

## CONDITIONAL USE

### IN ORDER TO FILE AN APPLICATION FOR A CONDITIONAL USE THE APPLICANT SHALL:

1. Submit a complete and signed General Application.
2. **Provide a complete and correct ownership list (form(s) attached) of all the owners of record for the property for which the Conditional Use is requested, and for all property located within 200 feet of the property boundaries on which the Conditional Use is proposed. If the property is adjacent to the City limits or outside the City limits, the notification boundary shall be extended to 1,000 feet in the unincorporated area. Ownership information must be typewritten.**

An owner of record shall mean any person or entity who is reflected as the most recent owner or owners of property as documented in (1) the Riley County Register of Deeds or (2) the Riley County District Court, or (3) the Pottawatomie County Register of Deeds, or (4) the Pottawatomie County District Court, or any combination thereof. The applicant should contact these offices, as appropriate by County, in order to complete the attached boundary ownership list.

**The ownership list shall be typed either on the attached form(s) or shall follow the format as shown on the attached form(s). Lists from a professional service, or any other source, must be submitted either on the attached form(s) or put in the equivalent format.**

Submit the ownership map which is prepared by the City and provided to the applicant. The City of Manhattan will rely on the list provided by the applicant and will not check to verify its correctness. It may be prudent for the applicant to obtain the owner of record information from professional services which are available locally. The fee for those services are to be paid by the applicant.

3. Provide a complete and correct legal description of the property for which the Conditional Use is requested. The legal description shall be typewritten, readable and reproducible.
4. Pay the Conditional Use fee of \$120.
5. An acceptable Site Plan shall be legible, accurate, and shall show the following information:
  - (a) North arrow;
  - (b) Engineer or architect scaled drawing (for example, 1/4" = 1');
  - (c) Property lines;
  - (d) Adjacent streets (names), alleys and sidewalks;
  - (e) Public or private easements on the property;
  - (f) Existing building setbacks;
  - (g) Proposed building setbacks;

- (h) Dimensions of existing and proposed improvements;
  - (i) Location of Flood Plain, if necessary;
  - (j) Location of existing and proposed drives and parking;
  - (k) Location of existing and proposed structures, additions or other improvements;
  - (l) Elevation and dimensioned drawings of proposed building, signs or other improvements;
  - (m) Existing and proposed landscaping;
  - (n) Name and address of owner of the property;
  - (o) Name and address of consultant (engineer, architect, land surveyor, etc.); and,
  - (p) Date the Site Plan was prepared.
6. Provide one set of 8½ by 11 inch reproducible reductions of all drawings once corrections or changes, if necessary, are made to the Site Plans and/or drawings.
7. A written explanation of what the proposed project consists of and why a Conditional Use is requested. Specific information regarding the operational characteristics of the Conditional Use must be provided. For example, and dependent upon the Conditional Use requested, information should include the number of employees, hours of operation, number of tenants or residents, number of bedrooms, and any other operational or occupancy characteristics must be described. The explanation should be in sufficient detail for the Board of Zoning Appeals to completely and clearly understand the project.
8. The applicant shall provide a written response for the statements listed below (a-f):
- (a) Whether the proposed Conditional Use complies with all applicable provisions of the zoning regulations including lot size requirements, bulk regulations, use limitations, and performance standards, and cite the applicable regulations or use limitations.
  - (b) Whether the proposed Conditional Use will, or will not, cause substantial injury to the value of other property in the neighborhood in which it is to be located. The applicant should indicate any actions, if necessary, to reduce the impact of the Conditional Use on adjacent property.
  - (c) Describe the location and size of the Conditional Use, the nature and intensity of the operation involved in or conducted in connection with it, and whether the location of the site with respect to streets giving access to it are such that the Conditional Use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the Conditional Use will so dominate the immediate neighborhood, consideration shall also be given to, and a description shall be provided of:
    - (1) The location, nature and height of existing and proposed buildings, structures, walls and fences on the site, and
    - (2) The nature and extent of existing and proposed landscaping and screening on the site.
  - (d) If, and how, off-street parking and loading areas will be provided in accordance with the standards set forth in Article VII of the zoning regulations, and if such areas will be screened from adjoining residential uses and located so as to protect residential

- uses from any injurious effect.
- (e) If adequate utility, drainage, and other necessary facilities have been or will be provided.
  - (f) If adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.
9. Obtain a Notice of Public Hearing Yard Sign from the Community Development Department and post the sign on the property at least 20 days prior to the public hearing. Instructions for posting the sign will be provided with the sign. **It is the applicant's responsibility to maintain the yard sign(s) at all times while the sign(s) is posted on the property.** Should the sign(s) fall, it is the applicant's responsibility to reposition the sign(s). If a sign(s) is destroyed or is missing, the applicant, or representative, shall contact the Community Development Department and obtain a new sign(s) which shall be posted according to the instructions provided with the sign(s).
10. Obtain a Yard Sign Affidavit from the Community Development Department and submit the signed Affidavit to the City on the day of the public hearing, as explained in the instructions that will be provided with the Affidavit.

Requests will not be scheduled for a public hearing if applications and attachments are incomplete or unsigned. If you have any questions about the application or the information required please contact the Community Development Department before submitting the application.

**THE SITE PLAN IS NOT CONCEPTUAL. BUILDINGS, STRUCTURES, PARKING AREAS AND ALL OTHER IMPROVEMENTS, INCLUDING LANDSCAPING, SHALL BE PROVIDED AS APPROVED BY THE BOARD OF ZONING APPEALS.**

**Prior to making any improvements, it is the applicant's responsibility to contact Code Services (587-4506) to determine what building and fire codes apply and if a building permit is needed.**