

**CONDITIONAL USE APPLICATION AND PERMIT
TOWN OF KILMARNOCK, VIRGINIA**

DATE _____

OWNER/APPLICANT: _____ ADDRESS: _____
PHONE NO. _____

TO: THE TOWN COUNCIL

The undersigned owner of the following described property hereby applies for a Conditional Use Permit for a _____, as required by Section _____ of the Town of Kilmarnock Zoning Ordinance.

DESCRIPTION OF PROPERTY: LOCATION _____

ACREAGE: _____ **ZONED:** _____ **TAX MAP:** _____

PARCEL NO: _____

Conditions pertaining to Article 2, Section 54-93, (copy on back) of the Zoning Ordinance for this specific use in Zoning District _____. Setback from the property line _____. Width of side yards _____. Parking and loading spaces _____. Distance from the rear property line _____. Site plan attached _____. Standard conditions for this specific use: _____

Special Conditions: _____

I hereby submit this application for a Conditional Use Permit and acknowledge that statements made in this application are true and correct. I further acknowledge that the application will be null and void two years from the date of approval by the Town Council.

APPLICATION (OWNER) _____ **DATE** _____

Fee: \$30.00

Conditional Use Zoning Permit # _____

I hereby agree that all construction or uses subject to this permit will be done as stated and as required by all Town of Kilmarnock Ordinances, Virginia State laws and regulations. Failure to comply with any part or terms of this permit shall be sufficient cause to revoke the permit issued. It is further agreed that this permit will be in effect until _____; and that I will apply for a renewal of this permit no later than thirty (30) days prior to said expiration date unless all terms and conditions of this permit have been completed.

Owner _____ **Date** _____

Approved under the provisions of the Zoning Ordinance this _____ day of _____.

Zoning Administrator

Sec. 54-98. Conditional use permit—Authorized.

Where permitted by this chapter, the location of new permitted conditional uses shall require, in addition to zoning permit and certificate of occupancy, a conditional use permit. These permits may be approved or denied by the council and shall be subject to such conditions as the council deems necessary to carry out the intent of this chapter. No such conditional use permit shall be authorized except after notice and hearing as required by Code of Virginia, §15.1-431.

(Ord. of 6-6-69, § 4-3; Ord. of 6-20-88, § 4-3)

***Cross reference**-Buildings and building regulations, ch. 10.

§ 54-94

Sec. 54-94. Same—Conditions.

In determining conditions to be imposed for issuance of a conditional use permit, the council shall take into consideration the intent of this chapter and may impose reasonable conditions that:

- (1) Abate or restrict noise, smoke, dust or other elements that may affect surrounding property.
- (2) Establish setback, side and front yard requirements necessary for orderly expansion and to prevent traffic congestion.
- (3) Provide for adequate parking and ingress and egress to public streets or roads
- (4) Provide adjoining property with a buffer or shield from view of the proposed use if such use is considered to be detrimental to the adjoining property.
- (5) Provide for adequate lighting.
- (6) Tend to prevent such use from changing the character and established pattern of development of the town.

(Ord. of 6-6-69, § 4-3-1; Ord. of 6-20-88, § 4-3-1)