

City of Gothenburg  
Special Use Permit

SPECIAL PERMIT NO. \_\_\_\_\_  
Fee \_\_\_\_\_

Application is hereby submitted for:

Special Use Permit – New Permit

Special Use Permit – Amendment/Expansion of Existing Permit

(Check all those that apply.) Permit is for a: \_\_\_\_\_ Use \_\_\_\_\_ Structure

**Project Name/Location**

Project Name: \_\_\_\_\_ Property Address: \_\_\_\_\_

Legal Description: \_\_\_\_\_

**Zoning**

Current Zoning: \_\_\_\_\_

Existing Use: \_\_\_\_\_

Proposed Use: (Must include a detailed description use in the required applicant's report)

\_\_\_\_\_

**Applicant/Contact Person:** \_\_\_\_\_

Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_

Telephone:\_(\_\_\_\_\_)\_\_\_\_\_ Email: \_\_\_\_\_

**Property Owner:** \_\_\_\_\_

(If same as applicant, this section does not need to be filled in)

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_

Telephone:\_(\_\_\_\_\_)\_\_\_\_\_ Email: \_\_\_\_\_

**Property Owner Signature:** \_\_\_\_\_

**The names, addresses, telephone numbers and signature of all owners of the property are required.** Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney. **Faxed or photocopied signatures will not be accepted.**

**Note: Please attach the required plans, checklist, and a check for the application fee.**

# Review & Approval Process

## Special Use Permit

In instances where it has been determined that underlying zoning regulations cannot be met, a special use permit may be granted by City Council to provide relief from zoning regulations.

Special use permit applications are reviewed for compliance with the City's Master Plan to ensure the proposal is compatible with the surrounding area and that it is an appropriate use for the site. Specifically, applications are reviewed to ensure that the City Code conditions for granting special use permits have been met. The City Codes requires that prior to City Council approval; it must be shown that the proposed special use **will:**

- (1) Be compatible with and similar to the use permitted in the district;
- (2) Not be a matter which should require rezoning of the property;
- (3) Not be detrimental to adjacent property;
- (4) Not tend to depreciate the value of the surrounding structures or property;
- (5) Be compatible with the stated intended use of the district;
- (6) Not change the character of the district; and
- (7) Be in accordance with the comprehensive plan.

*Applicants **are encouraged** to schedule a pre-application conference with the Zoning Administrator to review related Master Plan, land use and other issues that may be involved prior to making application. Please call (308) 537-3677 to schedule an appointment with the Zoning Administrator. Staff will review submitted applications to ensure all required materials and information are provided. If the application is not acceptable, the required information must be provided prior to formal staff review.*

Applicants should also discuss the proposed special use permit with area property owners, residents, and the area Council Representative prior to submitting an application. Any letters in support of should be submitted with the application.

After review by the City Administrator, the staff will confer with the applicant regarding suggested conditions to be included in the application and any suggested changes to the plans. Once the plans are in final form, a Public Hearing of the Planning and Zoning Commission shall be scheduled by the City Clerk. The hearing notice is posted on the site and in the Gothenburg TIMES for a minimum of (10) ten days prior to the hearing. The regular meeting date of the Planning and Zoning Commission is the (2<sup>nd</sup>) second Tuesday of the month.

Following City Council action, the Application shall be considered by the Mayor and City Council. A minimum of three affirmative votes by the City Council is required for approval.

Please note that the council may adopt a fee for each continuance caused by the applicant.

**BUILDING PERMIT:** If the special use permit is adopted by City Council, the applicant has a specified time period in which to apply for a building permit to implement the special use permit. Building permit plans must be substantially in accordance with the adopted special use permit plans, otherwise a building permit will not be issued. In general, the approval process for special use permits takes between 30 to 60 days. However, depending on the complexity of the proposed special use permit, more or less time may be required. The City Council considers final approval of special use permits at its regular meetings on the first and third Tuesday of each month. ***Incomplete submissions or major modifications to the plan during the review process may cause delays in the schedule.***

# Filing Procedures Special Use Permit

## **FILING**

Special use permit applications are filed with the:

City Clerk  
409 9<sup>th</sup> Street  
Gothenburg, NE 69138

## **APPLICATION REQUIREMENTS**

The application for a special use permit must include the following, each part of which is explained below.

***Application must be submitted in hard copy.***

- A. Application Form;**
- B. Application Fee;**
- C. Applicant's Report;**
- D. Plans (If Required);**
- E. Survey Plat. (If Required)**

**1) Application Form:** All the owners of the property must sign the application form. If a legal representative signs for a property owner, a copy of an executed power of attorney is required. Faxed or photocopied signatures will not be accepted.

**2) Application Fee:** The appropriate fee must accompany the application. Checks should be made payable to the "**City of Gothenburg**". The fee is set by Resolution of the City Council and the amount due will be provided by the City Clerk.

**3) Applicant's Report:** ***A written report must be submitted describing the proposed use.*** The report should point out the specific features of the special use that will ensure that it will be compatible with the surrounding area, and that it is an appropriate use for the site. For nonresidential development, the description should also include the anticipated number of employees, hours of operation, off-site parking, and an estimate of the amount of vehicular traffic that will be generated by the use. The City Municipal Code specifies certain conditions that must be met before City Council can approve a special use permit. It must be shown that the proposed special use **will:**

- a) Be compatible with and similar to the use permitted in the district;
- b) Not be a matter which should require rezoning of the property;
- c) Not be detrimental to adjacent property;
- d) Not tend to depreciate the value of the surrounding structures or property;
- e) Be compatible with the stated intended use of the district;
- f) Not change the character of the district; and
- g) Be in accordance with the comprehensive plan.

The report must indicate the reasons why the applicant feels these conditions will be met (e.g., features of the plan, characteristics of the proposed use or surrounding area). **Please note that the above materials will be forwarded to the City Planning Commission and City Council along with the special use permit application.**

#### 4) Plans\* (If Required)

- **Residential Use (Single Family Dwelling):** A scaled drawing showing plot plan layout of the proposed building in relation to the lot, the main structure, other accessory use buildings, and setbacks. The plans shall also include a drawing or information in regard to the structure showing size, height, exterior wall coverings, and roof pitch and coverings.

- **Non-Residential Use and Multi Family Dwellings:** Initially, nine (9) sets of the following plans are required to provide sufficient detail to permit the staff to make a determination of the compatibility of the proposed project with surrounding development. Each set of plans should be bound, folded and include a title page with index to all of the included sheets. Preferred size of plans is six (6) full size sets (24"x36") and three (3) 11x17" sets. Plans must be properly scaled and include a scale bar.

1. Site Plan
2. Elevation Plans
3. Floor Plans
4. Landscape Plans
5. Signage Plan & Details
6. Lighting Plan & Details

Electronic Plans (PDF and/or JPG) are also required with the initial application and any subsequent resubmissions. Electronic plans may be submitted via email to: [ZoningAdministrator@cityofgothenburg.org](mailto:ZoningAdministrator@cityofgothenburg.org).

An additional fourteen (14) 11"x17" sets of plans will be required at a later date for distribution to City Planning Commission members.

**For items required on the submitted plans, please see the attached "Checklist of Plan Requirements".**

**\*In the case of special use applications for the conversion of existing buildings where there are no alterations or changes in exterior appearance to the entire site, a plan is only required detailing any off-site parking that may be required.**

**5) Survey Plat (Non-Residential Use Only):** A copy of a survey plat showing the property and including metes and bounds is required. The plat should show existing physical features of the property, including:

1. North arrow, scale, property address, the distance to nearest public street, preparer of plat, date, revision dates, area of site;
2. Existing structures, buildings, paved areas, fences, streets, alleys, easements, and limits of the 100 year flood plain, wetlands, and streams.

# Checklist

## Special Use Permit

### RESIDENTIAL USE – EXISTING STRUCTURE

To Be Filed With The Application:

- Application Form
- Application Fee
- Applicant's Report

### RESIDENTIAL USE – STRUCTURE NEW OR EXPANSION

To Be Filed With The Application:

- Application Form
- Application Fee
- Applicant's Report
- Plans – Residential Requirement

### NON-RESIDENTIAL – MULTI-FAMILY USE – EXISTING STRUCTURE

To Be Filed With The Application:

- Application Form
- Application Fee
- Applicant's Report

### NON-RESIDENTIAL USE – MULTI-FAMILY USE – STRUCTURE NEW OR EXPANSION

To Be Filed With The Application:

- Application Form
- Application Fee
- Applicant's Report
- Plans – Non-Residential Requirement
- Survey Plat – Non-Residential Only

# Checklist of Plan Requirements

## Non-Residential and Multi-Family Uses Only

### Special Use Permits

#### **The following checklist of information must be shown on the plans:**

##### STANDARD PLAN NOTES:

- Name of project, developer, and preparer of plans;
- North arrow and bar scale;
- Vicinity sketch;
- Plan date and revision dates;
- Dimension and bearings of property lines taken from deed or survey;
- Area of site;
- Zoning and existing use of subject property and all adjacent properties;

##### EXISTING FEATURES:

- Existing physical features, including water bodies, structures, buildings, paved areas; fences; signage; curbs; gutters; fire hydrants; streets; alleys; easements; or other improved or unimproved rights-of-ways in or adjacent to the subject property;
- Limits of the 100-year flood plain (if applicable);
- Trees and other significant vegetative material;

##### PROPOSED FEATURES:

- Existing and proposed public and private utility services, including: location, type, and size of service; location of poles, manholes and vaults; locations and types of related facilities, (e.g. transformers, backflow preventers, grease and oil traps, detention or retention basins, etc.)
- Proposed streets, alleys, easements or other rights-of-way including proposed improvements to existing rights-of-way;
- Proposed parking area layout and landscaping, including dimensions for parking spaces, aisle width, and stacking and loading spaces;
- Proposed sidewalks, curbs, gutters, driveways, and access, loading and other paved areas, with a description of the materials to be used;
- Proposed structures with dimensions and a description of the exterior materials and colors to be used;
- Location and type of proposed outside lighting;
- Height, location and character of proposed screening (fences, walls, vegetation);
- Major landscaping features including existing vegetation to be retained:
- Type, location and screening of trash containers;
- Location, height, size, content and method of illumination of all signs;
- Grading plan and/or cross-section drawings (if deemed necessary by the staff for evaluation of site drainage and conservation of natural features);
- Calculations for total gross floor area of all buildings, total land area covered by buildings, amount of open space on the site, amount of paved area (vehicular) on the site, and number of parking spaces proposed and the number required by normal zoning regulations; and
- For multi-family residential developments, a unit schedule with the number and size of all unit types.



Submission for a Special Use Permit is not an easy process. It is incumbent upon the applicant to provide all of the details required for review of the Planning and Zoning; and eventually the City Council.

This application is NOT the responsibility of staff of the City; however they will assist and provide pertinent details of the City code; zoning ordinances; etc. as required.

A plan is required for all instances in which a building is constructed or an existing building is altered. Although not required, such plan should be completed by an engineer or architect to ensure compliance with the requirements, especially for non-residential structures. Failure to provide all details required, will result in rejection of the plan.

A survey of the property is required for non-residential structure and shall be completed by a surveyor registered by the State of Nebraska.

Thank You, City of Gothenburg Staff