

DIVIDE COUNTY

APPLICATION: _____

APPLICATION FOR CONDITIONAL USE PERMIT

ISSUED: _____ EXPIRES: _____

REVISED 04/2013

Applications will be reviewed by the Land Use Administrator, followed by a public hearing before the Planning & Zoning Commission and final action will be made by the Divide County Board of Commissioners.

Fee: \$200.00 Paid: _____

APPLICANT*: Name: _____
Mailing Address: _____
City, State Zip: _____
Phone: _____ Cell: _____ Email: _____

*If applicant is not the owner of record, enclose a letter from the owner stating concurrence of this action for the proposed use of the property.

OWNER: Same as above Name: _____

LEGAL DESCRIPTION OF PROPERTY:

Lot: _____ Block: _____ Subdivision: _____
Qtr/Qtr: _____ Section: _____ Township: _____ Range: _____
Parcel Number: _____ - _____ - _____ - _____ Acreage: _____

CURRENT ZONING:

Agricultural Residential Recreational Commercial Industrial

Current Use: _____

Proposed Use: _____

The proposed use is Conditionally Permitted in the following Zoning District under Section _____

Agricultural Residential Recreational Commercial Industrial

Please state in detail the reason for applying for this Conditional Use Permit (attach additional sheets if needed):

I the undersigned applicant for a permit do hereby attest that the information contained in this application is truthful and correct to the best of my ability. I further agree to comply with all building codes and standards as regulated by the State of North Dakota, and the requirements and conditions of this permit, and the zoning ordinance of Divide County.

I understand that any inappropriate use of this permit may cause me to be required to pay a penalty.

Signature of Applicant Printed Name of Applicant Date

CONDITIONAL USE PERMIT REVIEW

DIVIDE COUNTY ORDINANCE DEFINITION OF CONDITIONAL USE: The development and administration of this Ordinance is based on the division of the County into districts within which the uses as land and buildings are mutually compatible. However, there are certain uses which, because of their unique characteristics cannot be classified as unrestricted permitted uses in any particular district or districts without consideration in each particular case of the impact of those uses upon adjoining lands or public facilities. Such uses nevertheless, may be necessary or desirable in a particular district provided that due consideration is given to location, development and operation of such uses.

No conditional use permit shall be recommended by the Planning and Zoning Commission or approved by the Commission unless the applicant shall have met all the following criteria:

1. Is proposed conditional use detrimental to or does it endanger the public health, safety, comfort or general welfare? _____ If yes, please explain.

2. Does the proposed conditional use substantially impair or diminish the value and enjoyment of other property in the area? _____ If yes, please explain why and who opposes.

3. Does the proposed conditional use impede the normal orderly development of the surrounding property? _____ If yes, please explain.

4. Are adequate utilities, access roads, drainage or other necessary site improvements being provided? _____ If no, please explain.

5. Have adequate measures been taken to provide ingress and egress to the property without adverse effects on the adjoining properties and traffic congestion in the public street? _____ If no, please explain.

6. Does the proposed conditional use conform to all applicable regulations of the district within which it is located? _____ If no, please explain.

LAND USE ADMINISTRATOR RECOMMENDATION TO PLANNING & ZONING COMMISSION

Approve Deny Modify Conditions Imposed Date of Public Hearing: _____

ACTION AND RECOMMENDATION BY THE COUNTY PLANNING & ZONING COMMISSION

Approve Deny Modify Conditions Imposed Date of Public Hearing: _____

Modifications:

1. _____
2. _____
3. _____

Conditions:

1. _____
2. _____
3. _____

ACTION BY THE BOARD OF COUNTY COMMISSIONERS

Approve Deny Modify Conditions Imposed Date: _____

Modifications:

1. _____
2. _____
3. _____

Conditions:

1. _____
2. _____
3. _____