



City of Kimball
223 South Chestnut Street
308-235-3639

Application for Conditional Use Permit

Instructions:

- A. Fill out the application for completely. Please type or print and use additional sheets if necessary.
 - B. Please sign the application form.
 - C. Submit the \$100.00 filing fee. Please provide a check made payable to the City of Kimball.
 - D. Submit the \$250.00 deposit fee to cover certified mailings, publications and signage. Any excess will be refunded. Any additional cost must be paid in full by applicant before notices are sent. Please provide a check made payable to the City of Kimball.
 - E. Please include a scale site plan of your property and a drawing of your proposed request. Identify existing and proposed buildings, other structures and other pertinent features on the site plan.
 - F. Please submit a certified list of the names, addresses, and the corresponding Parcel Identification Number assigned by the Kimball County Assessor of the surface owners of the property within three hundred (300) feet of the property subject to the applicant. The source of the such records shall be the records of the Kimball County Assessor.
 - G. Contact the City Zoning Administrator at (308) 235-3639 if you have any questions.
-

- 1. Applicant's Name: _____ Phone: _____
- 2. Applicant's Address: _____
- 3. Property Owner's Name: _____ Phone: _____
- 4. Property Owner's Address: _____
- 5. Legal Description of property to which this application pertains: _____

- 6. Location and/or address of property: _____

- 7. Present use of the property: _____
- 8. Proposed use of the property: _____
- 9. Present zoning classification: _____
- 10. Lot size/acreage of the property: _____
- 11. A site/vicinity plan containing the following information:
 - A. Existing land use of adjacent properties.
 - B. The location of the proposed use related to roads, surrounding land uses and structures.
 - C. The location and extent of the proposed use and measures to lessen the impact of the use.

12. On a separate sheet(s) of paper, please provide the following:
 - A. A description of the proposed use.
 - B. Identify the proximity of the proposed use to residential structures.
 - C. A statement explaining that the proposal is consistent with the Kimball Comprehensive Plan.
 - D. A statement, which explains that the proposal is consistent with the intent of the district in which the use is located.
13. The zoning administrator, who may be accompanied by others, is hereby authorized to enter the property, during normal working hours for the purpose of becoming familiar with the proposed situation.

Applicant's Signature

Date

Property Owner Signature

Date

For Office Use Only

Date Received: _____ Zone District: _____

Date of Public Hearing: _____

Attached:

_____ Site Plan with accurate dimensions

_____ Filing Fee - \$100.00

_____ Deposit Fee - \$250.00

_____ List of names and address of adjacent property owners certified by the County Assessor's Office

Requirements Regarding the Issuance of a Conditional Use Permit

A Conditional Use Permit shall not be granted unless specific written findings of fact directly based upon the particular evidence presented support the following conclusions:

1. The proposed conditional use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations and use limitations.
2. The proposed conditional use at the specified location will not adversely affect the welfare or convenience of the public.
3. The proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.
4. The nature, size and scope of the conditional use and its location in relation to transportation systems will not dominate the immediate neighborhood so as to prevent development and use of the neighboring property in accordance with applicable zoning regulations.
5. Off-street parking and loading will be provided as required in accordance with applicable zoning regulations
6. Adequate utility, drainage, and other necessary facilities have been or will be provided.
7. Adequate access to roads, or entrance and exit drives, will be provided and shall be so designed to prevent traffic hazards and to minimize congestion in public streets and alleys.

Additional Requirements

1. In granting a conditional use, the Planning Commission shall recommend, and the City Council may impose certain conditions, safeguards and restrictions upon the premise benefited by the conditional use, which may be necessary to reduce or minimize any potential injurious effect of conditional uses upon other property in the neighborhood, and to carry out the general purpose and intent of these regulations. Any additional requirements set by the City Council shall be filed with the application.
2. Any expansion or enlargement of a Conditional Use shall be treated as a new use and shall require a new application under the provisions of this section.
3. Ordinary repairs and maintenance may be performed upon structures associated with a Conditional Use so long as such repairs and maintenance do not have the effect of expanding or enlarging the use.
4. If the Conditional use has not commenced within twelve months from the date of approval or is discontinued for a period of twelve consecutive months it shall be presumed inactive. The City of Kimball shall initiate an administrative hearing to consider whether to grant an extension of time to commence the use or revoke the Conditional Use. If the Conditional Use is revoked, it shall be necessary to follow the procedures and requirements of this Section in order to re-establish any Conditional Use.

Permit to be Filed

Conditional Use Permits are specific to the real estate described in the application, and to the applicant to whom the permit is issued. The permit shall be filed in the real estate records of Kimball County. Permits shall be transferred to subsequent owners of the real estate on request if the terms of the permit are agreed to by the subsequent owner.

City of Kimball
223 South Chestnut Street, Kimball NE 69145
Phone: (308) 235-3639 Fax: (308) 235-2971
OFFICE USE ONLY

Checklist for Notification of Application for Rezoning

- Applications and supporting plans and documents (15 days prior to regular Planning Commission Meeting).
Date Received: _____
- List of Property Owners within 300ft. (Certified by County Assessor)
Date Received: _____

Planning Commission

Hearing Date: _____

- Publish in issue of local newspaper not more than fifteen (15) days and not less than ten (10) days prior to the date of hearing. Date Published: _____
- Notify Property Owners by certified letter not more than fifteen (15) days and not less than ten (1) days prior to the date of hearing. Date Mailed: _____
- Post notice in a conspicuous place on or near the property on which action is pending.
Date Posted: _____
- Notify Board of Education of the School District not less than (10) days prior to date of hearing.
Date Mailed: _____

City Council

Hearing Date: _____

- Publish in issue of local newspaper not more than fifteen (15) days and not less than ten (10) days prior to the date of hearing. Date Published: _____
- Notify Property Owners by certified letter not more than fifteen (15) days and not less than ten (1) days prior to the date of hearing. Date Mailed: _____
- Post notice in a conspicuous place on or near the property on which action is pending.
Date Posted: _____
- Notify Board of Education of the School District not less than (10) days prior to date of hearing.
Date Mailed: _____