

Conditional Use Permit

Application Requirements and Information

1. If necessary, schedule a courtesy inspection with the Risk Reduction Department to determine if the building is suitable for the proposed use. Check with Planning Staff to verify zoning.
2. Complete application and provide a letter to the Rogers Planning Commission describing the following:
 - The type of business to be operated.
 - The hours and days of operation of the business.
 - What, if any, additional traffic will be generated.
 - What, if any, additional parking will be required. Note if gravel parking.
 - What, if any, additional signage is to be erected. If so, note the size.
 - Any flammable or hazardous materials that will be present.
 - Any additional noise or light that will result from this business.
 - Is business screened from surrounding residential areas?
 - Any other pertinent information.
3. Submit a one hundred dollar (\$100) filing fee made payable to the City of Rogers with the completed application.
4. Provide a full legal description. Must not be abbreviated. Subdivision lot/block description is sufficient. This is used by Planning Staff to publish a legal notice for the public hearing. Visit with Planning Staff prior to completing the following step; the content of the legal notice can be used for the Notice of Public Hearing letter. Planning Staff will verify the accuracy of all information prior to applicant sending Certified Mail.
5. Applicant must notify all property owners within a 300-foot radius of the property of the public hearing via Certified Mail **WITH RETURN RECEIPT REQUESTED** (see attached sample letter for *Notice of Public Hearing for a Conditional Use Permit*). The list of property owners can be obtained through a title or abstract company or the Benton County Assessor's Office. The title or abstract company is likely to charge for this service and will need a legal description. Certified Mail must be sent at least 15 days prior to the public hearing date. Bring the receipt cards and any returned mail, along with a list of all recipients, to the public hearing and remit items to Planning Staff.
6. Attach a signed and notarized copy of the Certification that proper steps have been taken to notify surrounding property owners (see attached). Provide at time of public hearing.
7. Include a letter of approval from the property owner for the proposed conditional use.

NOTES:

- The public hearing will be held during a regularly scheduled Planning Commission meeting. The Planning Commission meets on the first and the third Tuesday of each month. A representative must attend the public hearing to answer any questions from the Planning Commission.
- There is a 10-day appeal period following any Planning Commission decision.
- If approved, applicant must purchase a business license from the Risk Reduction Department.
- The permit may be subject to review in one year, or at such time as a complaint is received regarding the business. Must adhere to any stipulations or limits placed on the permit.
- If the application is submitted for an existing business, the completed application must be returned within 30 days. Failure to comply with this requirement will result in a referral to the City Attorney's office for appropriate action.



DEPT. OF COMMUNITY DEVELOPMENT
 PLANNING DIVISION
 CITY OF ROGERS, ARKANSAS
 301 W. CHESTNUT
 PHONE: (479) 621-1186
 FAX: (479) 986-6896

OFFICE USE ONLY

Permit Fee: _____ (\$100)
 Zoning: _____
 Permit Number: _____
 CityView Application: _____
 Date: _____

CONDITIONAL USE PERMIT

APPLICANT: _____

ADDRESS: _____ SUITE #: _____

PHONE #: _____ EMAIL: _____

PROPERTY OWNER: _____ PHONE #: _____

PRESENT USE: _____ ZONING: _____

PROPOSED CONDITIONAL USE: _____

PARKING SPACES AVAILABLE: _____ HOURS OF OPERATION: _____

IF APPLYING TO OPEN A DAYCARE:

NUMBER OF CHILDREN: _____ MOST CHILDREN AT ONE TIME: _____

 Applicant Signature

 Date

Is the property switching from a residential to non-residential use?

- Yes. If so, large-scale approval and/or coordination with Risk Reduction for compliance with the appropriate building codes will be required.
- No

Attachment Checklist:

- Letter explaining request
- Legal description of property
- Applicant Certification
- Site plan as needed
- Letter of Approval from Property Owner

PLANNING STAFF PROVIDES:

DATE FILED: _____ PUBLIC HEARING DATE: _____ CERTIFIED MAIL DATE: _____

PLANNING COMMISSION ACTION: _____

COMMENTS, CONDITIONS, LIMITS: _____

CERTIFICATION

I hereby state that to the best of my knowledge all property owners within 300 feet of my property have been notified by Certified Mail **with return receipts requested** at least 15 days prior to the upcoming public hearing.

Dated this the ____ day of _____, 20____.

Signed

Name Printed

STATE OF ARKANSAS

COUNTY OF _____

Subscribed and sworn before me this the ____ day of _____, 20____.

Notary Signature

Notary Name Printed

Commission Expires

SAMPLE LETTER

BEFORE THE PLANNING COMMISSION OF THE CITY OF ROGERS, ARKANSAS

NOTICE OF PUBLIC HEARING FOR A CONDITIONAL USE PERMIT

Notice is hereby given pursuant to Section 14-723 of the Rogers City Code that **(Insert Applicant Name)** is applying to the Rogers Planning Commission for a Conditional Use Permit to allow property located at **(Insert Address)** to be used as a **(Insert Use – ex. residence, private club, parking lot, etc.)**. The property is more particularly described as follows:

LEGAL DESCRIPTION: **(Insert complete legal description here or attach as Exhibit “A”)**

LAYMAN’S DESCRIPTION: **(Insert street address)**

A public hearing by the Rogers Planning Commission will be held on _____, 20__ **(Date assigned by Planning Staff)** at 5:00 p.m. in the City Council Chambers of the City Hall Building located at 301 W. Chestnut Street, Rogers, Arkansas.

Respectfully Submitted,

By: _____
(Applicant’s Signature)