

CONDITIONAL USE PERMIT APPLICATION DIRECTIONS STARK COUNTY NORTH DAKOTA



WHAT IS A CONDITIONAL USE?

There are certain uses which, because of their unique characteristics, cannot be classified as unrestricted permitted uses in any particular zoning district or districts without consideration in each particular case of the impact of those uses upon adjoining lands or public facilities. Such uses, nevertheless, may be necessary or desirable in a particular district provided that due consideration is given to location, development and operation of such uses.

WHAT DO I NEED TO MEET THE CRITERIA FOR A CONDITIONAL USE PERMIT?

No conditional use permit shall be recommended by the Planning and Zoning Commission or approved by the Commission unless the applicant shall have met all the following criteria as listed in Section 8.3 of the Stark County Zoning Ordinance:

- The establishment, maintenance, or operation of the conditional use shall not be detrimental to or endanger the public health, safety, comfort or general welfare;
- The proposed conditional use shall not substantially impair or diminish the value and enjoyment of other property in the area;
- The proposed conditional use shall not impede the normal orderly development of the surrounding property;
- Adequate utilities, access roads, drainage or other necessary site improvements have been or are being provided to accommodate the proposed conditional use;
- Adequate measures will be taken to provide ingress and egress to the property without adverse effects on the adjoining properties and traffic congestion in the public street; and
- The proposed conditional use shall conform to all applicable regulations of the district within which it is located as well as regulations within the Stark County Zoning Ordinance.

The Stark County Commission may impose reasonable conditions to ensure the conditional use permit meets the criteria in Section 8.3 of the Stark County Zoning Code.

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CONDITONAL USE PERMIT APPLICATION DIRECTIONS

A meeting with the Stark County Planner is recommended prior to submitting your Conditional Use Permit application. Please contact Steve Josephson at (701)456-7672 to request an appointment. Mr. Josephson can be contacted at the following e-mail address:

sjosephson@starkcountynd.gov

Conditional use permit applications shall be submitted at the Stark County's Auditor's Office located on the first floor of the Stark County Courthouse. The address of the Stark County Court House is 51 3rd Street East, Dickinson, North Dakota 58601.

Please submit the following information with your signed application:

- A copy of the most recent recorded deed;
- General Parcel Information Page from the Stark County Assessor's Site;
- A Property Record Card Report from the Stark County Assessor's Site; and;
- A map drawn to scale showing the area and location of the proposed conditional use as well as all existing and proposed buildings and land uses on the property. The map shall provide the current zoning of the property as well as the current zoning of existing properties.
- Description of the proposal that specifically describes the function, operation and duration of the proposed use. You may enter this information on the application form or you may submit a separate written attachment that addresses this requirement.
- A description of how the project meets the criteria for conditional use permits in Section 8.3. These criteria are listed on the application form.
- Any other information deemed necessary to conduct a thorough analysis of the application.
- A application fee as listed below:
 - **Agricultural CUPS** **\$200**
 - **Residential CUPS** **\$200**
 - **Commercial and Industrial CUPS** **\$500**
 - **Mobile Home CUPS** **\$500**
 - **RV, Tourist and Trailer Camps CUPS** **\$500**
 - **Temporary Use Permits (TUPS)** **\$500**
 - **Temporary Crew Housing CUPS** **\$1000**
 - **Wind Energy Facilities CUPS** **\$1000**
 - **Renewals/Extensions** **\$200**

If the owner and the applicant are different, please submit a signed statement from the property owner authorizing the applicant as a representative.

Notice of a conditional use permit public hearing shall be made as follows:

- Once a week for two successive weeks, notice of the time and place of the hearing shall be published in the official paper of the county.
- The zoning administrator shall notify the applicant of the time and place of said hearing.

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- The zoning administrator shall notify all owners of properties within 200 feet of the property in question by personal service or by certified or registered mail, addressed to the owner and mailed to his or her last address as shown on the records of the Stark County Treasurer. The costs of the service shall be borne by the applicant prior to the zoning map amendment public hearing.

The planning and zoning commission shall conduct the public hearing and shall forward a recommendation to the county commission regarding the conditional use permit.