

**CONDITIONAL USE PERMIT  
APPLICATION**

210 S.W. 3<sup>rd</sup> Street  
Bryant, AR 72022  
PHONE: 501-847-5559 ext. 227  
FAX: 501-847-2787  
EMAIL: ljones@cityofbryant.com



DATE RECEIVED \_\_\_\_\_

FEE - \$125.00 (Check made payable to City of Bryant)

=====

APPLICANT \_\_\_\_\_

PHONE \_\_\_\_\_ FAX \_\_\_\_\_ EMAIL \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

PROPERTY OWNER(S) \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_ FAX \_\_\_\_\_

PROJECT/DEVELOPMENT NAME \_\_\_\_\_

PROJECT LOCATION \_\_\_\_\_

PURPOSE OF CONDITIONAL USE PERMIT \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

LEGAL DESCRIPTION OF PROPERTY (attach a separate document if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# A GUIDE TO PROCEDURES FOR CONDITIONAL USE PERMIT APPROVAL

## PURPOSE

Certain uses, while generally not suitable in a particular Zoning District, may, under certain circumstances, be acceptable. When such circumstances exist, a conditional use permit may be granted. The Planning Commission after a public hearing and without objection from any adjoining property owner can authorize the issuance of a Conditional Land Use Permit. This permit will be issued with a specific land use and expiration date and can only be renewed one time.

The Planning Commission shall review the Preliminary Plat and consider the following: interrelationship with the plan elements to conditions both on and off the property; conformance to the City's Comprehensive Plan; the impact of the plan on the existing and anticipated traffic and parking conditions; the adequacy of the plan with respect to land use; pedestrian and vehicular ingress and egress; building location and height; architectural and engineering features, landscaping, lighting; provisions for utilities; site drainage; open space; loading and unloading areas; grading; signage; screening; setbacks. And other related matters. The Planning Commission may approve, disapprove, or table the request for a Conditional Use Permit. The Planning Commission may impose necessary conditions and safeguards on to the permit where they deem as necessary.

## PROCESS

### Step 1 - Project Considerations

The applicant should carefully review what the present comprehensive plan calls for in the location or area affected. The applicant is advised to review the proposed conditional use in advance of formal application with area residents, property owners, and other parties who may be affected by the proposed changes.

*The Planning Commission recommends that you discuss your proposal with the adjacent property owners before a formal application is made. Any conflicts you can resolve ahead of time will make it easier and faster for the City to process your applications.*

Local utilities and other special agencies should be contacted and consulted regarding the requirements for future development in the area, if necessary.

### Step 2 - Review by Staff

Prior to application, an appointment should be made with the planning staff to review the proposed site plan and discuss the feasibility of the request with key city officials, the history of similar proposals, the intent of City policy, possible environmental concerns and required submittal data and procedures to be followed through the process.

### Step 3 - Filing the Application -

The applicant will submit to the Planning Commission Coordinator two (2) weeks prior to the Planning Commission meeting, which is held the 2<sup>nd</sup> Monday of each month, the following:

1. A letter requesting to be placed on the agenda for the upcoming meeting naming the purpose,

2. Submit the completed application
3. Submit the application fee
4. Submit a vicinity map of the location of the property
5. Submit a legible typed legal description of the property to be granted the Conditional Use Permit.
6. Submit twenty (20) full size copies of the Site Plan drawn to scale showing:
  - a. the property dimensions,
  - b. grading, landscaping and location of the utilities (i.e. water, sewer, septic system etc.), as applicable;
  - c. location of all existing and proposed buildings and their size, including square footage;
  - d. location of all existing and proposed curb cuts, driveways, access roads, parking spaces, off-street loading areas, and sidewalks.
7. An explanation outlining the Conditional Use requested, along with any information explaining the operation, including days and hours of operation if applicable. This letter may be photocopied for the information packets.

Once the application has been filed, the material will be reviewed to make sure all the required information is provided. The applicant will be notified if additional information is required. The application will be placed on the agenda for application acceptance.

#### **Step 4 - Staff Review for Planning Commission**

Once the application has been accepted by the Planning Commission the request will be scheduled for public hearing before the Planning Commission within 60 days. At that time the following requirements must be met:

8. You must post a Notice of Conditional Use Permitting on the subject property site no fewer than 15 days prior to the public hearing date.
9. You must mail a letter (sample copy attached) and a copy of the site plan by Certified Mail Return Receipt Requested to every property owner situated wholly or partly within a 300 foot radius of the property to which the Conditional Use is related.
10. You must furnish a certified list of those property owners, all signed return receipts (green cards), and a copy of the letter sent to the property owners to the Planning Commission Secretary at least 5 days prior to the Public Hearing.

The Planning Department will post the notice on the notice board in city hall, and will submit the notice to be published in the *Benton Courier*.

#### **Step 5 - Public Hearing and Planning Commission Review**

The Planning Commission is required to hold at least one hearing on any proposed general plan change. The City would recommend that you are prepared to give a presentation with enlarged drawings or elevations of the proposed units, plat and/or other materials that would be helpful for and during the public hearing to better familiarize not only the Planning Commission, but any residents that are present for the public hearing on your proposed land use request.

At the public hearing:

Comments will be accepted from the applicant and any interested persons who wish to make a statement on the application.

The planning commission will close the public comment portion of the hearing to consider the information and documentation, and public testimony.

If the Conditional Use Permit is not approved by the Planning Commission, the reasons for such action shall be recorded in the proceedings and transmitted to the applicant.

This application must be signed by all owners of the subject property or an explanation given why this is not the case.

We, the undersigned, have read and understand the above.

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Signature of Applicant Date

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Signature of Owner (s) Date

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Signature of Owner (s) Date

# **SAMPLE LETTER**

Date:

Name

Address

City, State Zip

RE: Conditional Use Permit Application

The property located at \_\_\_\_\_ (Address or Description) \_\_\_\_\_ is being considered for a Conditional Use Permit to allow a \_\_\_\_\_. The property is more particularly described as follows:

\*\*\*\*\* INSERT LEGAL DESCRIPTION OF THE PROPERTY \*\*\*\*\*

An application has been made with the City of Bryant Planning Commission to authorize the issuance of a Conditional Land Use Permit for this property. As a part of this process, a Public Hearing will be held     Month, Day, Year     at 6:00 p.m. at City Hall, 210 Southwest 3<sup>rd</sup> Street, Bryant, Arkansas 72022.

Public comments will be accepted at that time regarding this permit. Since you own property within 300 feet of the tract in consideration, you have been sent this letter and a copy of the site plan via certified mail as required by city ordinance.

Should you have any questions regarding this matter you may contact LaVenia Jones at the City of Bryant at 847-5559 extension 227, or by calling me at     (your phone number)    .

Thank you for your consideration in this matter.

Sincerely,

*Your Signature*

YOUR NAME