



# Citizens Guide to the Conditional Use Permit

The Zoning Regulations for Christian County, Missouri define a [Conditional Use Permit](#) as, "A procedure whereby the Board of Adjustment may grant permission for a use that is listed as a conditional use in the Zoning Regulations." The Board of Adjustment must review an application and determine whether specific conditions for protection of the area and maintenance of the character of the Zoning District in which the conditional use is proposed, are incorporated in the plans for the proposed use. A Conditional Use Permit may be approved by the Board of Adjustment for a specified time period on a case by case basis. It is not necessary to show practical difficulty or hardship, as the permit is not asking for permission to violate the Zoning Regulations, but rather it must be shown that the proposed use is included in or similar in nature to the list of conditional uses of the Zoning District in which the conditional use is proposed. Adequate safeguards must be specifically addressed in the plans to insure that the use will not be in any way a detriment to the locality.

## ***First Step: Initial Contact***

You are encouraged to meet with the staff of the Planning and Zoning Department. The purpose of this meeting is to discuss your plans, to learn how the County's plans and policies may affect your property and its development, and to determine if the proposed use of the property is included in or similar in nature to the list of conditional uses of the Zoning District in which the conditional use is proposed. This step is not required but is strongly encouraged.

## ***Second Step: The Application***

When it has been determined that a conditional use permit is necessary, you may submit a [Conditional Use Permit Application](#) to the Planning and Zoning Department. The following items must accompany the application in order to be considered a complete application:

- [Conditional Use Permit Application](#) signed by the property owner at the time the application is filed, attesting to the truth and correctness of all facts and information presented with the application. The application shall be submitted at least **thirty (30) days** before the public hearing date to be held by the Planning and Zoning Commission.
- Accurate legal description of the property as well as a map showing its location.
- A recorded copy (on file in the Recorder of Deeds Office) of the property deed which establishes rightful ownership of the property to be rezoned.
- A letter explaining the reason for the request. The letter should include a description of the proposal along with information concerning water and wastewater services as well as information about impacts to traffic, the environment, the impact on the neighborhood and abutting neighbors and any proposed mitigation measures.
- A site sketch plan including all existing and proposed improvements, including the onsite wastewater system, well, drive(s), building(s), floodplain and sinkhole location(s). *The site plan may be hand drawn but must be complete.*
- List of all the property owners, and their mailing addresses, both within the area to be rezoned, and within 1000 feet of the area to be rezoned, that can be obtained from the County Assessor's office.
- An aerial photo of the property must be submitted. This photo may be obtained from the Planning and Zoning Office.
- Plain envelopes for each name on the list of property owners with the names and addresses typed on the envelopes as well as completed certified mail labels. Postage should not be affixed to envelopes. *(Postage should be paid with the required application fees.)*
- When applicable, a copy of your valid business license or lease/rental agreement must be provided.
- Non-refundable [application fee](#).

### ***Third Step: Staff Review***

During the weeks following the application deadline, the Planning and Zoning Department staff will evaluate your request in order to determine if the proposed use is included in or similar in nature to the list of conditional uses of the Zoning District in which the conditional use is proposed and that adequate safeguards have been appropriately included and addressed in the plans, in order to insure that the use will not be in any way a detriment to the locality. Based upon this evaluation, the staff prepares a staff report to the Planning and Zoning Commission that contains the staff recommendation to the Commission. You will be informed of the date, time and place of the Planning and Zoning Commission meeting. A copy of the staff report and staff recommendation will be available the week prior to the meeting.

Also during this time, staff will provide you with the format for a legal advertisement which must be published in the Christian County Headliner or The Daily Events at least 15 days prior to the hearing. You will be responsible for the cost of the advertising as well as the cost for certified mailings of notices to the property owners within 1000 feet of the property to be rezoned. Staff will place public hearing signs on the property to advise interested parties of the date, time and place of the Planning and Zoning Commission meeting.

### ***Fourth Step: Planning and Zoning Commission Meeting***

The Planning and Zoning Commission will hold a public hearing to consider your request. You and/or your representative must attend the Planning and Zoning Commission meeting. The P & Z Commission will hear each case on the agenda in the following order: the staff presentation and recommendation; your (or your representative's) presentation; other persons in favor of granting the Conditional Use Permit and any persons wishing to speak in opposition to the granting of the Conditional Use Permit. The Commission will either recommend that the request be approved or the request be denied. The Planning and Zoning Commission may recommend that specific conditions be placed on approval of the request. If the Commission determines that additional information is needed to make a decision, it may also continue the request to a future meeting.

Your request will automatically be placed on the next available Board of Adjustment agenda along with the recommendation from both the Planning and Zoning Commission and the staff. During the time prior to the Board of Adjustment hearing on your request, staff prepares minutes of the Planning and Zoning Commission meeting, and prepares a staff report for the Board's review.

### ***Fifth Step: The Board of Adjustment Meeting***

The Board of Adjustment will review both the staff recommendation and the Planning and Zoning Commission recommendation. They will also hear from you or your representative and any others wishing to speak in favor of or in opposition to the Conditional Use Permit proposal.

The Board of Adjustment may vote on your request after the public comment portion of the meeting and any questions are answered. They may approve the request, approve the request conditionally, or deny the request. In authorizing a conditional use, the Board of Adjustment may make such requirements, limitations or conditions with respect to the location, construction, maintenance and operation as may be reasonably necessary for the protection of the public. If the Board of Adjustment determines that additional time for review is required, the request may be tabled until a later meeting.