

Findings and Decision of the Common Council of the City of Hot Springs

Council Convened at: _____ am/pm, on this date _____, 20 ____

Location: _____

Council Members Present: _____

Interested Parties Present: _____

Council Decision: _____

Mayor's signature *date* *Finance Officer (seal)*

Office Comments:

(Attach Minutes) _____

The City Council may impose such conditions regarding the location, character, or other features of the proposed use or buildings as it may deem advisable in the furtherance of the general purposes of this ordinance. Such conditions include, but are not limited to, the following:

a) A use approved under this section may be revoked by the city council for cause. The city shall provide notice of the date, place, and time of the public hearing for the revocation by certified mail sent to the owner of the use/property considered for revocation and to all property owners within two hundred feet (200'), exclusive of rights-of-way.

b) Upon receipt of a valid written complaint filed by a person directly affected, or upon determination by the zoning administrator that cause exists to review the use permit, the zoning administrator may request that the city council conduct a formal review of the approved use. A valid written complaint shall contain the following:

i) A description of the activity that is taking place not allowed by the existing zoning or not authorized in the original approval, and is not a routine activity normally associated with the surrounding land uses (e.g. interruption of trash pick-up, mail delivery, etc.).

ii. That the activity produces noise, odor, vibration, or traffic patterns not disclosed at the time the use permit was applied for.

iii. The effects identified in 27-A.08.04(B)(4)(b)(ii) are detrimental to the health, safety and welfare of the complainant and the public.

c. An approved Use Permit shall be implemented within six (6) months from the date of approval unless otherwise expressly requested by the applicant and approved by Council. Any Use Permit not implemented within that specified time period will be deemed a discontinued use and the Use Permit shall be void.

d. Any approved use permitted by a Use Permit that has been suspended or discontinued for twelve (12) continuous months shall be deemed a discontinued use and the Use Permit shall be void.

Denial of request. In the event the request for a use on review is denied by the city council, reapplication shall not be permitted for a period of one (1) year, unless the zoning administrator determines that there has been a substantial change in circumstance surrounding the request.

Transfer of a use permit and use permits. A use permit may not be transferrable to another property owner. Upon the sale or transfer of the property for which the Use Permit was issued, the new owner shall be required to make application for that intended use.