

ARTICLE 10 CONDITIONAL USE PERMITS

Sec. 32 General Provisions.

(a) The following procedures shall apply to governing the implementation of conditional use permits:

(1) Use permits may be issued for any of the conditional uses for which a use permit is required by the provisions of the Code; provided, that the Town Council shall find the application is in accordance with the provisions of this Zoning Code, and that, after duly advertised hearing, held in accordance with the provisions of Article 12, Sec. 37 the use will not:

- (i) Affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use;
- (ii) Be detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
- (iii) Be in conflict with the purposes of the Town Public Policy.

In granting any conditional use permit the Council shall designate such conditions as will, in its opinion, assure that the use will conform to the foregoing requirements and that such use will continue to do so.

(2) Construction or operation shall be commenced within one year of date of issuance or the use permit becomes void.

(3) A re-application for a use permit for the same lot shall not be considered by the Town Council within a period of 360 days from its last consideration. This provision, however, shall not impair the right of the Council to propose a use permit on its own motion.

(4) Written application for a use permit shall be filed with the Town Treasurer. Every application shall be accompanied by a fee of Fifty Dollars (\$50.00). The time of hearing shall be within one month of the use permit application filing date.