

Instructions to the applicant requesting a Conditional Use before the Board of Zoning Appeals

1. Applicants are advised that the City Board of Zoning Appeals is only authorized to grant conditional uses as exceptions which are specifically provided for in the City Zoning Regulations.
2. An applicant must complete an application form and all blanks should be filled in or noted as N/A. See Section 17.10.09 of Zoning Regulations for procedures pertaining to a conditional use.
3. Applicant must submit a current ownership list of names, mailing addresses and zip codes of all owners of record of real property within 200 feet of the exterior boundary of the area **in the City** described in the application both within the city limits and extending outside the city limits. If such area is located **adjacent to but inside the city limits**, the ownership list, in addition to the 200 feet inside the city limits, shall provide similar information extending to 1,000 feet into the unincorporated area. Furthermore, similar ownership information shall also be provided when the area extends outside the City and for 200 feet into an adjacent or nearby city limits. (See Section 17.10.04 for Notice of Hearing)
4. The applicant must submit information as required by Section 17.10.09.A and present data in support of the standards for review described in Section 17.10.09.C of the Zoning Regulations. Such review standards shall serve as the basis for the Board's decision.
5. The above application and accompanying documents shall be filed in a timely manner with the Zoning Administrator before the next regular Board meeting, together with a fee to the City as established by the Fee Schedule in Section 17.09.05 of the Zoning Regulations. See Administrator for fee schedule information and Meeting and Closing Date Schedules for application. **Incomplete applications will be returned to the applicant.**
6. Notice of the public hearing by the Board of Zoning Appeals will be published in the official city newspaper by the Secretary so that **at least 20 days elapse** between the date of publication and hearing date. Notices of the hearing will also be mailed by the Zoning Administrator to all property owners on the ownership list, the applicant and the Secretary of the City Planning Commission so that **at least 20 days shall elapse** between the mailing date and the hearing date.
7. If the conditional use is granted, it shall be valid for only 180 days unless within such period a zoning permit is obtained and the conditional use requested is started. The Board of Zoning Appeals may grant extensions not exceeding 180 days each, upon written application, without further notice or hearing.
8. When a conditional use is decided, a resolution will be signed and filed with the Zoning Administrator. If the conditional use is granted, the petitioner may apply for a zoning permit.
9. A decision of the Board of Zoning Appeals is considered final unless appealed to the District Court under Section 17.10.06 of the Zoning Regulations within 30 days after the date of filing the resolution with the Zoning Administrator.