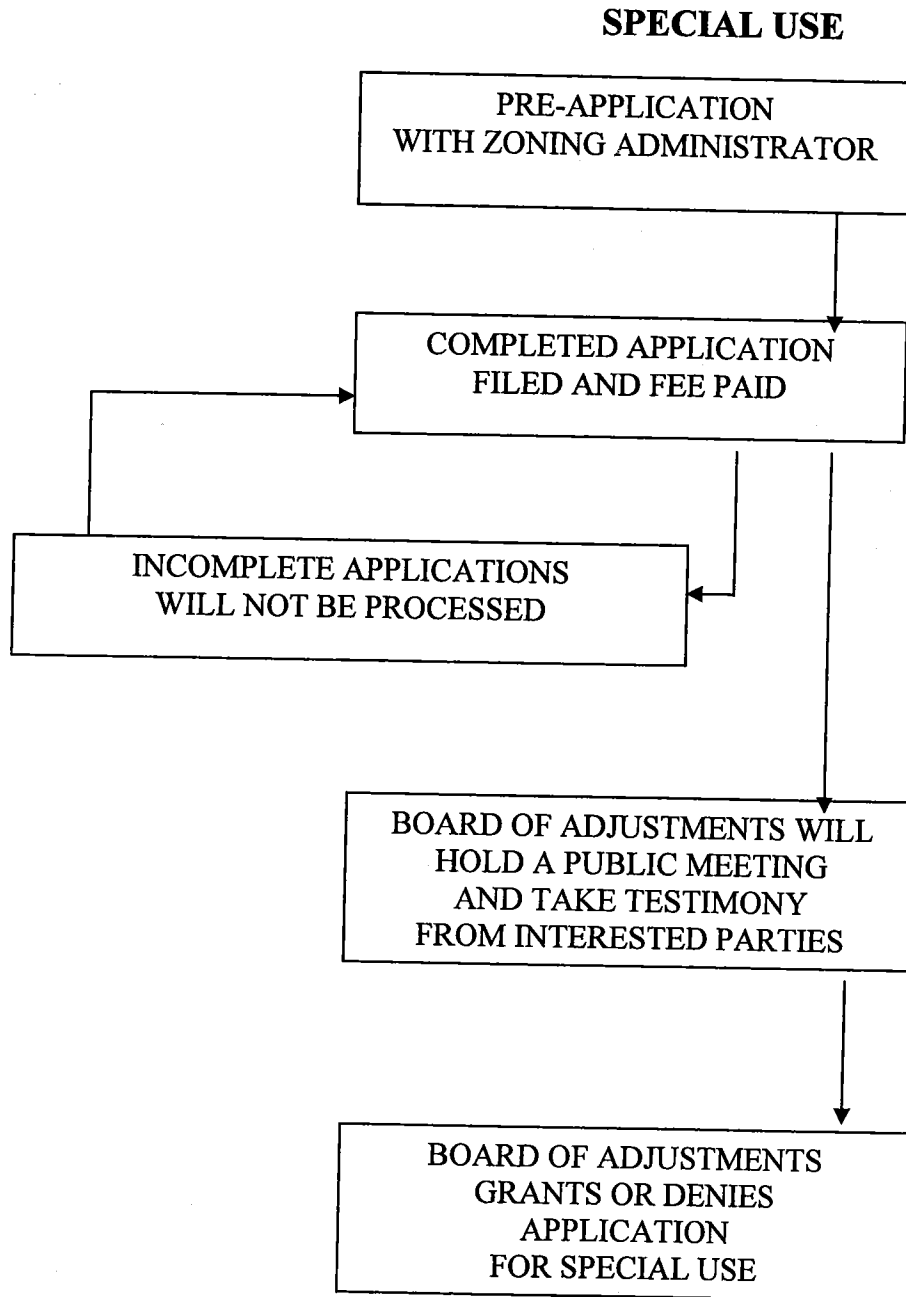


H. *Special Use (Exception).*



I. *Special Use Procedure.*

1. Certain uses or exceptions are specifically permitted in particular zoning districts, but only when a special use permit has been obtained from the Board of Adjustment. These uses require special study with respect to specific location and design considerations to assure that they will have minimal negative impact on surrounding properties.
 - a. The applicant shall first (1st) meet with the Zoning Administrator and receive a full explanation of the zoning and special use requirements and a special use application form.
 - b. The applicant shall submit a completed application form and pay the appropriate fee. The application shall include a plan showing existing and proposed driveways and other information that would be helpful to the Board in their deliberations. The application shall include statements explaining how the proposed special use would accomplish the thirteen (13) objectives listed below.
2. An application shall not be processed unless it has been fully completed, the fee paid and all required information submitted.
3. The Zoning Administrator shall then schedule a regular meeting of the Board of Adjustment and send copies of the application to Board members. Twenty (20) days before the Board meeting, an official notice to the public shall be published in a newspaper of general circulation in the City explaining the special use request and the time and place of the scheduled meeting. A copy of the notice shall be mailed to each party of interest and to the Planning Commission.
 - a. At the scheduled meeting, the Board shall hear all facts and testimony from all parties wishing to be heard concerning the requested special use permit. In order to grant a special use permit, the Board of Adjustment must find that all the conditions listed under that use in the zoning regulations, have been met. They must also find that any other precautions necessary have been taken to make the proposed use compatible with the uses surrounding the special use request. The final determination of the Board shall take into consideration the following objectives:
 - (1) The stability and integrity of the various zoning districts.
 - (2) Conservation of property values.
 - (3) Protection against fire and casualties.
 - (4) Prevention of traffic congestion.
 - (5) Promotion of the safety of individuals and property.
 - (6) Provision of adequate light and air.
 - (7) Prevention of overcrowding and excessive intensity of land use.
 - (8) Provision for public utilities and municipal services.
 - (9) Invasion by inappropriate uses.

- (10) Value, type and character of existing and proposed improvements and land uses.
 - (11) Consistency of improvements and land uses with community planning standards.
 - (12) Provision for orderly and proper urban renewal, development and growth.
4. The Board of Adjustment may grant, grant conditionally or deny the application for a special use permit. In order to grant the special use permit, at least four (4) of the five (5) Board members must vote favorably on the request. The Board's determination, in writing, shall be sent to all affected parties including the Planning Commission. The Planning and Zoning Department shall keep minutes of the public meeting including evidence presented during the proceedings and the findings of the Board. To assure completion of conditions, the Board may require a performance bond. A time limit may be placed as a condition of approval to provide a periodic review of the special use.