



## ***Special Use Permit***

Special Uses Under Special Conditions



### **What is a Special Use Permit?**

Some property uses may not always be in harmony with those that are permitted in a standard zoning district classification. The Russell County Zoning Regulations list certain "special uses" for each zoning classification that may be considered and approved under a Special Use Permit if, after a public hearing, it is determined that the use will not harm neighboring property or the welfare of the community. Uses subject to this permit are those that have a strong potential to conflict with surrounding uses if not appropriately designed and sited on a property.

### **Applying for a Special Use Permit**

Application forms and fee schedules are available in the Zoning Office, located on the first floor of the Russell County Courthouse. The application must include a detailed site plan, a statement certifying that the applicant is the lawful owner of the property that the special use permit is requested for, and a Declaration of Restrictions.

A Declaration of Restrictions must:

1. Indicate the use which is to be made if the application is granted
2. Provide a statement that the land will be used only for the purpose requested
3. Provide that if the specified use is abandoned or changed, the subsequent use will conform to the zoning regulations in place for the district, unless a new application for special use is submitted and granted.

The completed application and supporting documents must be submitted to the Zoning Office. A non-refundable application fee is due at the time the application for special use permit is submitted. Under certain conditions, a final plat plan may also be required. The Zoning Office can help identify additional requirements which may apply to a specific project.

After the Zoning Administrator has received the completed application, he will notify the Russell County Board of Zoning Appeals, who will set a date for public hearing.

### **The Approval Process**

**Public Notification:** Russell County Zoning will publish the Public Hearing Notice in the official newspaper of Russell County. At least 20 days before the public hearing date, the Zoning Office will also send written notice to each party being affected, as well as to the Russell County Planning Commission.

**The Public Hearing:** The applicant will make a presentation to the Russell County Board of Zoning Appeals, and any interested parties will be given the opportunity to speak for or against the proposal. After the hearing is complete, the Board of Appeals will review all the information provided and make their decision. A written notification of the decision will be mailed to the applicant and also to the Zoning Administrator.

**Appeal:** If the application is not approved, the applicant will have 30 days to appeal the decision to the Russell County District Court.

Questions? Contact the Zoning Office at : P.O. Box 113 Russell, KS 67665 (785) 483-6650