

# CITY OF FAYETTEVILLE, ARKANSAS

# CONDITIONAL USE

<b>FOR STAFF USE ONLY</b>	<b>FEE:</b>	<b>\$100.00</b>
Date Application Submitted:	<b>SIGN FEE:</b>	<b>\$5.00</b>
Date Accepted as Complete:	S-T-R:	
Project Number:	PP#:	
Public Hearing Date:	Zone:	

Please fill out this form completely, supplying all necessary information and documentation to support your request. *Your application will not be placed on the Planning Commission agenda until this information is furnished.*

**Application:**

Indicate one contact person for this request: \_\_\_\_\_ Applicant \_\_\_\_\_ Representative

**Applicant (person making request):**

**Representative (engineer, surveyor, realtor, etc.):**

Name: \_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_  
\_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

E-mail: \_\_\_\_\_

E-mail: \_\_\_\_\_

Phone: (     ) \_\_\_\_\_  
          (     ) \_\_\_\_\_

Phone: (     ) \_\_\_\_\_  
          (     ) \_\_\_\_\_

Fax: (     ) \_\_\_\_\_

Fax: (     ) \_\_\_\_\_

Site Address / Location: \_\_\_\_\_  
\_\_\_\_\_

Current Zoning District: \_\_\_\_\_

Assessor's Parcel Number(s) for subject property: \_\_\_\_\_

***TYPE OF CONDITIONAL USE BEING REQUESTED*** (check one)

- Duplex in RSF-4 zoning district
- Tandem lot
- Home occupation
- Wireless Communication facility
- Change of non-conforming use
- Limited Business
- Cluster Housing Development
- Cultural & Recreational facilities
- Outdoor Music
- Bed & breakfast
- Odor-emitting or explosive handling facility
- Other \_\_\_\_\_

**FINANCIAL INTERESTS**

The following entities and / or people have financial interest in this project:

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**APPLICANT / REPRESENTATIVE:** I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed): \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**PROPERTY OWNER(S) / AUTHORIZED AGENT:** I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. *(If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)*

**Owners (attach additional info if necessary):**

Name (printed): \_\_\_\_\_ Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Phone: (     ) \_\_\_\_\_

Name (printed): \_\_\_\_\_ Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Phone: (     ) \_\_\_\_\_

**CUP Checklist:**

*Attach the following items to this application:*

- |  |                 |
|--|-----------------|
| (1) Payment in full of applicable fees for processing the application: |                 |
| <b>CUP</b>   | <b>\$100.00</b> |
| <b>Public Notification Sign Fee (per sign)</b>                         | <b>\$5.00</b>   |
- (2) Legal description of property (may be found on deed or current survey of property). A survey may be required if the deed cannot be platted accurately.
- (3) Complete written description of this request (what is proposed by the applicant) to include:
- (a) Building size in square feet; existing and proposed
  - (b) Color elevations of all exterior sides of the structure
  - (c) Number of off-street parking spaces to be provided / number required
  - (d) When request applies to a business or non-residential use:
    - Hours of operation
    - Number of employees
    - Anticipated number of patrons, clients, children, customers, etc. (average per day / peak hour)
  - (e) Outdoor lighting
  - (f) Noise
  - (g) Screening or buffering from adjacent properties
  - (h) Trash and refuse service (with particular reference to visibility from the street and adjacent properties)
  - (i) Ingress and egress to the property; traffic impacts
  - (j) A response discussing the general compatibility of the proposed use with adjacent properties and other property in the neighborhood
- (4) Site plan drawn to scale, based on the deed or survey, showing all proposed structures dimensioned from the overhang to the property line, parking, driveways, Master Street Plan right-of-way, required setbacks.
- (5) Preliminary floor plans drawn to scale showing:
- (a) Location of walls, doors, windows
  - (b) Identification of activity areas
- (6) A copy of the county parcel map from the Washington County Assessor's office website ([www.co.washington.ar.us](http://www.co.washington.ar.us)) or the Fayetteville Address Point File ([website instructions](#)). The subject property and all parcels within 200 feet should be identified on this parcel map. The owner's name, official mailing address, and the parcel number for every property and resident addresses shall be shown on this map. (***Applications for special conditional uses that require notification within 500 feet should show all properties and property owner information within 500 feet of the project site. See the notification requirements section of this application.***)
- (7) Application signed by current property owner of record or written verification signed by such owner designating a project representative.
- (8) CD or USB Flashdrive containing a PDF copy of all items submitted with this project, including the signed application.
- (9) The applicant is responsible for meeting the public notification requirements for a conditional use permit listed on the Notification Requirements pages in this application.

## **NOTIFICATION REQUIREMENTS**

### **Written Notification Process:**

1. The applicant shall mail a written notice of the action by first-class mail to the address of all landowners and residents with separate addresses within 200 feet of the boundary line of the property on which the use is proposed
2. CUP applications for special uses must notify all property owners in writing within 500 feet of the perimeter of the property. CUP special uses include: *Dance halls; Facilities emitting odors and facilities handling explosives; wireless communication facilities; carnival, circus, amusement park or similar temporary open-air enterprise; manufactured and mobile homes; outdoor music establishments; sexually oriented business.*
3. The applicant shall provide the following to the Planning Division (**contact staff planner or Development Services coordinator for submittal deadline**):
  - a. alphabetical list of the landowners and residents with separate addresses receiving notification (City's Address Point File)
  - b. map showing the landowners' relationship to the site (City's Address Point File)
  - c. copy of the notice sent to the landowners and residents (**example attached**)
  - d. certificate of mailing (**example attached**)
  - e. [Click here to learn how to create the list of those being notified.](#)

### **Sign Posting Process:**

- (1) Signs shall be made available to the applicant by the Planning Division. A \$5 fee per sign shall be remitted by the applicant (**contact staff planner or Dev. Svcs. coordinator for date to pick up sign**).
  - a. The applicant shall post notice on the land for which the use is requested in a visible, prominent location no more than ten (10) feet from the street, and shall not impede the vision of drivers or pedestrians.
  - b. The staff planner may require an alternate location where the property is not adjacent to a street.
  - c. Additional signs may be required by the staff planner.
- (2) The applicant shall post the sign and submit a certificate of sign posting to the Planning Division. The sign(s) shall be photographed by the applicant and attached to the certificate (**example attached**).
- (3) The Planning Division will be responsible for retrieval of signs after the hearing; if a hearing is postponed, the applicant will be notified when a new sign has been created. The applicant shall then be responsible for posting the new date of the hearing in accordance with the criteria herein.

**THIS IS AN EXAMPLE ONLY – DO NOT USE THIS SHEET**

**CERTIFICATE OF MAILING**

*I hereby certify that a true and correct copy of the attached written notice was placed in the U.S. mail, first-class, postage prepaid this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and addressed as follows:*

*Name:* \_\_\_\_\_  
*Street Address:* \_\_\_\_\_  
*City, State, Zip:* \_\_\_\_\_

*Name:* \_\_\_\_\_  
*Street Address:* \_\_\_\_\_  
*City, State, Zip:* \_\_\_\_\_

*Name:* \_\_\_\_\_  
*Street Address:* \_\_\_\_\_  
*City, State, Zip:* \_\_\_\_\_

*Name:* \_\_\_\_\_  
*Street Address:* \_\_\_\_\_  
*City, State, Zip:* \_\_\_\_\_

\_\_\_\_\_  
*(name of person completing the mailing)*

\_\_\_\_\_  
*(signature of person completing the mailing)*

*City File No./Name:* \_\_\_\_\_

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**WRITTEN NOTIFICATION FORM**

**Project Description:**

The applicant Name proposes a Type of Development at Project Address.

**Building/land Use:** \_\_\_\_\_

**Zoning:** \_\_\_\_\_

**Size of Property:** \_\_\_\_\_

**Density/Intensity:** \_\_\_\_\_

Public Hearings:

Planning Commission; 5:30 PM; Month/Date/Year; 113 West Mountain Street (City Administration Building Room 219) Fayetteville, AR 72701

**Property Owner:**

Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

**Developer:**

Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Review Location:

The project information is available for public review at the City of Fayetteville Planning Division, 125 West Mountain Street, Fayetteville, AR 72701 Monday-Friday 8AM-5PM; 479.575.8267.

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**CERTIFICATE OF SIGN POSTING**



I, \_\_\_\_\_ (print the name of the  
applicant/representative/person posting sign), attest that the above sign was posted on  
\_\_\_\_\_ (month/day/year) adjacent to  
\_\_\_\_\_ (name of street).

\_\_\_\_\_  
(signature of person completing the sign posting)

City File No./Name: \_\_\_\_\_