

**CITY OF DEWITT, IOWA  
SPECIAL USE PROCEDURE**

1. Submittal. Applicant submits proposal on Special Use Request form available from the Building Official, including required fee and any supplemental information required by the Building Official or which applicant wishes the City to consider. Land area; legal description; existing zoning; names and addresses of the applicant, title holder and contact person; and a description of the proposed special use are always required. If applicant does not hold title to the property, evidence of control such as a purchase contract or option contract is required. The applicant should obtain signs for posting the property from the Building Official at the time of filing the Special Use request.

2. Posting and Technical Review. Applicant posts signs on property as instructed by the Building Official. The application is reviewed by City staff, and necessary maps and supporting data are prepared. The Technical Review Committee (TRC) meets and discusses the proposal. A report is prepared for transmittal to the Planning and Zoning Commission summarizing staff/TRC findings relative to the provisions of 165.72.040, 165.72.050 and 165.80 of the Zoning Regulations and any other matters pertinent to the City's consideration. Copies of any correspondence received will be forwarded to the Board with the report.

3. Notice and Board of Adjustment Public Hearing. At least 7 but not more than 20 days prior to the scheduled public hearing with the Commission, a notice shall be published at least once in a Clinton County newspaper having general circulation within the City. The City staff will arrange for the publication and also mail to adjacent property owners and owners within 200 feet of the property a copy of the notice. City staff will utilize tax rolls for determining ownership, and failure to notify each and every owner shall not invalidate the action of the Commission. At the public hearing, following consideration of all oral and written comments, the Commission will vote upon a recommendation of approval or denial of the proposed special use, including any conditions to be imposed. Alternatively, if additional information or time is needed to consider the request, the Commission may schedule its decision for a future meeting; however, a decision shall be submitted to the Board within 30 days of the receipt of the proposal by the Commission (i.e. 30-60 days after submittal to the City).

4. Notice and Board of Adjustment Public Hearing. After receiving the Commission's report, the special use proposal shall be scheduled for public hearing before the Board. Published notice of the meeting shall appear not less than 7 or more than 20 days prior to such date in a Clinton County newspaper having general circulation with the City. The City staff will arrange for the publication and newspaper having general circulation with the city. The City staff will arrange for the publication and mail copies of the notices to adjacent property owners and owners within 200 feet of the property. City staff will utilize tax rolls for determining ownership, and failure to notify each and every owner shall not invalidate the action of the Board. All correspondence received and materials considered by the Commission shall be transmitted to the Board. After due consideration to oral and written information, the Board shall take action to approve or disapprove the special use and impose conditions as necessary based on the provisions of 165.72 and 165.80. Such action shall occur not later than 60 days after receipt of the report from the Commission.