

Conditional Uses

325 S Oak Street, Suite 204, Winchester, IN 47394 765-584-8610

Randolph County BZA

Randolph County Unified Zoning Ordinance

Article XI – Conditional Uses

11.01. Conditional Use Permit Approval

Uses listed as Conditional Uses in the various zoning districts shall be permitted therein only upon the approval of a Conditional Use Permit by a vote of the Board of Zoning Appeals of Randolph County, Indiana. Application for a Conditional Use Permit shall be in accordance with the Rules of Procedure of the Board of Zoning Appeals, and shall include a Plan of Operation, as defined herein, which shall become an enforceable part of the Board's approval.

11.02. Conditional Use Findings of Fact

The Board of Zoning Appeals shall approve an application for a Conditional Use Permit only upon the finding that:

- 1) All construction and development is in conformance with the developmental standards applicable in the zoning district of the property included in the request.
- 2) The use adheres to the general character of and will not be substantially detrimental to the use and development in the vicinity of the property included in the request.
- 3) The use and development includes improvements and amenities necessary to minimize any adverse effects on the use and value of surrounding properties.

11.03. Conditions of Approval

The Board of Zoning Appeals may impose reasonable conditions upon its approval of a Conditional Use Permit to assure that the authorized use and improvements there for conform to the intent of this Ordinance and the Findings of Fact for a Conditional Use Permit, and such conditions shall become enforceable as if they were provisions of this Ordinance.

11.04. Duration of a Conditional Use Permit

Notwithstanding any other provisions contained herein, a Conditional Use Permit shall be limited to the specific use authorized, and improvements therefor, and shall be in perpetuity, until such authorized use becomes an abandoned use as defined herein. Only accessory uses permitted in the applicable zoning district, and improvements therefor, shall be permitted and conducted in association with the authorized use unless otherwise specifically included with the application for the Conditional Use Permit and approved by the Board of Zoning Appeals therewith.

11.05. Improvement Location Permit Required

Unless an Improvement Location Permit is obtained within one year of the approval or a Conditional Use Permit by the Board of Zoning Appeals, the approval of such Conditional Use Permit shall be null and void. Provided, however, the Executive Director may approve extensions of such time, totaling not more than eighteen months from the initial approval date,

only if such request is made in writing prior to the expiration of the initial year and demonstrates sufficient cause and need for the requested period of extension. The Executive Director may approve an extension period less than that requested or deny any extension upon the determination that the cause or need for the request is insufficient.

11.06. Modification of a Conditional Use Permit

Any alteration, expansion or modification of the use or improvements therefor authorized by a Conditional Use Permit shall require a new application for consideration by the Board of Zoning Appeals in accordance with these requirements and the Board's Rules of Procedure.