



Part II

Section 24

Temporary Use Permits

PART II, SECTION 24: TEMPORARY USE PERMIT

A. INTENT

To allow the applicant a Temporary Use Permit while following procedures for request of a Special Use Permit.

B. PROCEDURE

1. The applicant shall submit, to Community and Development Services, the following information:
 - a. completed application;
 - b. appropriate fee;
 - c. letter describing the intended use, the proposed site
 - d. site plan to scale
 - e. any other information requested by Community and Development Services which would help clarify the proposed use;
2. Community and Development Services shall review the proposal within ten (10) working days to determine the completeness of the application.
3. Community and Development Services must schedule the request before the Board of County Commissioners who will conduct a hearing on the proposed Temporary Use Permit. Public Notice provisions must be in accordance with paragraph D of this section.

C. GENERAL REQUIREMENTS

1. The Temporary Use Permit applicant must submit their formal application for a Special Use Permit within thirty (30) days of the issuance of the granted Temporary Use Permit.
2. A five thousand dollar (\$5,000.00) surety bond may be required if the Temporary Use Permit is granted.
3. The Board of County Commissioners may require other additional stipulations.
4. If the Board of County Commissioners approves a Temporary Use Permit it does not indicate the actual Special Use Permit will be approved, once presented.

D. PUBLIC NOTICE REQUIREMENTS

Procedure:

1. Formal submittal to Community and Development Services: a completed application form, appropriate supplemental information and fee.

2. Community and Development Services Staff shall review the proposal within ten (10) working days to determine the completeness of the application and establish hearing dates.
3. The applicant shall mail a written notice of said hearing by certified mail, return receipt requested, at least fourteen (14) days prior to the hearing date before the Board of County Commissioners, to the owners of the property adjacent to and within thirteen hundred twenty feet (1320') for which a Temporary Use Permit has been requested. The names and addresses for those properties affected shall be obtained from the current records of the Elbert County Assessor's Office.
 - a. At least five (5) working days prior to the date of the public hearing before the Planning Commission, the applicant shall submit to Community and Development Services, the following: The white postal receipts for Certified Mail mailed to the adjacent property owners of the proposed site as required by these Temporary Use Permit procedures and requirements; a copy of the notice mailed to said property owners; a list, in alphabetical order, of the adjacent property owners of the proposed site and a map illustrating the location and proximity of the adjacent property owners. When a notice is mailed to a property owner at an address other than the property adjoining or adjacent to the Temporary Use Permit, the applicant shall match notification with lot and block number, legal description or other manner which clearly locates the notified parties.
 - b. The day of the Public Hearing before the Board of County Commissioners, the applicant shall submit to Community and Development Services, the green postal Domestic Return Receipts mailed to the adjacent property owners of the proposed site as required by the Temporary Use Permit procedures and requirements.
 - c. Community and Development Services may require additional public notice prior to any determination by the Board of County Commissioners, in a manner consistent with the laws of the State of Colorado, which may include posting of the property. Such notice shall be posted fourteen (14) days prior to the day of the public hearing before the Board of County Commissioners. Such notice shall consist of at least one (1) sign facing parallel to each adjacent road right-of-way. Such sign(s) shall measure not less than four feet by four feet (4' x 4'); size of letters shall be a minimum of three (3) inches high and such signs shall be erected no further than ten (10) feet beyond the edge of the adjacent right-of-way on posts which shall locate the bottom of the sign no less than three (3) feet above the ground. All signs shall be clearly legible to the persons on the adjacent right-of-way and shall be completed and installed in a neat professional manner. All signs shall be visible and legible throughout the entire period and shall read as follows:



"NOTICE OF PUBLIC HEARING"

"Temporary Use Permit"

"Notice is hereby given that the property upon which this sign is posted shall be considered for a temporary use permit pursuant to the current Elbert County Zoning Regulations. Further information may be obtained by calling Community and Development Services 621-3136. The Board of County Commissioners hearing will be conducted on _____ (day of week), _____ (month) _____ (year), or as soon as possible thereafter. Said hearings are to be held in the Hearing Room of the Elbert County Commissioners at Kiowa, Colorado."

Name of Proposal: _____

d. Further requirements include:

- 1) Notarized affidavit verifying the date of the sign posting required the day of the hearing.
- 2) Signs advertising the Temporary Use Permit in Elbert County must be photographed and submitted for the applicant's file in Community and Development Services. The following form shall be used:

(ATTACH PHOTO HERE)

The above sign was posted on _____, pursuant to the current Elbert County Zoning Regulations by _____ (name of applicant).

Project Name and Number: _____
Signature of Applicant/Representative: _____
Signed and sworn before me this date: _____

NOTARIZED BY:

Project Review: _____

4. Following approval by the Board of County Commissioners, the applicant will submit the Temporary Use Permit exhibit to the Elbert County Clerk and Recorder's Office for recordation.