

## CHAPTER SEVEN

### DIVISION III PERMITS

**Section 7-10 Division III Permit Procedure** - The Division III permit procedure provides for the comprehensive review of major developments, new land uses, and expansions of grandfathered land uses by the Christian County Planning and Zoning Commission and the affected public.

- A. Pre-Application Conference** - Filing of an application for a Division III permit must be preceded by a Pre-Application Conference with the staff and neighboring owners. The developer must provide Public Notice (Section 4-35 - Notice of Public Hearing) to neighboring land owners prior to the Pre-Application Conference. The purpose of the Pre-Application Conference is to acquaint the neighbors with the nature of a proposed development, to give the neighbors a chance to express potential opposition and the developer a chance to assess their concerns and consider changes to accommodate the concerns, and to give staff time to provide assistance and acquaint the developer with requirements of the codes. Although required, the Pre-Application Conference is not regulatory, but is intended as a service to the developer and to resolve possible conflicts with the neighbors.
- B. Filing** - An application containing all required information for a Division III permit may be filed with the staff at any time within one hundred twenty (120) days after the Pre-Application Conference but at least twenty (20) days before the public hearing at which it is to be considered. All required information must be filed with the department before a hearing date can be set. There will be no exceptions. The applicant must request a hearing date within one hundred twenty 120 days of the filing of an application.
1. The filing fee for Division III permits shall be five hundred dollars (\$500.00). Ten cents (\$.10) per square foot under roof, with a minimum of \$100.00, for all proposed structures to be built on the site when Division I application is applied for.
  2. The filing fee for Division III subdivisions shall be five hundred dollars (\$500.00). Fifty dollars (\$50.00) per lot fee shall be paid upon approval of the Division III subdivision prior to the plat being recorded.
  3. Churches, synagogues, mosques, etc. shall be exempt from the square footage fee.
  4. If the development or land use change is in violation of these codes when an application is applied for, the filing fee shall be doubled.

**C. Division III applications MUST include the following:**

1. Complete, concise legal description of the area in question. (This must be typed or a copy of an official document, i.e., abstract, warranty deed, tax record, etc.)
2. Verification of the date of recording. (New tracts of land recorded on or after February 1, 1993 may be subject to the requirements of the *Unified Development Codes* and require a separate permit.)
3. Real Property parcel number.
4. Application signed by owner or legal representative.
5. Verification of approved sewer system or individual waste water treatment system approved by the County Health Department or an evaluation of an existing system.
6. Plot plan drawn to scale showing; property lines, easements, existing structures, utility lines, roads, streams, irrigation or drainage structures, storm water detention, and prominent topographic features. This will be the preliminary plat.
7. Stormwater control calculations and plan; including slope of land in the area to be developed. (Refer to Section 19-10, D in order to determine if a plan will be required.)
8. Soil and Erosion Control Plan. (If required by Chapter 19).
9. Landscape and Buffering Plan. (If proposed, required in different land uses.)

**D. Action** - The Planning and Zoning Commission shall hold a public hearing at which the Planning and Zoning Department report will be presented. The applicant, and any interested members of the public will be given the opportunity to present their case within reasonable time limits set by the Planning and Zoning Commission. After the public hearing, the applicants and members of the public will be able to present further evidence and any questions or comments that they did not have a chance to present. These concerns must be submitted in writing to the Planning and Zoning Office no later than noon (12:00 PM) on the Friday following the Public Hearing. This additional material will be considered at the second public hearing. At this meeting, the Planning and Zoning Commission shall prepare a report describing the proposed development's compliance or failure to comply with the policies adopted in these Codes. If the Planning and Zoning Commission awards a score of zero (0) or higher on the relative policies, the application shall be approved and a permit issued. If the development is not awarded a score of zero (0) or higher on the relative policies, its application shall not be approved and no permit shall be issued. Reports describing developments' compliance or failure to comply with these Codes will be made consistent through the use of uniform application forms and policy checklists for all applications. This report may be in the form of the score sheet that is used at the public hearing.

**E. Notice** - The developer shall receive prompt written notice of the approval or denial of his or her application for a permit, including a complete copy of the decision of record. The Planning and Zoning Commission and County Commission shall receive a monthly summary of all Division III permit applications.

**F. Time Line for Division III Permit**

- \_\_\_\_\_ Bring stamped and addressed Public notices for Pre-application conference with sketch plan to the Planning & Zoning Department to be mailed by regular mail at least six (6) days before the Pre application Conference.
- \_\_\_\_\_ Pre-application Conference in Planning & Zoning Department with sketch plans.
- \_\_\_\_\_ File completed application with all required information (See Section 7-10, B - Filing) a minimum of twenty (20) days prior to the public hearing, and within one hundred and twenty (120) days of pre-application conference. Pay filing fee.
- \_\_\_\_\_ Newspaper notice must run at least Fifteen (15) days prior to the hearing in the official County newspaper.
- \_\_\_\_\_ Bring stamped and addressed certified mail notices to the Planning and Zoning Department to be mailed to neighboring owners at least fifteen (15) days prior to the hearing.
- \_\_\_\_\_ Property will be posted by staff at least fifteen (15) days prior to the hearing.
- \_\_\_\_\_ Copies of the application and staff report shall be sent to all Planning and Zoning Commission members at least (5) days before the hearing. A copy will be available for public inspection at the Planning and Zoning Commission's offices.
- \_\_\_\_\_ At the first Planning and Zoning Commission meeting there will be a public hearing on the development.
- \_\_\_\_\_ At the second Planning and Zoning Commission meeting the development will be scored on its compliance with each of the relative polices. A project that complies with each of the absolute polices and is awarded a score of zero (0) or higher shall be approved.
- \_\_\_\_\_ The developer shall receive prompt notice of the approval or denial of the application for a permit including a complete copy of the decision of record.
- \_\_\_\_\_ Construction of a permitted development must begin one hundred and eighty (180) days after approval.
- \_\_\_\_\_ A Certificate of Occupancy must be issued before a development shall be occupied or operated.