



Conditional Use on Appeal  
Initial Application

Please fill out this form completely, supply all necessary information to support your request. Your application will not be placed on the agenda for Planning Commission until all information is furnished.

Applicant: \_\_\_\_\_ Day Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
Representative: \_\_\_\_\_ Day Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
Property Owner: \_\_\_\_\_ Day Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
Indicate where correspondence should be sent (circle one): Applicant – Representative -- Owner

Describe Proposed Property In Detail (Attach additional pages if necessary)

Property Description  
Site Address -- \_\_\_\_\_  
Current Zoning -- \_\_\_\_\_

Attach a site plan (a scaled drawing of the property, showing accurate lot lines, surrounding zoning, adjacent owners and a north arrow is required.)

Type of conditional use requested:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Responsibilities of the Applicant:

1. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit (see attached), that notice has been given to all adjacent property owners by certified

mail, return receipt requested, will be submitted. Notification should be sent after the City of Farmington has accepted the application and the date of the public hearing has been confirmed. The required Affidavit and supporting exhibits (mailing receipts, list of property owners of record and copy of notice) shall be filed with the City of Farmington no later than seven (7) days prior to the meeting date. A sample notice is attached.

2. Pay a \$50.00 application fee
3. Provide a copy of the deed of the property.
4. Written authorization (by a signature below) from the property owner that the use presented is agreeable to them.
5. Complete the conditional use checklist.
6. Publish the following notice of public hearing in a newspaper serving the City (*Northwest Times, the Morning News, Arkansas Democrat-Gazette or The Farmington Post*). **THE NOTICE MUST APPEAR IN THE PAPER A MINIMUM OF 15 DAYS BEFORE THE PUBLIC HEARING DATE.**

### NOTICE OF PUBLIC HEARING

A petition for a conditional use at the property as described below has been filed with the City of Farmington on the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_\_.

#### PLACE LEGAL DESCRIPTION OF PROPERTY HERE

A public hearing to consider this request for conditional use at the above described property from \_\_\_\_\_ to \_\_\_\_\_ will be held on the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_\_, at 6:00 p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.

A copy of the proof of publication from the newspaper must be provided to the City 10 days before the meeting.

The City will post a sign on the property at a location visible to the public, notifying the public of the intent to request a conditional use on the property.

*Applicant/Representative: I certify under penalty of perjury that the foregoing statements and answers herein made, all data, information and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incomplete, incorrect or false information is grounds for invalidation of the application. I understand that the City of Farmington may not approve my application or may set conditions on approval.*

\_\_\_\_\_  
Applicant Signature Date \_\_\_\_\_

*Property Owner/Authorized Agent: I certify under penalty of perjury that I am the owner of the property that is the subject of this application and that I have read this application and consent to its filing. (If signed by the authorized agent, a letter from the property owner must be provided indicating that the agent is authorized to act on his behalf.)*

\_\_\_\_\_  
Owner/Agent Signature Date \_\_\_\_\_



# Conditional Use on Appeal Checklist

Initial Application

Renewal Application

**CONDITIONAL USE ON APPEAL MUST BE RENEWED EACH YEAR.**

Applicant's Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_ Zoning \_\_\_\_\_

Phone # \_\_\_\_\_ Email \_\_\_\_\_

Description of proposed use:  
\_\_\_\_\_  
\_\_\_\_\_

The following criteria must be answered with a "yes" finding before the Farmington Planning Commission will hold a public meeting on the Conditional Use on Appeal application. For #3 through #10, provide a brief explanation on the back of this form.

- Yes    1.    A written application has been filed with the City and the \$50.00 permit application fee or renewal application fee has been paid.
- No
- Yes    2.    Does applicant reside at the address that this conditional use was applied for?
- No
- Yes    3.    The applicant has provided proof that each adjacent property owner has been notified by Return Receipt mail (initial applicants) or personal contact (for renewal only). If personal contact is used, a signed affidavit by the owner must be submitted. The affidavit must contain information notifying of the proposed intent and the date of the public hearing, at a minimum.
- No
- Yes    4.    Are public services and utilities available and adequate?
- No
- Yes    5.    Is fire protection adequate? Farmington Fire Chief must inspect and sign-off below.
- No
- \_\_\_\_\_ Farmington Fire Chief
- Yes    6.    Is the proposed use compatible with the surrounding area and the planned use for the area?
- No
- Yes    7.    Is screening and egress safe and convenient?
- No
- Yes    8.    Are off-street parking and loading areas adequate?
- No
- Yes    9.    Will refuse and service areas **not** cause adverse effects on adjacent property?
- No
- Yes    10.    Will off street parking and loading areas **not** cause adverse effects on adjacent property?
- No
- Yes    11.    Will signs be in compliance with the City's sign ordinance? (In some zoning classifications signs are not permitted.)
- No
- Yes    12.    Do the subdivision covenants\* allow this use (if applicable)?
- No

**APPLICANT MUST BE PRESENT AT THE PLANNING COMMISSION MEETING FOR THIS CONDITIONAL USE PUBLIC HEARING.**

\*The City of Farmington does not enforce covenants however; property owners and renters need to be aware of the requirements of their subdivision.



**NOTICE OF HEARING BEFORE THE FARMINGTON PLANNING  
COMMISSION ON AN APPLICATION FOR CONDITINAL USE**

To all Owners of land laying adjacent to the property at:

Location: \_\_\_\_\_

Owned by: \_\_\_\_\_

NOTICE IS HEREBY GIVEN THAT an application has been filed for CONDITIONAL USE at the above property.

The purpose of this request is to use this property for:

Explanation: \_\_\_\_\_

\_\_\_\_\_

A hearing on said application will be held by the Farmington Planning Commission at Farmington City Hall, 354 W. Main Street, on \_\_\_\_\_ at 6:00 p.m.

All parties interested in this matter may appear and be heard at said time and place, or may notify the Planning Commission of their views on this matter by letter. All persons interested in this request are invited to call or visit the City Business Manager at City Hall, 354 W. Main St., Farmington, AR 72730. Ph. #267-3865.



## AFFIDAVIT

I hereby certify that I \_\_\_\_\_  
Print name

acting as agent/owner, have provided notice to affected parties in accordance with the requirements set forth in the instruction given with the application and that the notice information provided is to the best of my knowledge true and factual. I am hereby enclosing the following supporting documents: copies of the notice, mailing receipts, return cards, and nay notices that were undeliverable.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_