

APPLICATION TYPE

- Conditional Use Permit
Conditional Use Permit (Home Occupation)

APPLICATION FOR CONDITIONAL USE PERMIT
BOARD OF ADJUSTMENT
NICHOLASVILLE, KENTUCKY

1. Name of Applicant _____
Address _____
Phone Number: Home _____ Business _____
2. Legal Owner of Land _____
Address _____
Phone Number: Home _____ Business _____
3. Attorney or Representative _____
Address _____
Phone Number: Home _____ Business _____
4. Address of Applicant's Property _____
Subdivision Name _____
5. Existing Use _____
6. Zoning District _____
7. Describe generally the nature of the request _____

Note: *It is understood that should this application be approved, it shall only authorize that particular use described in this application and any conditions or safeguards required by the Board. If this use is discontinued for a period of more than six (6) months, this permit shall automatically expire.*

8. Supporting Information: Attach the following items to the application.
 - a. A list of all property owners and mailing addresses within, contiguous to, and directly across the street from the proposed conditional use permit. **This information should be obtained from the PVA office.** (See attached form, page 4).
 - b. The applicant shall prepare and submit three (3) Mailing Labels (SIZE: 1" X 2 5/8" *must be used, **which will be supplied***) for each adjoining property owner. The labels will be used for the *Envelope, Certified Mail Receipt form and Return Receipt form.*
 - c. Pay established fee.

I certify that the information contained in this application and its supplements is true and correct.

SIGNATURE(S) AND DATE

Applicant _____ Date _____

Owner _____ Date _____

Note: Applicant must be prepared to submit supporting information if required by the Board of Adjustment.

For Official Use Only
Nicholasville Board of Adjustment

Date Filed _____ Date of Notice in Newspaper _____

Date of Notice to Adjacent Property Owner _____

Date of Public Hearing _____ Fee Paid \$ _____

Decision of Board of Adjustment: Approval _____ Denial _____

Reason for Approval or Denial _____

If approved, the following conditions and safeguards were prescribed:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

Date

Chairman: Nicholasville Board of Adjustment

LIST OF ADJOINING PROPERTY OWNERS
TO RECEIVE CERTIFIED OR REGISTERED LETTERS

The applicant must submit a list of names and mailing addresses of all persons owning property adjoining (including properties across public right-of-ways) the subject property, using the form below. Such names shall be secured from the records of the Jessamine County Tax Assessor no more than thirty days prior to the filing of this application. The applicant should retain a copy of this listing, especially to insure certified or registered letters cover all persons.

Address of Property Located Adjoining Subject Property	Name of Property Owners Located Adjoining Subject Property	Property Owners Address If Different From Property Address
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		

According to the Nicholasville Zoning Ordinance, Article 4, Section 422, Subsection 422.5, "Before any Conditional Use Permit shall be issued, the Board shall make written findings certifying compliance with the specific rules governing individual permits and that satisfactory provision arrangement has been made concerning the following, where applicable:

- 422.51 - ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;
- 422.52 - off-street parking and loading areas where required, with particular attention to the items in 422.51 above and the economic, noise, glare or odor effects of the Conditional Use Permit on adjoining properties and properties generally in the district;
- 422.53 - refuse and service areas, with particular reference to the items in 422.51 and 422.52 above;
- 422.54 - utilities, with reference to locations, availability, and compatibility;
- 422.55 - screening and buffering with reference to type, dimensions, and character;
- 422.56 - signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;
- 422.57 - required yards and other open space;
- 422.58 - general compatibility with adjacent properties and other property in the district."

We also need answers to the questions on page 6 in order to satisfy conformance with the "Home Occupation" definition (Nicholasville Zoning Ordinance, pages 6 and 7).

- a) Will persons, other than members of the family residing on the premises, be engaged in this occupation?
- b) Is use of the dwelling unit for the home occupation clearly incidental and subordinate to its use for residential purposes by its occupants?
- c) Is more than 25% of the floor area of the dwelling unit used in the conduct of the home occupation?
- d) Is there any change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation (other than one sign not exceeding four square feet, non-illuminated, and mounted flat against the wall of the principal building)?
- e) Is the home occupation conducted in an accessory building?
- f) Is the home occupation an accessory use of a service character customarily conducted within a dwelling unit by the residents thereof?
- g) Does the home occupation change the character of the dwelling unit for living purposes?
- h) Is there a keeping of stock in trade?
- i) Is the home occupation that of a physician, surgeon, dentist or musical instructor limited to a single pupil at a time, who offers skilled services to clients and is not professionally engaged in the purchase or sale of economic goods?
- j) Is traffic generated by such home occupation in greater volume than would normally be expected in a residential neighborhood?
- k) Are parking needs generated by the conduct of such home occupation in conformance with the off-street parking requirements as specified in Article 9 of the Nicholasville Zoning Ordinance?
- l) Are any off-street parking requirements located in a required front yard?
- m) Is any equipment or process used in the home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot?
- n) If the home occupation is conducted in other than a single-family residence are any of the items mentioned in "m" (above) detectable outside the dwelling unit?
- o) Is any equipment used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises?

To certify the facts needed by the Board of Adjustment we must make an "on-sight" inspection. We will perform this inspection at your convenience, but it must be finished prior to any decision made by the Board of Adjustment.

Date

C. Dean Anness, Planning Director
Nicholasville Planning Commission

I have read and do reasonably understand the following Nicholasville Zoning Ordinances, applying to Conditional Use Permits and Home Occupations:

Nicholasville Zoning Ordinance - Article 2
"Home Occupation"

Nicholasville Zoning Ordinance - Article 4
"Subsection 422.5"

Signed: _____

Dated: _____

Attest: _____

Dated: _____

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