



TEMPORARY USE PERMIT APPLICATION

APPLICANT

Name _____
 Mailing Address _____

 Contact Person _____
 Phone _____ Fax _____
 Email _____

PROPERTY INFORMATION

Assessor's Parcel # _____
 Township _____ Range _____ Section _____
 Subdivision _____
 Unit # _____ Lot # _____
 Address/Location _____

 Existing Zoning _____
 Existing Land Use _____
 Lot Size _____

TEMPORARY USE PERMIT REQUEST

Please provide a brief description of the request.

Temporary Use: _____ Yes _____ No

SUBMITTAL CHECKLIST

- Application, photographs, diagrams, site plans with the setbacks noted, and any other required information. Please be precise and detailed. (*See the attached guidelines*)
- A list of names and addresses of all the property owners within 300 feet of subject property.
- Map to property.
- A non-refundable filing fee of \$300.00.

CERTIFICATION & SIGNATURE

Submittal of this application constitutes consent of the applicant in granting the Community Development Department access to the subject property during the course of project review. No further consent or notice shall be required.

I hereby certify that the information in this application is correct and agree to abide by the regulations of this jurisdiction.

Signature of Applicant

_____ Date _____

Signature of Property Owner (if not the applicant)

_____ Date _____

OFFICE USE ONLY	
Received By _____	Date _____
Receipt # _____	Fee _____
Permit # _____	
Related Cases _____	
Appeal Filed By _____	Date _____
Receipt # _____	Fee _____

DIRECTOR'S ACTION	
<input type="checkbox"/> Approved with Conditions (<i>see attachments</i>)	<input type="checkbox"/> Denied
Resolution # _____	Date _____
Director _____	Date _____
COMMISSIONERS' ACTION	
<input type="checkbox"/> Approved with Conditions (<i>see attachments</i>)	<input type="checkbox"/> Denied
Ordinance # _____	Date _____
Chairman _____	Date _____
07/01/2005	



Guidelines for Requesting a Temporary Use Permit

**THIS INFORMATION HAS BEEN SELECTED
FROM THE APACHE COUNTY ZONING ORDINANCE.**



ARTICLE 9

Administrative Review Process

Section 903. Administrative Review Process

A. Applicability. The provisions of this Section shall apply to all administrative determinations, vested in the Director, other than variances. Said uses are those uses subject to standards that are applicable for all permits and those that require the exercise of limited discretion about nontechnical issues and about which there may be limited public interest.

B. Purpose. The purpose of this Section is to establish decision criteria and procedures for uses that due to their unique qualities may require additional regulations or other special degrees of control. The administrative use process, which includes public notice and comment, is required to ensure that the activity, if established, will be in full compliance with the applicable regulations and that such uses are compatible with the Apache County Comprehensive Plan, adjacent uses, planned uses, and the character of the vicinity.

C. Administrative authority. The Director is authorized to deny, approve, or approve with conditions an application for an administrative use permit. Any additional requirements obtained from other sections of the Ordinance above those specified in this Section, or modification of the proposal to comply with specified requirements or local conditions, is also authorized. At the discretion of the Director, the request for an administrative use permit can be heard by the Commission. The Commission may deny an application for an administrative use permit if the use fails to comply with specific standards set forth in this Ordinance or if any of the required findings are not supported by evidence in the record as determined by the Director.

D. Application. All applications shall be made on forms supplied by the Director and shall include an accurate site plan. The Director shall review the application for compliance and completeness. If there are deficiencies, the applicant shall be notified.

E. Notice to affected property owners. The Director shall mail a notice to the surrounding property owners within 300 feet of the subject parcel. A copy of the application shall be included with the notice, which shall state that all comments concerning the proposed request must be forwarded to the Community Development Department in writing within twenty-one (21) days from the date the notice was mailed.

F. Action on application. The application shall be processed as follows:

1. Based on staff comments and those from affected property owners, the Director shall review the proposed development, request modification(s) of the standard(s), and either approve, approve subject to conditions, or deny the application, or forward it to the Commission per Section 903(C), within seven (7) working days from the end of the fifteen (15) day comment period.

2. The Director shall use the following criteria to evaluate the proposal:

a. The proposed modification will not violate any provisions of the Apache County Comprehensive Plan, area plans, duly adopted master plans, or other provisions of applicable ordinances and regulations;

b. The proposed modification will not substantially reduce the amount of privacy currently enjoyed by nearby property owners if the development is located as specified by these regulations;

c. The proposed modification will not substantially and adversely affect traffic or traffic circulation, drainage, sewage treatment systems, or other such systems; and

d. The modification does not create a situation where the proposed use of the property will create a hazard or nuisance.

3. The Director shall, via certified mail, provide the applicant with a notice of disposition and written statement of the decision and reasons therefore, and any conditions of approval. Notice shall also be sent to the surrounding property owners within 300 feet of the site and shall include information on how to appeal the decision made by the Director and the appeal deadline.

G. Appeals. The decision of the Director or the Commission (made in F.1.) may be appealed as follows:

1. Any person aggrieved or affected by the decision of the Director may take an appeal concerning approval or denial of this permit to the Commission or the Commission (made in F.1.). Such appeal shall be taken within thirty (30) days by filing with the Director a notice of appeal specifying the grounds therefore on forms provided by the Community Development Department. The Director shall transmit to the Commission all papers constituting the record of the action being appealed. Such appeal shall stay all proceedings in the matter being appealed, unless the Director certifies to the Commission that, by reason of the facts stated in the appeal, the stay would in the Director's opinion cause imminent peril to life or property. The appeal of the administrative use permit shall be on the next Commission meeting agenda only if and when there is adequate time to meet the posting and notice requirements of a regular conditional use permit per Article 11.

2. The Commission shall make a recommendation regarding the administrative use permit, approving, approving with conditions, or denying. The Commission shall forward this recommendation to the Board of Supervisors.

3. The Board of Supervisors shall make the final determination in an appeal of an administrative use permit. The Board of Supervisors shall hear the application at the next regularly scheduled meeting following proper notification. The Board of Supervisors shall, approve, approve with conditions, or deny the recommendations of the Commission.