

CONDITIONAL USE PERMIT GUIDE AND APPLICATION

APPLICATION CHECKLIST:

1. Completed **application form**.
2. **Only the owners of the property in question may request the permit.** If someone, other than the owner, will be handling the zoning process we will also need a letter, from the owner of said property, giving them authority to do so.
3. A vicinity map to scale showing the property in question clearly outlined in the center of a circle with a ¼ mile radius. Also, a paper copy of the site layout showing the zoning of adjacent properties will be required. And, if applicable, building locations along with provisions for parking, loading and unloading, circulation, access, landscaping, and screening.
4. \$50 fee.
5. A legible typed legal description of property.

PROCEDURE:

1. The Application should be filed at city hall. A completed application must be provided for the permit to be considered. See the application checklist above for a list of needed items to complete an application. No application will be accepted without payment-in-full of the \$50 conditional use permit application fee.
2. City staff will review the application and set a date for a public hearing within 30 days of the filing of the application. The public hearing is conducted to allow neighboring property to comment on the proposed permit.
3. Notice of the public hearing must be posted in the newspaper 15 days in advance of the public hearing. The applicant is responsible for covering the cost of the publication. The property owner must also post a sign on the property giving notice of the public hearing.
4. Within 30 days of the public hearing (typically immediately following the public hearing) the planning commission shall approve or deny the application. The finding will be based upon the existence of the following facts with respect to the application:
 - The proposed conditional use will not be detrimental to or endanger the public welfare, will not harm other property in the neighborhood, and will not impede the development and improvement of the surrounding properties.
 - The proposed conditional use is compatible with other area properties.
 - The proposed conditional use is in conformance with all off-street parking and loading requirements, ingress and egress, and adequate pedestrian ways.
 - Landscaping and screening of the proposed conditional use, as well as signs, shall be in accordance with the zoning code.
 - Open spaces on the property in question shall be maintained by the owner or developer.
 - The size and shape of the proposed site, as well as the arrangement of structures on proposed site are in accordance with the zoning code.
 - The application addresses safeguards limiting any type of offensive physical emission
5. The planning commission may include conditions or restrictions upon approval of a conditional use permit in order to maintain the integrity of the zoning code or to protect adjacent property. Violation of any condition imposed by the planning commission shall

City of Hoxie
400 SW Hartigan St.
Hoxie, AR 72433
PHONE: (870) 886 - 2742

constitute grounds for revocation of the permit. Changes to the use of the property not covered by the original permit will require approval of a new permit.

6. A conditional use permit granted shall become void under 2 specific circumstances:
 - If the permit for any use has been discontinued for a period of greater than 120 days
 - In the case where any of the specific terms and conditions of a permit are violated or not observed, a 30-day written notice shall be addressed to the applicant indicating the nature of the non-compliance and the applicant's right to appeal. If no appeal is filed in 30 days and the non-conformance not corrected in 45 days, the permit shall be revoked.

7. No application for a Conditional Use Permit which has been denied by the planning commission shall be resubmitted for a period of one year from date of said denial, unless the Planning Commission finds that a substantial change in conditions has occurred.

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CONDITIONAL USE PERMIT APPLICATION

Property Owner
Name/Signature: _____

Spouse
Name/Signature: _____

Property Address: _____

Reason for Permit: _____

Legal Description: _____

Zoning: _____

The undersigned property owner designates the following agent or attorney to represent the applicant at all hearings:

Name	Address	City	State	Phone No.
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Property Owner Signature

Spouse Signature

Property Owner Mailing Address

City

State

Zip

Phone: _____