



City of Newton, Kansas
Special Use Permit Application
Group Residence

For Office Use Only
Date Received:
Meeting Date:

201 E 6th St, PO Box 426, Newton KS 67114-0426
Phone: 316-284-6020

Completed applications are due on the first Tuesday of the month by 5:00 pm. in order to be processed for the following month. Please bring the application and supporting documentation to: Engineering Department, located at 201 E 6th St. For more information, call (316) 284-6020 or visit www.newtonkansas.com.

I. Applicants Information
Applicant:
Address:
City, St, Zip
Contact Name:
Telephone No.:
Fax No.:
Email Address:
Interest in Property: Owner Operator Other

II. Project Details
Occupant Capacity Including Residential Staff: 1-5 6-15 16+
Occupant Rent Requirement: Yes No
Estimated Rent: Daily Weekly Monthly
Facility Hours: 24-Hour Other
Supervisory Hours: 24-Hour Other

III. Property Information
Current Zoning:
Current Use:
Address:
Attached:
o Legal Description - Must be prepared by a title company
o Site Plan - Illustrating the nature and location of the existing or proposed improvements to the prosed site, including the location and extent of any accessory structures, parking facilities, playgrounds and other recreational facilities, and other exterior features and accommodations.

- **Interior Floor Plan** - Showing sleeping areas, common areas, bathrooms, emergency exits, service facilities (such as food preparation areas, laundry facility, etc.)
- **Facilities Management Plan** - Which at a minimum must include the following:
 - Narrative description of the nature and characteristics of the use and descriptions of all services provided.
 - Identification of any restrictions on the nature of the facility occupants/clientele and a description of any screening procedures to be utilized in that regard.
 - Rules of conduct for guests/residents.
 - Outline of Staffing requirements, to include both paid staff and volunteers, and identification of any staff education, training, or credentialing requirements.
 - Schedule of hours of operation.
 - Maintenance plan that establishes standards for regular building and site maintenance, including removal of litter.
 - Communications plan that establishes how the shelter will regularly communicate with neighbors and police.
 - Response plan for emergencies that may occur at the site.
 - Loitering control plan
- **Fee** (Visa, MasterCard, cash, or check made payable to City of Newton) Application fee: \$100

IV. Special Use Justification *(Standards for Issuance of Special Use Permits)*

In order to justify approval of any special use application, the Joint Board of Zoning Appeals considers the following criteria. Please answer all the following items. Use additional sheets if needed.

Before any permit shall be granted the Planning Commission shall make written findings to the City Commission to certify that adequate provision has been made for the following:

A. The proposal is in keeping with the character of the neighborhood.

Commentary:

B. The zoning uses of nearby properties.

Commentary:

C. The suitability of the property for the uses to which it is restricted.

Commentary:

D. The extent to which the change will detrimentally affect nearby property.

Commentary:

E. The length of time the property has been vacant as zoned.

Commentary:

F. The gain to the public health, safety and welfare made possible by the loss in value of the plaintiff's property compared to the hardship imposed on the plaintiff if their request were denied.

Commentary:

G. Accessibility of the property to police, fire, refuse collection and other municipal services; adequacy of ingress and egress to and within the site; traffic flow and control; and the adequacy of off-street parking and loading areas.

Commentary:

H. Utilities and services, including water, sewer, drainage, gas, and electricity, with particular reference to location, availability, capacity and compatibility.

Commentary:

I. The location, nature, and height of buildings, walls, fences, and other improvements; their relation to adjacent property and uses; and the need for buffering or screening.

Commentary:

J. The adequacy of required yard and open space requirement and sign provisions.

Commentary:

K. The general compatibility with adjacent properties, other properties in the district, and the general safety, health, comfort, and general welfare of the community.

Commentary:

L. The standards and requirements as prescribed in Section 4.5 of this Article.

Commentary:

V. Owner Signature(s) (Signature of owner is required for consent to the application.)

By signing below I acknowledge that I have fully read and understand Zoning Regulation Article 4. I understand that if I have any questions or concerns about this regulation, it is my responsibility to discuss this with the city prior to signing.

Owner: _____ Owner: _____
State of _____, County of _____ ss:

BE IT REMEMBERED, That on this _____ day of _____, 20_____, before me, the undersigned, and Notary Public in and for the County and State aforesaid, came _____ and _____, personally known to me to be the persons who executed the within instrument of writing, and such persons duly acknowledges execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand affixed my seal the day and year last above written.

My Commission expires: _____ Notary Public: _____

VI. Administrative Approval Eligibility (Internal Use Only)

Entitlement is being claimed for administrative review and approval without a hearing before the Newton Planning Commission. Even if entitled, you may check "No" to waive that entitlement.

- Yes
- No

If you checked "Yes" above, then answer the following questions. If you checked "No" above, then proceed to the next section.

1. The proposed facility will be in the business of renting residential accommodations on not less than a month-to-month basis for compensation at rates reasonably related to the value of the facility and its operating expense.

- Yes
- No

2. The proposed structure satisfies both of the following separation distance provisions: (a) not less than 150 feet from any single-family or two-family residential structures; and (b) not less than 125 feet from the boundary of any vacant lot not owned by the applicant which is in either an R-1 or R-2 zoning district.

- Yes
- No

3. The proposed facility constitutes a "Limited Group Residence" under Ordinance 4821-13, and is or will be either: (a) be located in a converted single-family residential structure; or (b) located in a structure to be constructed with an exterior similar in nature to other single family structures in the immediate neighborhood.

- Yes
- No

4. The proposed facility constitutes a "Temporary Shelter" under Ordinance 4821-13.

- Yes
- No

5. If the answer to 4 is "Yes", will all occupants will be under on site staff supervision 24 hours per day.

- Yes
- No

Eligibility requires a "Yes" to either items 1, 2 or 3, plus either a "No" to item 4, or a "Yes" to item 4 followed by a "Yes" to item 5.

NOTE: Internal staff must attach documentation in support of all "Yes" responses.