

CONDITIONAL USE PERMIT APPLICATION

Applicant Information:		Application #: _____	
Name: Last, First _____		Home Phone _____	Work/Cell Phone _____
Mailing Address _____		City _____	State _____ Zip _____

Project Location Information:			
Project's Physical Location (911 address or Ave/Street) _____		City _____	State _____ Zip _____
Parcel Information: _____ Quarter of the _____ Quarter of _____ Township, Section #: _____			
Parcel ID#: _____	Size: _____	Current Tax Class: _____	Current Zoning District: _____

Proposed Construction/Improvement Description	Dimensions	Proposed Use

Provide detailed reason for request:

<p><u>THE APPLICANT MUST PROVIDE, AT THE TIME OF SUBMISSION OF THIS APPLICATION:</u></p> <p><input type="checkbox"/> A completed Zoning Compliance Permit Application for any new structures or modifications or additions to existing structures related to this Conditional Use Application Zoning Permit Application Number: _____</p> <p><input type="checkbox"/> PAYMENT for all applicable fees due (i.e. Hearing fee and Compliance Permit Fee, E911 addressing fee)</p> <p><input type="checkbox"/> A SITE PLAN/PLAT OF SURVEY showing the following:</p> <ul style="list-style-type: none"> <input type="checkbox"/> North arrow and scale <input type="checkbox"/> All lot line dimensions and other dimension lines as necessary (distances from proposed structure to all lot lines). <input type="checkbox"/> Dimensions of all proposed structures <input type="checkbox"/> All roads abutting the property and existing or proposed access(es) with a dimension line from the nearest side property line to the center of the driveway <p><small>PERMITS REQUIRED BY THE SECONDARY ROADS OFFICE AND/OR OTHER REQUIRED PERMITS ARE THE RESPONSIBILITY OF THE APPLICANT.</small></p>

The undersigned applicant certifies under oath that the foregoing information is true and correct.

Owner	Date	Agent (if applicable)	Date
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CONDITIONAL USE PERMIT # _____	FOR OFFICE USE ONLY
Zoning Comm. Recommendation: <input type="checkbox"/> Favorable <input type="checkbox"/> Unfavorable Date: _____ B.O.A. Action on Application: <input type="checkbox"/> Approve <input type="checkbox"/> Deny Date: _____ Conditions imposed: _____	Date Received: _____
Approved Separation distances, in Ft: Front yard: _____ Rear yd: _____ Side 1: _____ Side 2: _____	Hearing Fee: \$ 150.00
_____ Board of Adjustment Approval (signature) Date	Amount Paid: _____
_____ Zoning Director (signature) Date	Date of Payment: _____
	Check/Receipt No: _____

From the Sioux County Zoning Ordinance, Article XXVII, Conditional Uses:
In considering whether to approve an application for a Conditional Use Permit, the Board of Adjustment shall proceed according to the following format:

1. The Board of Adjustment shall establish a finding of facts based upon information contained in the application, the staff report, and the Zoning Commission recommendation and presented at the Commission or Board of Adjustment hearings.
2. The Board of Adjustment shall consider such reasonable requirements or conditions to the permit as will ensure the development will satisfy the requirements of this Chapter. A vote may be taken on such conditions before consideration of whether the permit should be approved or denied for any of the reasons set forth below.
3. The Board of Adjustment shall consider whether the application complies with all of the applicable development criteria set forth in the previous section. Separate votes may be taken with respect to each criterion. If the Board of Adjustment concludes that the application fails to meet one or more of the criteria, the application shall be denied.
4. If the Board of Adjustment concludes that all such criteria have been met, the application shall be approved.

Any motion regarding compliance or noncompliance of the application to the development criteria or approval standards shall specify the supporting reasons for the motion. It shall be presumed the application complies with all criteria and standards not specifically found to be unsatisfied.

Without limiting the foregoing, the Board of Adjustment may attach to a permit a condition limiting the duration of the permit.

All conditions or requirements shall be recorded with the permit.

27.5. STANDARDS: ***The Board of Adjustment shall grant no conditional use permit Reviewed & Met: unless such Board shall find the following criteria have been met:***

<input type="checkbox"/> Yes	<input type="checkbox"/> No	1) Compatibility. The proposed buildings or use shall be constructed, arranged and operated so as to be compatible with the character of the zoning district and immediate vicinity, and not to interfere with the development and use of adjacent property in accordance with the applicable district regulations. The proposed development shall not be unsightly, obnoxious nor offensive in appearance to abutting or nearby properties
<input type="checkbox"/> Yes	<input type="checkbox"/> No	2) Transition. The development shall provide for a suitable transition, and if necessary, buffer between the proposed buildings or use and surrounding properties.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	3) Traffic. The development shall provide for adequate ingress and egress, with particular attention to vehicular and pedestrian safety and convenience, traffic flow and control, and emergency access.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	4) Parking and Loading. The development shall provide all off-street parking and loading areas as required by this Ordinance, and adequate service entrances and areas. Appropriate screening shall be provided around parking and service areas to minimize visual impacts, glare from headlights, noise, fumes or other detrimental impacts.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	5) Signs and Lighting. Permitted signage shall be in accordance with the applicable district regulations and shall be compatible with the immediate vicinity. Exterior lighting, if provided, shall be with consideration given to glare, traffic safety and compatibility with property in the immediate vicinity and shall comply with the requirements of Site Lighting
<input type="checkbox"/> Yes	<input type="checkbox"/> No	6) Environmental Protection. The development shall be planned and operated in such a manner that will safeguard environmental and visual resources. The development shall not generate excessive noise, vibration, dust, smoke, fumes, odor, glare, groundwater pollution or other undesirable, hazardous or nuisance conditions, including weeds.

If the Board of Adjustment concludes that all applicable criteria will be met by the proposed conditional use, it shall approve the application and plans unless it concludes, based on the information submitted at the hearing that if completed as proposed there is a strong probability the development will:

• Yes	• No	1) Not adequately safeguard the health, safety and general welfare of persons residing or working in adjoining or surrounding property, or
• Yes	• No	2) Unduly increase congestion in the roads, or the hazard from fire, flood or similar dangers;
• Yes	• No	3) Diminish or impair established property values on adjoining or surrounding property; or
• Yes	• No	4) Not be in accord with the intent, purpose and spirit of this Ordinance or the Sioux County Comprehensive land Use Plan.

The burden of presenting to the Board of Adjustment evidence sufficient enough to conclude that the application complies with the requirements of this Chapter is upon the person or persons recommending such a conclusion, unless the information presented by the applicant warrants such a conclusion:

• Yes	• No	HAS THE BURDEN OF PERSUASION which allows approval of this application been MET ? <i>(Upper section responses must all be "Yes" AND lower responses must all be "No")</i>
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