



## Non-Conforming Use Petition

For property located at:

\_\_\_\_\_

**FEE: \$75.00 (non-refundable)**

Date \_\_\_\_\_

Application # \_\_\_\_\_  
(Staff Use)

Project Title \_\_\_\_\_

Property Owner\* \_\_\_\_\_ Phone \_\_\_\_\_

Mailing Address \_\_\_\_\_

Applicant/Developer/Agent \_\_\_\_\_

Office Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

Mailing Address \_\_\_\_\_

E-mail Address \_\_\_\_\_

Parcel # \_\_\_\_\_ Legal Description: Please Attach

Total Area - Acres or Square Feet: \_\_\_\_\_ Zone Designation \_\_\_\_\_

**What is the reason for this request? Use an additional sheet if necessary.**

08/2023

\*Meets all building permit/code requirements outside of the conditional use permit

\*Current property owner must sign application (see back/next page)

AFFIDAVIT

PROPERTY OWNER

STATE OF UTAH                     )  
  ) ss  
COUNTY OF SAN JUAN         )

I (we), \_\_\_\_\_, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained, and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

\_\_\_\_\_  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ .

\_\_\_\_\_  
(Notary)

Residing in: \_\_\_\_\_

My commission expires: \_\_\_\_\_

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AGENT AUTHORIZATION

I (we), \_\_\_\_\_, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) \_\_\_\_\_ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

\_\_\_\_\_  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared before me \_\_\_\_\_, the signer(s) of the above agent authorization who duly acknowledged to me that they executed the same.

\_\_\_\_\_  
(Notary)

Residing in: \_\_\_\_\_

My commission expires: \_\_\_\_\_

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## Public Hearings

A non-conforming use petition is a land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are met that mitigate or eliminate the detrimental impacts. The Planning Commission & City Council holds a public hearing for all land use applications.

The Planning Commission meets the first Tuesday of the month and you must submit your application at least four weeks in advance of the hearing date. The public hearing by the Planning Commission begins at 6:30 p.m. in the Hideout Community Center Chambers, Monticello, UT, 648 S Hideout Way. You or your appointed representative must be present at the public hearing at 6:30 p.m. to explain your case and answer questions.

The City Council may make a final decision on your request the day of the final public hearing. They will either approve, approve with conditions, continue, or deny the application. You will receive written notice of the decision approximately one week after the hearing date.

A non-conforming use permit expires 12 months from the date the City Council approval is given unless other arrangements have been made in writing between the property owner and the Monticello City Planning & Zoning Administrator.

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## Application Requirements

Complete the attached application form. Incomplete or inadequate information may result in your case being delayed until complete and adequate information is supplied. There is a filing fee to help defray the costs of advertising, public hearings, and staff review. This is a non-refundable fee which must be submitted at the time of application and is listed on the application form. For your application to be complete, you must also submit the following:

- **Proof of Ownership** - The current property owner must be the applicant but may designate an authorized agent to act on their behalf. Proof of ownership may include a County Recorder's printout indicating ownership with corresponding parcel number, a Warranty Deed or tax notice.
- **Letter of Intent** - Please include an explanation letter to outline your request.
- **Adjacent Property Owner Information** – A current computer printout of all the property owners adjacent to the outer boundaries of your property is required and shall be obtained from the San Juan County Recorder's Office. Notification of your proposal will be sent to the adjacent property owners by Monticello City prior to the public hearing.

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Next Planning Commission Meeting \_\_\_\_\_

Filing Deadline  
(4 weeks prior to hearing date) \_\_\_\_\_

## Appealing a Decision of the City Council

Any person wishing to appeal a decision of the City Council must file the appeal with the Board of Adjustment within 10 business days of the final decision of the City Council.

\_\_\_\_\_  
(Office Use Only)

DATE RECEIVED: \_\_\_\_\_ COMPLETE: YES \_\_\_\_\_ NO \_\_\_\_\_

DATE APPLICATION DEEMED TO BE COMPLETE: \_\_\_\_\_

COMPLETION DETERMINATION MADE BY: \_\_\_\_\_

Signature