

## SECTION 1800 CONDITIONAL USE PERMITS AND PROCEDURES

### Subdivision 1801. Application.

1801.1 Conditional Use Permits may be issued for nay and only the uses or purposes for which such permits are required or permitted by provisions of this Ordinance.

### 1801.2 Application.

An application for a Conditional Use Permit shall be filed with the Zoning Administrator indicating the Section of this Ordinance under which the Conditional Use Permit is sought and stating the ground on which it is requested. The application shall be accompanied by such plans and elevations and site plans as prescribed by the Board of Adjustment and presented by the Zoning Administrator to the Board of Adjustment. A copy of all applications for a Conditional Use Permit under the provisions of the Floodway and/or Flood Fringe portions of the FLOOD PLAIN DISTRICT shall be forwarded to the Iowa Natural Resources Council ten (10) days prior to a public hearing.

### Subdivision 1802. Notification and Public Hearing.

Upon receipt in proper form of the application and other requested material, the City Board of Adjustment shall hold at least one public hearing in a location to be prescribed by said Board of Adjustment. Not less than four(4) days not more than twenty (20) days in advance of each public hearing, a notice of the hearing shall be published in a newspaper of general circulation in the City of Baxter and a like notification not less than four (4) not more than twenty (20) days prior to the hearing to the owners of property within three hundred (300) feet of the subject property. This notice shall describe the particular conditional use, date, time and place of hearing.

### Subdivision 1803. Findings.

No conditional use shall be approved by the City Board of Adjustment unless said Board shall find:

1803.1 That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, not substantially diminish and impair property values within the immediate vicinity.

1803.2 That the establishment of a conditional use will not impede that normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.