

# CONDITIONAL USE APPLICATION

Chapter 170, Section V, Town of Troy Zoning Ordinance

File #: \_\_\_\_\_

Office Use Only

## APPLICANT INFORMATION

Applicant Name: \_\_\_\_\_ Owner Name (if not Applicant): \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Mailing Address: \_\_\_\_\_

Daytime Phone: (\_\_\_\_) \_\_\_\_\_ Daytime Phone: (\_\_\_\_) \_\_\_\_\_

E-mail: \_\_\_\_\_ E-mail: \_\_\_\_\_

## SITE INFORMATION

Site Address: \_\_\_\_\_

Property Location: \_\_\_\_\_ 1/4, \_\_\_\_\_ 1/4, Sec. \_\_\_\_\_, T. \_\_\_\_\_ N., R. \_\_\_\_\_ W., Town of Troy (*Complete legal description must be attached.*)

Parcel Identification Number(s): \_\_\_\_\_

## LAND USE INFORMATION

Zoning District Designation: \_\_\_\_\_

State the nature of your request: \_\_\_\_\_

Is there a conservation easement on your land?  Yes  No

See attached application narrative and application procedure form.

## FEES

Application Fee: \_\_\_\_\_ \$ 350 (*plus professional*)  
Supplemental Application Fees: \$ 175 x \_\_\_\_\_ (# of additional \$ \_\_\_\_\_ *fees/expenses*)  
Total Fees: \_\_\_\_\_ \$ \_\_\_\_\_

- All application fees must be submitted with application and are non-refundable.
- Additional fees paid as directed by the Town Clerk.
- Fees will be doubled for applications submitted after construction project initiated, and/or written enforcement action has commenced.

*I attest that the information contained in this application is true and correct to the best of my knowledge.*

Applicant Signature: \_\_\_\_\_ Date \_\_\_\_\_

Owner (if not applicant) Signature: \_\_\_\_\_ Date \_\_\_\_\_

## OFFICE USE ONLY

Pre-application Meeting: \_\_\_\_\_ With: \_\_\_\_\_

Complete Application Accepted: \_\_\_\_\_ By: \_\_\_\_\_

Fee Received: \_\_\_\_\_ \$ \_\_\_\_\_ Receipt #: \_\_\_\_\_ Scheduled Hearing Date: \_\_\_\_\_



- 5) Describe how your request will impact public health, safety, and general welfare. What measures will you take to minimize any negative impacts?
- 6) How will you ensure that your request will not constitute a nuisance by reason of dust, smoke, odor, or other similar factor? What measures will you take to prevent a nuisance?
- 7) Additional comments:

## GENERAL CONDITIONAL USE APPLICATION PROCEDURE

### APPLICATION:

The deadline for application submittals is the \_\_\_\_\_ of the month. The Plan Commission generally meets on the first Thursday of the month.

Applications will not be accepted until the applicant has:

- Met with the Zoning Administrator or his/her designee to review the application;
- Submitted **Original plus 10 copies** of the entire packet including all supporting information, maps & diagrams;
- Resolved any land use violations and paid any outstanding fees owed to the Town of Troy;
- Signed the application form (*the signatures of the property owners and agents acting on their behalf are required*); and
- Submitted the appropriate application fee (*nonrefundable*) payable to the Town of Troy.

### REVIEW:

The Zoning Administrator or his/her designee will review the application for completeness and assign a file number to the application. The Zoning Administrator or his/her designee may require additional information and will notify the applicant of this as soon as possible. Upon receiving a complete application and supporting documents, the Zoning Administrator or his/her designee will:

- Schedule a public hearing with the Troy Plan Commission and notify the applicant by mail of the date and time of the public hearing;
- Notify adjoining property owners of the applicant's request;
- Publish a public hearing notice of the Plan Commission in the local paper;
- Send copies of the applications to the appropriate reviewing agencies for comment.
- Schedule a site visit to the applicant's property, at which time the applicant shall flag all applicable property/project corners and label the flags accordingly; and
- Prepare a staff report on the application. The staff report will be made available to the applicant and for public review.

### ACTION:

Conditional Use permits are granted at the discretion of the Troy Town Board after review, public hearing, and recommendation through the Plan Commission. They are made available to validate uses that, while not approved within the zoning district in question, are deemed to be compatible with approved uses and/or not found to be hazardous, harmful, offensive or otherwise adverse to other uses. Conditional Uses are subject to conditions, compatibility with surrounding land uses, and compliance with the Troy Zoning Ordinance.

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of his/her application. The fact that an application for a permit has been filed does not automatically mean that a permit is granted.

Upon the Town Board making a decision on the application, the Zoning Administrator or his/her designee shall notify the applicant of the decision in writing. All site plans, pictures, etc. become the property of Town of Troy and will remain in the file.

## CHECKLIST FOR COMPLETE APPLICATION

- Completed and signed application form with fee.
- Original plus 10 copies** of the entire packet including all supporting information, maps & diagrams.
- Addendum for additional requests and/or supplemental information sheet (*if required*).
- Recorded Warranty Deed (*may be obtained at the Register of Deed's office*).
- Provide stamped envelopes addressed to all adjoining land-owners (includes properties across roadways).
- A complete site plan prepared by a registered surveyor showing:
  - project location in the town;
  - lot/parcel dimensions with property lines and all applicable setbacks;
  - minimum of 10-foot contours as determined appropriate by the Zoning Administrator or his/her designee;
  - location of all existing and proposed structures and their square footage and distance from setbacks;
  - location of existing and proposed POWTS, wells, driveways, parking areas, access, signs, and other features; and
  - location of navigable waterways with accurate OHWM, delineated wetlands, bluff lines, slopes in excess of 12%, wooded areas, and any other unique limiting conditions of the property.
- Other submittals required by Town staff: \_\_\_\_\_

*This is a summary of the conditional use procedure and is subject to the specific requirements and procedures identified in Chapter 170, Section X and Section Z of the Town of Troy Zoning Ordinance.*