

SPECIAL EXCEPTION USE PERMIT APPLICATION



Yankee Springs Township
Zoning Administration

TO BE FILLED OUT BY

TOWNSHIP

SEU #: _____

Date Approved: _____

PC# _____

APPLICANT INFORMATION

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ (Opt.) Cell Phone: _____

Email: _____

PROPERTY OWNER INFORMATION

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ (Opt.) Cell Phone: _____

Email: _____

PROJECT LOCATION

Address: _____ CITY _____

SECTION: _____ PARCEL ID. #: _____

(Last 8 Digits Only)

ZONING CLASSIFICATION:

TYPE OF REQUEST:

SPECIAL EXCEPTION USE PERMIT APPLICATION CONTINUED



Yankee Springs Township
Zoning Administration

TO BE FILLED OUT BY

TOWNSHIP

SEU #: _____

Date Approved: _____

PC# _____

TERMS & CONDITIONS

1. I hereby agree to allow the members of the Township Planning Commission, Zoning Administrator or their Representative to enter my property for the purpose of inspecting the site of the above request.
2. I hereby agree to comply with the terms and requirements of the Yankee Springs Township Zoning Ordinance.
3. I hereby agree not to divert, concentrate, or increase the velocity of the natural surface water.
4. I hereby agree to obtain a Health Department Review.

Signature: _____ Date: _____

TO BE FILLED OUT BY TOWNSHIP

Fee received by: _____ Date: _____

Cash Amount: \$ _____ Check Amount: \$ _____ Check #: _____

Sec. 4.1. Special Exception Use Standards.

A. In order to make this ordinance flexible and still afford protection of property values and orderly and compatible development of property within Yankee Springs Township, the Yankee Springs Township Planning Commission, in addition to its other functions, is authorized to approve the establishment of certain uses designated as special exception uses within the various zoning districts, when set forth in the ordinance.

B. These special exception uses have been selected because of the unique characteristic of the use which, in the particular zoning district involved, under certain circumstances and without proper controls and limitations, might cause it to be incompatible with the other uses permitted in such zoning district and accordingly be detrimental thereto.

C. With this in mind, the special exception uses are not permitted to be engaged in within the particular district in which they are listed unless and until the planning commission, in its absolute discretion, is satisfied that the same, under the conditions, controls, limitations, circumstances and safeguards proposed, therefore, and imposed by the planning commission would be compatible with the other uses expressly permitted within said zoning district; would not, in any manner, be detrimental or injurious to the use or development of adjacent properties, to the occupants thereof or to the general neighborhood; would promote the public health, safety, morals and general welfare of the community; would encourage the uses of lands in accordance with their character and adaptability; and that the conditions required by the planning commission for the allowance of such special exception use can and will, in its judgment, be met at all times by the applicant.

D. The burden of proof of facts, which might establish a right to a special exception use permit under the foregoing standards, shall be upon the applicant.

E. The planning commission may not allow any use as a special exception use unless the same is specially authorized as a special exception use in a particular zoning district.

Sec. 4.2. Special Exception Use Procedure.

A. All applications for special exception use (S.E.U.) permits shall be filed with the zoning administrator and shall include all pertinent plans, specifications, and other data upon which the applicant intends to rely for a special exception use permit.

B. The planning commission shall hold a public hearing on the request in accordance with the following procedures:

1. A notice of the public hearing shall be published in a paper of general circulation in the township not less than fifteen (15) days before the hearing, describing the nature of the request for a special exception use permit, indicate the property that is the subject of the request including a list of all existing street addresses within the property (if none exist, other means of identification may be used), state when and where the request will be considered, and indicate when and where written comments may be submitted concerning the request.

2. Notice shall be sent by mail or personal delivery not less than fifteen (15) days before the public hearing to the owners of the property for which approval is being considered. Notice shall also be sent to all persons to whom real property is assessed within three hundred (300) feet of the property and to occupants of all structures within three hundred (300) feet of the property regardless of whether the property or occupant is located within the township. If the name of the person is not known, the term occupant may be used in making notification.

3. Following the hearing, the planning commission shall either grant or deny a permit for the special exception use. The planning commission shall state the reason for its decision, including all conditions, limitations and requirements upon which the permit is granted.

4. The planning commission shall have the right to limit the duration of a special exception use permit where the use is temporary in nature. The commission may reserve the right of an annual review for any permit granted. Any use failing to comply with such conditions or limitations may be terminated by action of the planning commission, after a public hearing.

5. The site plan, specifications, and all conditions, limitations, and requirements imposed by the planning commission shall be incorporated as part of the special exception use permit. Violations of any of these will cause revocation of the permit and the use for which the permit was granted shall cease to be a lawful use.

6. Any special exception use permit that has not been used for a period of six (6) months may be revoked, upon a hearing of the planning commission. Upon termination of the special exception use permit, the property shall be used only for permitted uses set forth in the zoning ordinance for the zoning district the property is located in.

Sec. 4.3. Annual Inspections.

The planning commission or its representative shall inspect each approved special exception use permit for compliance at least once each year. The holder of any special exception use permit failing to comply with the conditions of approval shall be requested to appear before the planning commission after which the use permit may be terminated.

Sec. 4.4. Special Exception Use Conditions.

A. The planning commission may impose such conditions or limitations, in granting approval, as may be permitted by state law and this ordinance, which it deems necessary to fulfill the spirit and purpose of this ordinance. Those conditions may include any condition necessary:

1. To insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads.
2. To protect the natural environment and conserve natural resources and energy.
3. To promote the use of the land in a socially and economically desirable manner.

B. The conditions imposed shall do all of the following:

1. Be designed to protect natural resources, health, safety, and welfare, as well as the social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
2. Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.
3. Be necessary to meet the intent and purpose of the zoning regulations; be related to the standards established in this ordinance for the land use or activity under consideration; and be necessary to insure compliance with those standards.

C. The conditions imposed with respect to the approval of a land use or activity shall be recorded in the record of the approval action and shall remain unchanged except upon the mutual consent of the approving authority and the land owner. The planning commission shall maintain a record of changes granted in conditions.

Please refer to the complete Zoning Ordinances pertaining to the specific Special Exception Use being considered.