

*McCracken County  
Planning Commission*



Application Packet  
For An  
Approved Similar Use

Last Update: 12/11/18

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### Color Codes

**Blue Box**    **Tips For Getting It Right;  
Or Answers To A Frequently Asked Question**

**Red Box**        **Critical Information – Pay Special Attention**

**Red Letters**    **Return This Sheet With Application**



*McCracken County Planning Commission*

McCracken County, Kentucky  
3700 Coleman Road  
Paducah, KY 42001  
v (270) 448-0125  
f (270) 443-0803

DO NOT WRITE IN THIS AREA
Pre-Conf Date _____
App Date _____
Hearing Date _____

# APPLICATION FOR AN APPROVED SIMILAR USE

P L E A S E P R I N T

Applicant Information	_____
	Name _____
	Mailing Address _____
Daytime Phone Number _____	

Property Owner Information	_____
	Name _____
	Mailing Address _____
Daytime Phone Number _____	
<input type="checkbox"/> Same as Above	

Property Information	_____
	Property Address _____
	If Platted, Plat Book Number, Page Number _____
	Existing Zoning - <input type="checkbox"/> AG <input type="checkbox"/> RR <input type="checkbox"/> UR <input type="checkbox"/> C <input type="checkbox"/> ML <input type="checkbox"/> MH

**RETURN THIS SHEET WITH THE COMPLETED APPLICATION**

## Similar Use Request

Proposed Similar Use is \_\_\_\_\_ and is similar to the following use(s) in the applicable zone. (Check all that apply)

### AG Zone:

- Agriculture product production facility
- Agriculture uses as defined herein
- Bed and breakfast inns
- Cabinet maker
- Cemeteries and customary accessory buildings
- Churches and customary accessory buildings
- Commercial establishments dealing exclusively with the transportation of agricultural products
- Commercial kennels
- Commercial recreational uses
- Commercial storage centers
- Community center, owned or sponsored by McCracken County
- Contractor
- Convenience Markets
- Farm fertilizer sales and bulk distribution
- Farm implement sales and service
- Farm service centers
- Feed mills and fertilizer sales, mixing and storage, excluding fertilizer manufacturing
- Golf courses and accessory buildings for the maintenance and operation of the course
- Government buildings and facilities
- Government owned parks and recreation areas.
- Livestock auction barns and yards.
- Livestock collection and distribution centers.
- Mineral extraction
- Nurseries and greenhouses and their accessory commercial buildings
- Nursery schools and day care centers
- Produce market stands and buildings, selling agricultural produce, provided 60% of the produce sold are produced on the premises
- Public and parochial schools
- Public facilities
- Public utility uses
- Riding stables and academies
- Sawmills
- Veterinary facilities and kennels
- Welding and Machine shop establishments

### RR Zone:

- Bed and breakfast inns
- Cemeteries and their customary accessory buildings
- Churches and their customary accessory buildings
- Community Centers owned or sponsored by McCracken County
- Convenience markets
- Golf courses and accessory buildings for the maintenance and operation of the course
- Nursery schools and day care centers
- Public and parochial schools
- Public and private utilities
- Veterinary facilities and kennels
- Nurseries and greenhouses and their accessory commercial buildings
- Produce market stands and buildings, selling agricultural produce, provided 60% of the produce sold are produced on the premises

**Return This Sheet  
With The  
Completed  
Application**

**Similar Use Request**

Proposed Similar Use is \_\_\_\_\_ and is similar to the following use(s) in the applicable zone.

C Zone:

- Assisted care homes
- Cemeteries
- Churches
- Community Centers
- Golf Courses
- Public and private utilities
- Automobile sales and service
- Boat sales and service
- Commercial Storage
- Eating Establishment
- Funeral Homes
- Hotels and Bed and Breakfast inns
- Mobile and Manufactured home sales
- Personal services
- Places of assembly
- Professional offices
- Retail establishments
- Theater
- Trade, Business, or art schools

ML Zone:

- Airports.
- Any industrial, manufacturing, fabrication, or processing use which does not emit objectionable noise, smoke, odor or dust beyond the confines of its property.
- Warehouses.

Explanation: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby certify that the information contained in this application is to the best of my knowledge true and correct.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

**RETURN THIS SHEET WITH THE COMPLETED APPLICATION**

APPROVED SIMILAR USE APPLICATION

4<sup>th</sup> page

<b>Authorized Agent</b>	<b>Commonwealth of Kentucky McCracken County</b>
	This _____ Day of _____, _____ (Day) (Month) (Year)
	I, _____ (Owner)
	hereby authorize _____ to make application to the McCracken County Planning Commission for the purpose of requesting a zoning change for properties listed on this application.
	Owner
	COMMOMWEALTH OF KENTUCKY COUNTY OF _____
Subscribed and sworn to before me this _____ day of _____, 20____, in my County and State aforesaid, by the forenamed owner.	
	Notary Public
My Commission Expires: _____	

I hereby certify that the information contained in this application, attached development plan and all other required submittals in support of this application are to the best of my knowledge and ability are true and correct.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

COMMOMWEALTH OF KENTUCKY

COUNTY OF \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in my County and State aforesaid,  
by the forenamed principal.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

**RETURN THIS SHEET WITH THE COMPLETED APPLICATION**

# APPROVED SIMILAR USE CHECKLIST

**THE PLANNING COMMISSION WILL GENERALLY HEAR ALL APPLICATIONS WITHIN 60 DAYS FROM THE RECEIPT OF THE COMPLETED APPLICATION.**

THE FOLLOWING INFORMATION MUST ACCOMPANY AN APPLICATION TO THE PLANNING COMMISSION AND IS TO BE PROVIDED BY THE APPLICANT:

- Application and justification statement. The applicant must complete the application form in its entirety. Incorrect or inaccurate information may result in dismissal of the application for a variance.
- A copy of the latest deed or plat for the property or properties involved in the request.
- If required, the appropriate drawings showing all existing and proposed improvements on the property, with dimensions and distances to property lines, all abutting streets, and any special conditions of the property that may justify the request.
- An original copy of the legal notice published in the Paducah Sun not less than 7 or more than 21 days prior to the hearing.
- The names and mailing addresses of all adjacent property owners.
- A check for any applicable fee as listed in Section 62.Fee Schedule of the McCracken County subdivision Regulations.

**THE FOLLOWING INFORMATION WILL BE PROVIDED TO THE APPLICANT BY THE McCracken County Zoning Administrator's Office:**

- Hearing date, which will be the next applicable agenda date. *All applications will be heard within 60 days from receipt of the completed application.*
- An Application Packet with an application form, sample letters and sketches and documents you will need for the hearing.

## ***Tips For Getting Approved***

Here Are The Simple Steps

1. Complete an application and submit a drawing to the Zoning Administrator
2. Get a hearing date from the Zoning Administrator
3. Advertise the hearing by placing an advertisement in the Paducah Sun.
4. Attend the public hearing and present your case.
5. Receive final approval, or denial, from the Planning Commission.

## SAMPLE HEARING NOTICE

### **Notice of Public Hearing For Property Located at 125 Peoria Ave.**

On Tuesday July 24, 2002 at 1:30 PM in the McCracken County Emergency Management Building, 3700 Coleman Road, Paducah, KY, 42001, a public hearing will be conducted on the application of James Smith for an approved use to permit a storage yard on property located at 125 Peoria Ave. All interested parties may appear and be heard. Call (270) 448-0125 for more information.

Wayne Elliott, Chairman  
McCracken County Planning Commission

#### ***Tips For Running An Advertisement And Getting It Right***

The Planning office will write the ad when the application is submitted. It is the applicant's responsibility to get the ad to the newspaper.

This must be published at least 7 days and not more than 21 days before the hearing.

Generally you must submit this to the Paducah Sun before 12 Noon on the day before you want this published. They are located at 408 Kentucky Ave. Their FAX number is 443-7465. Their voice number is 270-575-8600. The law requires you to use the newspaper with the widest circulation -- the Paducah Sun.

You must provide an original copy of the published advertisement *prior* to the hearing.

You will be responsible for paying Paducah Sun.



## Notifying the Neighbors

As required by the commission, the adjacent property owners shall be notified by First Class Mail. It is your responsibility to identify all of the adjacent property owners.

The Zoning Administrator will mail the letters.

The adjacent property owners are the property owners within 200' on either side of your property, to the rear of your property, and properties across the street qualify as "adjacent" for the purpose of the case.

You may find out who the adjacent property owners are by the following methods:

1. Visit the Property Valuation Office, located in the Court House Annex at 621 Washington Street.
2. Conduct a field survey by looking for names on mailboxes. You may have to knock on some doors.

P L E A S E P R I N T

	<b>Adjacent Owner Name</b>	<b>Property Address</b>	<b>Mailing Address</b>
1			
2			
3			
4			
5			
6			

Use Another Sheet of Paper, or the Backside for more space.

**RETURN THIS SHEET WITH THE COMPLETED APPLICATION**

# Adjacent Property Owners Affidavit

**Commonwealth of Kentucky**  
**McCracken County**

This \_\_\_\_\_ Day of \_\_\_\_\_, \_\_\_\_\_  
(Day) (Month) (Year)

I, \_\_\_\_\_  
(Owner or Authorized Applicant)

hereby make oath that the list of adjacent property owners of all portions of the subject property, including the subject property, all property immediately across the street or road of the subject property, is a true and accurate list as submitted with the similar use application.

\_\_\_\_\_  
(Owner or Authorized Applicant)

COMMONWEALTH OF KENTUCKY

COUNTY OF \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, in my County and State aforesaid, by the forenamed principal.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

**RETURN THIS SHEET WITH THE COMPLETED APPLICATION**

## Preparing the Drawings

As required by the ordinance, the applicant shall prepare a drawing and text that depicts the property in question and shows how it will be used if the approved similar use is approved.

Generally, many property owners can competently prepare text and graphics that are suitable for the hearing. While it is not required, the very *easiest* thing to do is have a professional architect, engineer, or surveyors prepare the drawing. You may also want to consider legal advice. Professionals are very qualified, and they generally know what we desire. As many of the professionals have been through this before, they can often give you valuable advice for winning your case. Usually they will help represent you at the public hearing. Of course, utilizing professionals comes with a cost. It is your case and if it is critical to you economically, then you should consider professional assistance.

The quality of the drawing should substantially depict the existing and proposed conditions. Since approvals are not guaranteed, non-essential details may be omitted as a way to spare expense. If an approval is made, one can then make the necessary investments to satisfy permit requirements. For example, we do not normally recommend that full drainage studies be commissioned prior to the hearing. The board or the ordinance may require it, but that will be at a later time.

If you are preparing your own drawing, you should include the following information on the graphic:

1. The boundary of the subject property and the zoning and owner names and addresses for all adjoining property;
2. Date, appropriate North point, and graphic scale.
3. Drawn to a scale of one hundred (100) feet to one (1) inch or larger.
4. Location, arrangement and approximate dimensions of existing and proposed streets, roads, driveways, sidewalks, and parking areas.
5. Perimeter screening (existing and planned) and other open spaces.
6. Approximate size, location, floor area, and use of proposed and existing buildings.
7. Minimum building setback lines.

8. Floodplain as determined by Federal Emergency Management Agency, (FEMA.), and classification, as per FEMA codes – if applicable.
9. Approximate location and dimensions of storm drainage areas, conceptual drainage controls and stormwater retention – if applicable.
10. Drawings shall be submitted not larger than 24 x 36 inches in size. They can often be done on a standard 8 1/2 x 11 sheet of paper.
11. Owners Certificate (if prepared by self): I certify that I am the owner, or authorized applicant, of the property shown on this sketch. The information is, to the best of my knowledge, true, correct, and an accurate representation of the existing and proposed conditions. This is not a survey or plat. This sketch is not suitable for any other purpose. The information contained has been obtained from existing records and/or in-the-field observations. I understand that I am responsible for the accuracy of the information and not McCracken County. I further acknowledge that any approvals or denials will be made, in-part, based upon the information contained hereon. McCracken County may inspect the property.

\_\_\_\_\_  
Signature

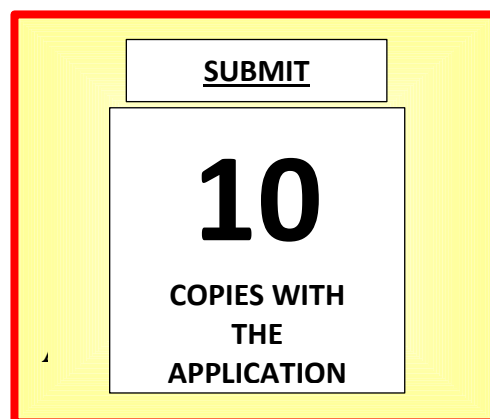
\_\_\_\_\_  
Date

### ***Tips For Preparing An Acceptable Drawing***

A sample drawing is included with this packet for you to use a guide.

You may purchase inexpensive drawing aids, such as scales and/or graph paper, at local office supply stores. Another good place to go is Paducah Blueprint, located at 999 Broadway. They have everything you will need to prepare an acceptable document.

S Also readily accessible graphics programs can be found that work nicely.



## The Public Hearing

Only after the Commission accepts a proper application, and the proper advertising is complete (neighbors notified by mail, and an advertisement placed in the paper), will a public hearing be conducted.

The meeting, conducted by the Commission Chairperson, is generally an informal affair, but will be orderly. You will be asked to present your case. You should cover the following information:

1. Identify the existing zoning of the subject property.
2. Characterize the site conditions of the subject property.
3. Characterize the land uses in the general area around the subject property.
4. Present the plan. Show your drawing, and describe the future use the property. You should demonstrate that the proposed use is substantially similar to one of the principal permitted uses. You should describe future buildings and their use, parking, traffic flow, storm drainage controls, and any landscaping, fencing or screening.

**Key Point:** It is your burden to show that the proposed use is *similar* to one of the principal permitted uses in the zone in question.

As it is a public hearing, the Chairman will ask if anyone is at the meeting that wishes to comment or ask questions about the proposal. Usually some one will speak up if they perceive there is any problem that affects their property. The public tends to ask about traffic, drainage, noise, screening, and property values. Think ahead about what is really important to the project and what conditions you are willing to negotiate. The Commission listens carefully to public input, especially those things that are legitimate and reasonable.