

## CONDITIONAL USE PERMIT

### APPLICATION REQUIREMENTS AND INFORMATION

1. Attach a letter from the applicant to the City of Rogers Planning Commission describing the following:
  - The type of business to be operated
  - What, if any, additional traffic will be generated.
  - What, if any, additional parking will be required.
  - What, if any, additional signage is to be erected. If so, state the size.
  - Any flammable or hazardous materials that will be present.
  - The hours and days of operation of the business.
  - Any additional noise or light that would result from this business.
  - Any other pertinent information.
2. Attach a sketch map of the property showing the relationship to surrounding neighborhoods and streets. Include a north arrow, structures, drives and fences of the proposed location along with any features that should be considered in the application.
3. Submit a one hundred dollar (\$100.00) filing fee made payable to the City of Rogers with the completed application.
4. Attach a signed and notarized copy of the Certification. (Attached.)
5. The notice of public hearing must be published once, at least fifteen (15) days prior to the public hearing. The City Planner will publish the ad you provide. (See attached sample form for Notice of Public Hearing for Conditional Use Permit.)
6. The City Planner is required to place a sign on the property announcing a public hearing fifteen days prior to the hearing date. The sign will be removed after the public hearing.
7. You must notify anyone who owns or leases property, within a three hundred (300) foot radius of the property, of the public hearing by certified mail, with return receipt requested. (See attached sample form for Notice of Public Hearing for Conditional Use Permit.) Bring the receipt cards and any returned mail, along with a list of all recipients, to the public hearing and remit items to the planning staff. In order to obtain the list of property owners; submit the legal description of the property to an abstract company. The abstract company is likely to charge for this service.
8. 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 is required to attend the public hearing to answer any questions from the planning commission.
9. If approved, you are required to purchase a business license from the City Clerk.
10. The permit may be subject to review in one year, or at such time as a complaint is received regarding the business.
11. 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

**CONDITIONAL USE PERMIT APPLICATION**  
NUMBER \_\_\_\_\_

APPLICANT PROVIDES:

APPLICANT NAME: \_\_\_\_\_ TELEPHONE NUMBER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PROPERTY OWNED BY: \_\_\_\_\_ TELEPHONE NUMBER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

GENERAL LOCATION OF PROPERTY: \_\_\_\_\_

PRESENT USE: \_\_\_\_\_ ZONED: \_\_\_\_\_

PARKING SPACES AVAILABLE: \_\_\_\_\_ HOURS OF OPERATION: \_\_\_\_\_

\_\_\_\_\_  
APPLICANT SIGNATURE

LEGAL DESCRIPTION AND SKETCH OF PROPERTY: (metes and bounds or lot and block)  
{Attach legal description as exhibit "A" if necessary.}

ATTACH COPY OF PROTECTIVE COVENANTS OR CERTIFICATION THAT NONE EXIST.

IF APPLYING TO OPEN A DAYCARE, COMPLETE THE FOLLOWING:

NUMBER OF CHILDREN: \_\_\_\_\_ MOST CHILDREN AT ONE TIME \_\_\_\_\_

PLANNING AUTHORITY PROVIDES:

PUBLIC HEARING DATE: \_\_\_\_\_ DATE FILED \_\_\_\_\_ APPLICATION FEE: \_\_\_\_\_

PLANNING COMMISSION ACTION \_\_\_\_\_ DATE \_\_\_\_\_ PERMIT EXPIRES \_\_\_\_\_

OTHER INFORMATION: \_\_\_\_\_

\_\_\_\_\_

**CERTIFICATION**

I hereby certify that I have made a thorough search of all pertinent sources, to include my deed, abstract and the Benton County Clerk's office and have found no covenants or any evidence that covenants exist for the property identified in my application for a Conditional Use Permit. Or that if covenants do exist there is no covenant specified therein prohibiting the use I have requested.

I also state that to the best of my knowledge all property owners within 300 feet of my property have been notified by certified mail of the upcoming public hearing for my conditional use request.

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

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 130-6 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 \_\_\_\_\_ (ex. residence, private club, parking lot). The property is more particularly described as follows:

LEGAL DESCRIPTION: (Enter complete legal description here or attach as Exhibit "A")

LAYMAN'S DESCRIPTION: (Enter street address here.)

A public hearing by the Rogers Planning Commission will be held on \_\_\_\_\_, 20\_\_\_\_ (Date will be assigned by Planning Staff) at 4:30 p.m. in the City Council Chambers of the City Hall Building located at 301 W. Chestnut Street, Rogers, Arkansas.

Publish one time only on \_\_\_\_\_, 20\_\_\_\_.

Bill the City of Rogers.

# S A M P L E

*Optional document for residential conditional use permit applications. Include this document along with your Notices of Public Hearing that are sent to adjacent property owners.*

\_\_\_\_\_, 20\_\_

To the Planning Commission of the City of Rogers, Arkansas:

We/I (Neighbor's Name/s), residing at (Address), do not have any objections to (Applicant Name) of (Applicant's Address), operating a (type of business) in his/ her/ their home. It is permissible for his/ her/ their customers to park in the street in front of our/my home if necessary.

Signed \_\_\_\_\_

Signed \_\_\_\_\_