



## Zoning Appeal Exception Special Use Application Guide

**Filing Procedure:** The applicant shall complete the application in addition to supplying the following:

1. Two (2) plot plans drawn to scale containing:
  - a. The exact dimensions of the property with all existing or proposed structures and signs on the property.
  - b. All required parking designed in accordance with Ulysses-Grant County regulations.
  - c. All existing easements.
  - d. Street names, north arrow, and scale.
  - e. Provide Names and Address of all landowners within 200' (in city) or 1000' (in county). This may be obtained from County Appraiser's Office (Located in County Court House)
2. The City Ordinance has set the fee of \$100.00 payable to the City Clerk when we receive application in the office.
3. A copy of the deed and legal description of the subject property, this may be obtained from the Register of Deeds at the courthouse. Attach a separate legal description if only a portion of the property is affected.
4. The Board of Zoning Appeals meets on the Third Thursday of each month at 6:00 p.m.

**NOTE:** This application must be filled out completely and submitted with all the required exhibits to the Zoning Administrator before the application will be considered. Newspaper advertisement dates may dictate schedule for submission to the Board of Zoning Appeals. Copy of notice shall be published once in the newspaper at least 20 days prior to the date fixed for hearing

**IMPORTANT:** The applicant or an authorized representative must be present at the public hearing.

## Zoning Exception Special Use

1. Applicant: \_\_\_\_\_

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

\_\_\_\_\_

Phone: \_\_\_\_\_

2. Name of Agent (if any) \_\_\_\_\_

3. Applicant's interest in property (owner, tenant, other):

\_\_\_\_\_

4. Present use of property:

5. Proposed use or change to property:

\_\_\_\_\_

6. Exception Special use Section of Zoning Regulations:

\_\_\_\_\_

\_\_\_\_\_

7. Explanation of exception special use:

\_\_\_\_\_

Applicant: \_\_\_\_\_

Signature

\_\_\_\_\_

Dated

# BOARD OF ZONING APPEALS

## Special Use

### Schedule and Checklist

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

Applicant: \_\_\_\_\_

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

Current Use: \_\_\_\_\_ Current Zoning: \_\_\_\_\_

Request: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

DATE	ACTION	ACTION COMPLETED
	Application received	
	Fee paid	
	Schedule Meeting Room	
	List of owners received from applicant	
	Official notification letter mailed to owners - 20 days prior to hearing	
	Notice of Hearing published - 20 days prior to hearing	
	Affidavit of publication received and proofed	
	Agenda mailed to BZA, County Clerk	
	Hearing Held	
	Applicant notified of decision	

## STAFF FINDINGS

**Exceptions.** To grant as an exception to the provisions of these zoning regulations, the establishment of special use permits that are expressly authorized to be permitted in a particular zoning district or districts. In no event shall exceptions to the provisions of the zoning regulations be granted where the exception contemplated is not specifically listed in the zoning regulations. Further, under no conditions shall the Board have the power to grant an exception when the conditions of this exception, as established by these regulations, are not found to be present.

<b>CONSIDERATIONS FOR APPROVAL OF VARIANCE:</b> The Board shall not grant an exception unless it shall, in each specific case, make specific written findings of fact directly based upon the particular evidence presented to it, that support conclusions that:	<b>TRUE</b>	<b>FALSE</b>
1. The proposed exception complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations and use limitations.		
2. The proposed exception at the specified location will contribute to and promote the welfare or convenience of the public.		
3. The proposed exception will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.		
4. The location and size of the exception, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the exception will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the exception will so dominate the immediate neighborhood, consideration shall be given to: (a) The location, nature and height of buildings, structures, walls, and fences on the site, and (b) The nature and extent of landscaping and screening on the site.		
5. Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations, and such areas will be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect.		
6. Adequate utility, drainage, and other such necessary facilities have been or will be provided.		
7. 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.		
8. Exception is allowed by the Zoning Regulations.		
9. Will be in compliance with any conditions established for this exception by the zoning ordinance?		

**STAFF RECOMMENDATION:**

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The request for a \_\_\_ Variance \_\_\_ Appeal \_\_\_ Exception Special Use \_\_\_ Move-in to the zoning district regulations is (approved) or (denied) \*\*\*(upheld) or (over-ruled) based on the following reason: