

CITY of ASHLAND, NEBRASKA

**APPLICATION FOR SPECIAL PERMIT**

Special Permit No. \_\_\_\_\_

Address or Location: \_\_\_\_\_

Fee: \_\_\_\_\_

Receipt No. \_\_\_\_\_

HONORABLE CITY COUNCIL  
City of Ashland, Nebraska

Date: \_\_\_\_\_

Under the Provisions of Article 6 of the Ashland Zoning Ordinance the undersigned hereby applies for a Special Permit to: \_\_\_\_\_

a \_\_\_\_\_

on the property described as Lot(s) \_\_\_\_\_ Block \_\_\_\_\_  
Addition \_\_\_\_\_

Proposed development of the property is shown on plans attached hereto. Type and character of the proposed use is as follows: \_\_\_\_\_

**Petitioner understands that upon approval of the Special Permit, all applicable Plumbing, Heating, Building, or other required Permits shall be obtained prior to the commencement of any work approved by the Special Permit.**

Petitioner Address \_\_\_\_\_ Petitioner Telephone \_\_\_\_\_

**Petitioner Signature** \_\_\_\_\_ **Print** \_\_\_\_\_

Historical Preservation Meeting Date \_\_\_\_\_ **Approved** **Denied**

Planning Commission Meeting Date \_\_\_\_\_ **Approved** **Denied**

City Council Meeting Date \_\_\_\_\_ **Approved** **Denied**

**Recommendations/Conditions** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date Posted \_\_\_\_\_ Resolution No. \_\_\_\_\_

**DRAWING OR SITE PLAN  
SHOWING DIMENSIONS, ARRANGEMENTS, DESCRIPTIONS DATA,  
AND OTHER DATA ESSENTIAL TO AN UNDERSTANDING  
OF THE PROPOSED USE AND PROPOSED MODIFICATIONS**

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## ARTICLE 6: SPECIAL USE PERMITS

**Section 6.01 General Provisions.** The City Council may, by special permit after a Public Hearing and referral to and recommendation from the Planning Commission, authorize and permit special uses as designated in the district use regulations. Approval shall be based on findings that the location and characteristics of the use will not be detrimental to the health, safety, morals, and general welfare of the area.

Allowable uses may be permitted, enlarged, or altered upon application for a special use permit in accordance with the rules and procedures of this ordinance. The Council may grant or deny a special use permit in accordance with the intent and purpose of this ordinance. In granting a special use permit, the Council will authorize the issuance of a special use permit and shall prescribe and impose appropriate conditions, safeguards, and a specified time limit for the performance of the special use permit.

**Section 6.02 Application for Special Use Permits.** A request for a special use permit or modification of a special use permit may be initiated by a property owner or his authorized agent by filing an application with the City upon forms prescribed for the purpose. The application shall be accompanied by a drawing or site plan and other such plans and data showing the dimensions, arrangements, descriptions data, and other materials constituting a record essential to an understanding of the proposed use and proposed modifications in relation to the provisions set forth herein. A plan as to the operation and maintenance of the proposed use shall also be submitted. The application shall be accompanied with a non-refundable fee.

**Section 6.03 Public Hearing.** Before issuance of any special use permit, the Council will consider the application for the special use permit together with the recommendations of the Planning Commission at a public hearing after prior notice of the time, place, and purpose of the hearing has been given by publication in a legal paper of general circulation in the City of Ashland, one time at least 10 days prior to such hearing.

**Section 6.04 Decisions.** The concurring vote of two-thirds of the voting members of the Council shall be necessary to grant a special use permit. No order of the Council granting a special use permit shall be valid for a period of longer than twelve months from the date of such order, unless the Council specifically grants a longer period of time upon the recommendation of the City Planning Commission.

**Section 6.05 Standards.** No special use permit shall be granted unless that Planning Commission or City Council has found:

- A. That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, moral, comfort, or general welfare of the community.
- B. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood.

- C. That the establishment of the special use will not impede the normal and orderly development of the surrounding property for uses permitted in the district.
- D. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.
- E. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- F. The use shall not include noise which is objectionable due to dust vapors or other substance which is harmful to health, animals, vegetation or other property or which can cause soiling, discomfort, or irritation.
- G. The use shall not involve any malodorous gas or matter which is discernible on any adjoining lot or property.
- H. The use shall not involve any direct or reflected glare which is visible from any adjoining property or from any public street, road, or highway.
- I. The use shall not involve any activity substantially increasing the movement of traffic on public streets unless procedures are instituted to limit traffic hazards and congestion.
- J. The use shall not involve any activity substantially increasing the burden on any public utilities or facilities unless provisions are made for any necessary adjustments.