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ARTICLE FIVE - CONDITIONAL USE PERMITS

501 General Provisions

The Village Board may, by conditional use permit after a Public Hearing and referral to and recommendations from the Planning Commission authorize and permit conditional uses as designated in the district use regulations. Approval shall be based on findings that the locations and characteristics of the use will not be detrimental to the health, safety, morals, and general welfare of the area.

Allowable uses may be permitted, enlarged, or altered upon application for a conditional use permit in accordance with the rules and procedures of this ordinance. The Board may grant or deny a conditional use permit in accordance with the intent and purpose of this ordinance. In granting a conditional use permit, the Board will authorize the issuance of a conditional use permit and shall prescribe and impose appropriate conditions, safeguards, and a specified time limit for the performance of the conditional use permit.

A conditional use permit granted by the Board must be implemented within one year of the date of granting. Failure to implement the conditional use permit within one-year of the date of issue will void the conditional use permit. A conditional use permit is non-transferable to a third party and a new conditional use permit shall be applied for in the event of sale or transfer of the use granted a conditional use permit.

502 Applications for Conditional Use Permits

A request for a conditional use permit or modification of a conditional use permit may be initiated by a property owner or his or her authorized agent by filing an application with the Village upon forms prescribed for the purpose. A drawing or site plan and other such plans shall accompany the application, as well as data showing the dimensions, arrangements, description data, and other materials constituting a record essential to an understanding of the proposed use and proposed modifications in relation to the provisions set forth herein. A plan as to the operation and maintenance of the proposed use shall also be submitted. The application shall be accompanied with a non-refundable fee.

503 Public Hearing

Before issuance of any conditional use permit, the Board will consider the application for the conditional use permit together with the recommendations of the Planning Commission at a public hearing after prior notice of the time, place, and purpose of the hearing has been given by publication in a legal paper of general circulation in the Village of Platte Center, one time at least 10 days prior to such hearing.

504 Decisions

A majority vote of the Board shall be necessary to grant a conditional use permit. No order of the Board granting a conditional use permit shall be valid for a period of longer than twelve (12) months from the date of such order, unless the Board specifically grants a longer period of time upon the recommendation of the Planning Commission.

505 Standards

No conditional use permit shall be granted unless the Planning Commission or Village Board has found:

1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, moral, comfort, or general welfare of the community.

2. That the conditional use will not be injurious to the use and enjoyment of the property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood.
3. That the establishment of the conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.
5. That adequate measure has been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. The use shall not include noise, which is objectionable due to volume, frequency, or beat unless muffled or otherwise controlled.
7. The use shall not involve any pollution of the air by fly-ash, dust, vapors or other substance which is harmful to health, animals, vegetation or other property or which can cause soiling, discomfort, or irritation.
8. The use shall not involve any malodorous gas or matter, which is discernible on any adjoining lot or property.
9. The use shall not involve any direct or reflected glare, which is visible from adjoining property or from any public, street, road or highway.
10. The use shall not involve any activity substantially increasing the movement of traffic on public streets unless procedures are instituted to limit traffic hazards and congestion.
11. The use shall not involve any activity substantially increasing the burden on any public utilities or facilities unless provisions are made for any necessary adjustments.