

Town of Annabella

Conditional Use Permit Application

I (We) _____,
Name of Applicant(s)
residing at _____,
Street Address

Hereby apply to the Planning Commission of Annabella, Sevier County, for approval of a
“Conditional Use Permit” submitted in accordance with the regulation adopted in the
“Land Use Ordinance.”

Applicant: Please provide and attach to this form, a detailed written explanation of the purpose of your conditional use permit application. For example, if requesting approval to operate a home occupation, give a detailed description of what the occupation is, the impact it will have on the community, etc. If you are requesting a kennel permit, indicate the number of animals to be housed on your property, the purpose for keeping the animals, etc.

Please mark that you have completed/understand the following:

- ☐ I have attached a detailed written explanation of the purpose of my Conditional Use Permit application.
- ☐ I understand that Conditional Use Permits are renewable, on an annual basis, to ensure that all conditions of the permit are being met.
- ☐ I have referred to the Conditional Use Matrix and the conditional use I am applying for is allowed on my lot size and in my residential zoning.
- ☐ I have read and agree to comply with the requirements for home occupations as outlined in Section 16 of the Land Use Ordinance (attached with this application).
- ☐ I have obtained signatures of all property owners within 300 feet of my property.

Signature of Applicant

Date

CONDITIONS IMPOSED BY THE PLANNING COMMISSION:
(This section to be completed during a Planning Commission meeting)

1. _____
2. _____
3. _____
4. _____

PLANNING COMMISSION APPROVAL

Planning Commission Chairman

Date

Town Clerk

Date

NOTIFICATION OF NEIGHBORING PROPERTY OWNERS

(Required for every property owner within 300 ft of the property involved in pending action)

Dear Neighbor:

I am applying for a Conditional Use Permit from Annabella Town. The Land Use Ordinance requires me to give written notification to all property owners within three hundred (300) feet of the property involved in the pending action.

You may comment on this application at a meeting held by the Planning Commission held on the fourth Monday of the month beginning at 6:00 p.m. at the Annabella Community Center (295 East 300 North). After reviewing the location and description of the proposed conditional use, please sign the bottom of this document to attest to your understanding of its contents.

Applicants Name: _____

Location: _____

Description of Conditional Use: _____

NOTIFICATIONS:

1. Signature of Neighboring Property Owner (*within 300 ft*) _____

Printed Name _____ Address _____

2. Signature of Neighboring Property Owner (*within 300 ft*) _____

Printed Name _____ Address _____

3. Signature of Neighboring Property Owner (*within 300 ft*) _____

Printed Name _____ Address _____

4. Signature of Neighboring Property Owner (*within 300 ft*) _____

Printed Name _____ Address _____

5. Signature of Neighboring Property Owner (*within 300 ft*) _____

Printed Name _____ Address _____

6. Signature of Neighboring Property Owner (*within 300 ft*) _____

Printed Name _____ Address _____

IMPORTANT INFORMATION REGARDING HOME OCCUPATIONS:
HOME OCCUPATIONS REGULATIONS:

- 16-100 HOME OCCUPATION PERMIT REQUIRED: To assure compliance with the provisions of the Land Use Ordinance and to protect the character of residential neighborhoods in the Town of Annabella, a home Occupation application shall be obtained from Annabella Town before a dwelling unit in a residential zone may be used for business purposes.
- 16-200 PROCEDURE: Upon application, the Annabella Town Planning Commission shall approve or deny a Home Occupation Permit. The Planning Commission may issue a Home Occupation Permit, which shall state the Home occupation permitted, the conditions attached thereto, any time limitations imposed thereon. The permit shall not be issued unless the Planning Commission is satisfied that the applicant will meet all of the conditions listed below, and that the applicant has agreed in writing to comply with all said conditions.
- 16-300 CONDITIONS: Each and every one of the following conditions must be observed at all times by the holder of a Home Occupation Permit:
- 16-301. The home occupation will be conducted only by members of the family residing on the premises.
- 16-302. The home occupation shall be conducted wholly within the structure on the premises and shall not exceed twenty-five (25) percent of the total ground floor area of the home. The home occupation shall not occupy any are within said structures, which is required for off-street parking by the provisions of this ordinance.
- 16-303. Inventory and supplies for the home occupation shall not occupy more than fifty (50) percent of the permitted area, or twelve (12) percent of the ground floor area of the home.
- 16-304. No business signs are used.
- 16-305. No display of any kind shall be visible form the exterior of the premises.
- 16-306. The home occupation shall not generate pedestrian or commercial traffic in excess of that customarily associated with the zone in which the use is located. Off-street parking shall not exceed that specified for the residential lots as noted in this ordinance. 16-307. There shall be complete conformity with all codes enforced by the Sevier County building authority, all health codes, and all state and city laws and ordinances.
- 16-308. The home occupation shall not cause a demand for municipal or utility services or community facilities in excess of those usually and customarily provided for residential uses.
- 16-309. The home occupation shall not alter the residential character of the premises or unreasonably disturb the peace and quiet, including radio and television reception, of the neighborhood by reason of color, design, materials, construction, lighting, sounds, noises, vibrations, dust, odors, noxious fumes, etc.
- 16-310. Any special condition established by the Planning Commission and made of record in the Home Occupation Permit, as it deems necessary to carry out the intent of this ordinance, shall be met.
- 16-311. All Home Occupation activities which result in reported violations, complaints, or detrimental characteristics which may, in the opinion of the Planning Commission, require termination of said home occupation and revocation of the Home Occupation Permit, shall be subject to a hearing before the Planning Commission.
- 16-312. Retail sales on the premises shall be limited to merchandise directly related to the services offered by the home occupation.
- 16-313. Premises shall be subject to inspection by the Planning Commission after reasonable notice is given with due cause.
- 16-400 NONCOMPLIANCE: Any Home Occupation permit shall be revoked by the Planning Commission upon violation of any requirements of this ordinance, or upon failure to comply with any of the conditions or limitations of the permit, unless such violation is corrected within ten (10) days of receipt of written notice thereof. A permit may be revoked for repeated violations of the requirements of the Chapter, notwithstanding compliance to the violation notice.
- 16-500 APPEAL: In the event of denial of any permit, or of the revocations thereof or of objection to the limitations placed thereon, appeal may be made to the Annabella Town Board of Adjustments with the provisions of this ordinance.

BUSINESS LICENSE REQUIRED: A Home Occupation Permit is not a business license, and the granting of said permit shall not relieve the permittee of any other license requirements of the Town or of any other public agency. A business license fee must be paid and all other appropriate state and federal requirements must be met.

ANNABELLA CONDITIONAL USE MATRIX

<i>Conditional Use</i>	<i>R-1-1 (1 acre)</i>	<i>R-1-0.75 (3/4 acre)</i>	<i>R-1-0.5 (1/2 acre)</i>
Kennels	C	C	C
Portable Storage Units	NP	NP	NP
Home Occupations	C	C	C
Accessory Apartments	C	C Minimum 1 acre required	C Minimum 1 acre required
Medical & Dental Clinics or Labs	C	C	C
Nursing Homes	C	C	C
Commercial Nursery or Greenhouse	C	C	C
Minor Automobile Repair	C	C Minimum 1 acre required	C Minimum 1 acre required
Farm Animal	P	P	P
Building Material Sales Yard, Not Including Ready Mix Concrete Or Asphalt Mixing Plants	NP	NP	NP
*Construction Trades	C	C	C
Private Recreation Facilities	C	C	C
Schools/Churches	C	C	C
RV Trailers While Building Permanent Home	C	C	C

C= Conditional | P= Permitted | NP= Not Permitted

*i.e. Electrical, carpenter, plumbing, heating shop, printing and publishing, lawn care, window washing, landscaping