

CONDITIONAL USE APPLICATION

DIRECTIONS:

1. Fill out the form completely. Please print or type.
2. Filing Fee \$150.00. Make check payable to City of Cambridge
Plus Furnas County Filing Fee
3. Contact the Cambridge City Office if you have any questions
4. Submit a list of property owners within 300 feet of property the application is being applied for.
5. Permit is valid for a period of five years. You will need to re-apply prior to the end of the permitted years.

Name of Land owner/Applicant: _____

Address: _____ City: _____

State: _____ Zip: _____

Phone Numbers: Home/Cell: _____

Work: _____

Present use of subject property: _____

Present zoning: _____

Application is hereby made for the following proposed use of property or structure:

Street address of proposed use of property or structure: _____

Legal description of proposed property: _____

Area of subject property, square feet and/or acres: _____

How the adjoining properties are used (actual use):

North: _____ South: _____

East: _____ West: _____

Will this use in all other respects conform to the applicable regulations of the zone in which it is located?

_____ YES _____ NO. If No, please explain: _____

Will this use conform to all other applicable regulations and ordinances of the City of Cambridge?

_____ YES _____ NO. If no, please explain: _____

Will this use have adequate water, sewer and drainage facilities (approved by the City of Cambridge, City Council and the State of Nebraska Department of Health? YES _____ NO _____.

If no, please explain:

_____.

Will ingress and egress be so designed to minimize traffic congestion in the public streets/Roads?

_____ YES _____ NO. If no, please explain: _____

_____.

Estimated cost of structure:

\$ _____

Enclosed:

Site Plan: _____

THE ZONING OFFICIAL, WHO MAY BE ACCOMPANIED BY OTHERS, IS HEREBY AUTHORIZED TO ENTER UPON THE PROPERTY DURING NORMAL WORKING HOURS FOR THE PURPOSE OF BECOMING FAMILIAR WITH THE PROPOSED SITUATION.

Application fee is non-refundable

Signature of Owner

Or

Signature of Agent

Date

Date

CITY OF CAMBRIDGE CONDITIONAL USE PERMIT

DO NOT WRITE IN THIS SPACE

Application to be process for: _____

Date Submitted: _____ Date Notice Sent: _____

Application No. _____ Date of Public Hearing: _____

Filing Fee \$ _____ Proof of Property Line Submitted: _____

Abutting Property Owners List Received:

Date of Advertisement: _____ Permit No.: _____

Planning Commission Recommendation: Approval _____ Disapproval _____ Date: _____

City Council Action: Approval _____ Disapproval _____ Date: _____

ATTEST: _____
City Clerk/Treasurer

Chairman, Planning Commission

Date Final Approval: _____
Mayor, City of Cambridge

CONDITIONAL USE PERMIT PROCEDURE

Conditional uses are those type of uses which, due to their nature, are dissimilar to the normal uses permitted within a given zoning district or where the product, process, mode of operation, or nature of business may prove detrimental to the health, safety, welfare or property values of the immediate neighborhood and its environs. Within the various zoning districts, conditional uses that are specifically listed in the district regulations may be permitted only after additional requirements are complied with as established within this section. A proposal for a conditional use permit may be initiated by the City Council, Planning Commission, or the owner of the property affected.

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:

- a) The proposed conditional use complies with all applicable provisions of the regulations, including intensity of use regulations, yard regulations and use limitations.
- b) The proposed conditional use at the specified location will not adversely affect the welfare or convenience of the public.
- c) 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.
- d) The location and size of the conditional use, the nature and intensity of the operation involved in or conducted in connection with it, and 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 be given to:
 1. The location, nature and height of buildings, structures, wall and fences on the site, and,
 2. The nature and extent of landscaping and screening on the site.
- e) Off-street parking and loading areas will be provided in accordance with the standards set forth, in these regulations, and such areas will be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect.
- f) 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.
- g) 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.
 1. The applicant shall first obtain the property application form from the office of the City Clerk and receive a complete explanation of its requirements. The applicant may wish to discuss various zoning options and requirements for the property in question with the Planning Commission.
 2. The conditional use application form shall be completely filled out and returned to the office of the City Clerk with the appropriate filling fee, a plot plan drawn to scale, and other required information. All applications shall be accompanied by an ownership list obtained from a registered abstractor or from current county records containing the names and mailing addresses of the owners of all property within a

300-foot radius of, and including, the property for which the conditional use is requested.

NO APPLICATION SHALL BE SCHEDULED FOR PUBLIC HEARING UNTIL THE APPLICATION FORM HAS BEEN FULLY COMPLETED, THE FEE PAID, AND ALL REQUIRED INFORMATION SUBMITTED.

1. The Planning Commission shall hold a public hearing at which time citizens and parties of interest shall have an opportunity to be heard. The City Clerk shall be responsible for having an official Notice of Public Hearing published in a newspaper of general circulation at least ten (10) days prior to the hearing. This notice shall state the time and place of the hearing and shall describe the conditional use requested.
2. In addition to the publication of the notice described above, a notice shall be posted by the Applicant in a conspicuous place on or near the property on which action is pending. Such notice shall not be less than eighteen inches in height and twenty-four inches in width with a white or yellow background and black letters not less than one and one-half inches in height. Such posted notice shall be so placed upon such premises that it is easily visible from the street nearest the same and shall be so posted at least ten days prior to the date of such hearing.
3. The public hearing maybe adjourned from time to time and upon its conclusion, the Planning Commission shall adopt its recommendation and submit it to the City Council. This recommendation shall be submitted along with an accurate record of the public hearing. For action on conditional use permits, a quorum of the Planning Commission must be present. A quorum is more than one-half the total membership of the Planning Commission. A vote either for or against the proposed conditional use by a majority of the quorum constitutes a recommendation of the Planning Commission. When neither a vote for nor a vote against the conditional use has a majority of the quorum, it constitutes a "failure to recommend." The Secretary of the Planning Commission shall notify all parties of interest of the Planning Commission's decision within a reasonable period of time after the completion of the public hearing.

The Planning Commission shall inform protestors at the public hearing of their right to submit protest petitions. If the signed petitions amount to Seventy Percent (70%) or more of either the area of the lots included in the application or the area within 300 feet of the boundary of the application, then it cannot be passed except by at least a $\frac{3}{4}$ vote of all the members of the City Council.

Protest petitions will be available in the office of the City Clerk and shall be filed in that office within fourteen (14) days after the conclusion of the public hearing by the Planning Commission. The petitions must be signed by all owners, including a spouse in jointly owned property, notarized and submitted within the fourteen-day period in order to be valid. In computing the protest area, it should be pointed out that the requirement is Seventy Percent (70%) or more of the land area and not Seventy Percent (70%) of the owners; and that area devoted to public streets and rights-of-way is excluded from the computations.

1. The City Council shall also hold a public hearing but not until a notice as outlined in Paragraph 3 has been published in the newspaper at least ten (10) days prior to the date of the public hearing. The City Council shall consider the application for a conditional use, although not until the fourteen-day protest period has expired, and may approve the recommendation of the Planning Commission or take whatever action it deems necessary. If an adequate number of protest petitions are filed, the conditional use can be approved only by a three-fourths (3/4) vote of all the members of the City Council.
2. If the City Council approves the conditional use, it shall adopt an Ordinance to that effect. Since the official zoning map has been adopted by reference, the amending ordinance shall define the change of boundary and shall order the official zoning map to be similarly amended.
3. A conditional use becomes effective on the date the ordinance is published in the newspaper.
4. The conditional use becomes null and void if the requested use has not commenced within twelve months of the date the original application is approved by the City Council.

APPLICATION FOR A CONDITIONAL USE
INSTRUCTIONS TO APPLICANT

1. All applicants for a conditional use should consult the City Clerk prior to submitting a formal application. The purpose of the consultation is to advise the applicant of his rights and responsibilities in filing the application.
2. The applicant must complete the attached application form. All blanks should be filled in. Any questions not applicable should be completed with N/A.
3. The applicant must submit an ownership list obtained from an abstractor or county records listing the legal description and the names and mailing addresses of owners of all property within a distance of three hundred (300) feet of the property line included in the application.
4. At least ten (10) days prior to the date of the public hearing, the applicant shall post a notice of the describing proposed conditional use on the property. The notice shall be easily visible from the street and shall be at least 18 inches in height and 24 inches in width either a white or yellow background and black letters not less than one and one-half inches in height.
5. The applicant shall submit a statement in writing justifying the conditional use applied for, and indicate under which section of the Zoning Regulations the application is being made.
6. The applicant shall prepare and submit in duplicate, at the time of filing the application, a detailed plot plan drawn to scale, showing all existing and proposed structures, property lines with dimensions, parking spaces, points of ingress and egress, driveways and any other information which should be helpful in consideration of the application. Proof of Property Lines must be submitted with application
7. The above listed documents, together with the fee of \$150.00, shall be submitted to the office of the City Clerk.
8. The conditional use becomes effective on the date the ordinance is published in the newspaper. The conditional use becomes null and void if the requested use has not commenced within twelve months of the date the original application is approved by the City Council.