_ Relation to Request: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_