

Clay County Board of Adjustment

Instructions & Information Special Use Permit Application

Please read all the following before making application.

Allowable special exception uses may be permitted, enlarged, or altered upon application for a special exception use permit in accordance with the rules and procedures of the Board of Adjustment. The Board will hold a public meeting to consider this application and will then vote on granting or denying the special exception use permit. In granting a special exception use permit, the Board of Adjustment will authorize the issuance of a special exception use permit and may prescribe and impose appropriate conditions, safeguards, and a specified time limit for the performance of the special exception use permit. If the Board denies the application, you may then appeal to District Court.

The Board of Adjustment will not grant a special exception use permit where the information requested on the application and attachments to the application are not complete. This includes but is not limited to:

- A. Flagging the property no less than 3 days before the meeting
- B. A plot plan or site plan
- C. A list of property owners within 500 feet of the exterior limits of the property involved in this appeal, together with addresses of same. (Zoning Officer may require a certified abstractor's plat.)

The Board of Adjustment shall grant no special exception use permit unless such Board shall find:

- A. That the use shall be in harmony with the intent, purpose and spirit of this Ordinance.
- B. That the use shall be an appropriate use of the land and is necessary or desirable to provide a service or a facility, which is in the interest of, the public convenience or which will contribute to the general welfare of the vicinity or the County.
- C. That the use shall be located, designed, constructed, arranged and operated so as not to interfere with the development and use of adjoining or surrounding property in accordance with the applicable district regulations.
- D. That the use shall not have a substantial or undue adverse effect upon adjoining or surrounding property, the character of the neighborhood, conditions, parking, utility facilities or other matters affecting the public health, safety and general welfare of persons residing or working in the vicinity.
- E. That the use shall not unduly diminish or impair established property values in adjoining or surrounding properties.
- F. That the use shall be served adequately by essential public facilities and services such as highway, streets, parking spaces, drainage structures, water supply and sewage disposal; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.
- G. That the use complies with all conditions imposed on it by the provisions of the district in which such special exception use may be authorized.

The required fee for application must be paid when you make the application.

If you have a question or do not understand a requirement, please ask. Do not leave out information unless instructed to do so by the Zoning Officer.

It is the responsibility of the applicant to provide all the requested information and that it be true, complete and accurate.