

Hopkinsville • Christian Co.



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And Education

# Conditional Use

## Questions?

Questions or inquiries concerning conditional uses can be directed to the HCCPC's Planning Department by calling (270) 887-4285 or by fax at (270) 887-4019.

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Visioning Tomorrow's Success Today

### What is a Conditional Use?

A Conditional Use is a special use permitted within a zoning district other than the principally permitted use, requiring a conditional use permit and approval of the Board of Zoning Adjustment. Conditional use permits allow the proper integration into the community uses which are specifically named in the zoning regulations which may suitable only in specific locations. The process of obtaining a Conditional Use is usually about 30-45 days.

The Hopkinsville Zoning Ordinance Schedule of Uses sets forth the uses allowed by right, the uses not allowed, and the uses that are allowed by Conditional Use. KRS 100.237 grants the power to hear and decide applications for conditional use permits to the Board of Zoning Adjustment.

### How are Conditional Uses approved?

**1. Informal Meeting** (Optional, but encouraged): Meeting with a staff member in order to determine if a conditional use permit would be required.

**2. Submit a Conditional Use Application:** The application must include the following items:

- A. Name, address, and phone number of applicant(s)
- B. Legal authorized signature of the property owner
- C. Legal description of property
- D. A description of the existing use.
- E. Zoning district
- F. Description of the proposed use
- G. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading area, traffic access and traffic circulation, open space, landscaping, refuse and service area, utilities, signs, yards, and such other information as the Board may require to determine if the proposed conditional use meets the intent and requirements of the Hopkinsville Zoning Ordinance.
- H. A narrative statement evaluating the effects of such elements as noise, glare, odor, fumes, and vibration on adjoining property; a statement of the general compatibility with adjacent properties in the district; and the relation-

ship of the proposed use to the comprehensive plan.

I. Such other information that may be required in Specific Criteria for Conditional Uses (6.22 of the Hopkinsville Zoning Ordinance).

*Applications are available at the office of the HCCPC. All applications must be filed 30 days prior to the next meeting of the Board of Zoning Adjustment.*

**3. Notification to Adjoining Property Owners and Notice to General Public:** Pursuant to KRS 424 and KRS 100.221 notification of the public hearing to be held is sent via certified mail to all adjoining property owners. In addition, pursuant to KRS 424, notice of the public hearing is published in the local newspaper.

**4. Department Head Comments:** Memorandums are sent out to Police Department, Fire Department, Public Works, KDOT, City Clerk, E911, Soil Conservation, Electric Company, Water Company, and Phone Company associated with the request. Each department head reviews your request within their area of expertise and returns comments to this office. These comments are incorporated into the Staff Report.

**5. Staff Review:** The staff will examine your application, along with any additional information provided. A staff report will be prepared, including staff recommendations, and mailed to you seven (7) days prior to the Meeting of the Board of Zoning Adjustment.

**6. Public Hearing:** The Board of Zoning Adjustment will hold a Public Hearing. The staff will present their report to the Board. During the public hearing, members of the public have an opportunity to submit information (evidence) in support of or in opposition to your request.

**7. Board of Zoning Adjustment Meeting:** The Board of Zoning Adjustment meeting is typically held following the public hearing. The Board will consider the Conditional Use based on the information heard during the Public Hearing and information submitted by you as part of the application. The Board will approve, approve with supplementary conditions, or disapprove the request.

**8. After the Meeting:** The applicant will be notified of the Board's decision by mail. Should the request be granted, a Conditional Use Permit will be issued to the applicant, along with a Certificate of Land Use Restriction stating the conditions of the approval of the Conditional Use. This Certificate of Land Use Restriction (CLUR) must then be filed at the Christian County Clerk's Office.