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- REASONABLE USE EXCEPTION - (Private Projects) SUPPLEMENTAL APPLICATION FORM

OFFICE USE ONLY

Application No: LUP _____ Is a Master Land Use Application form attached? Yes No

If no, do not accept this form.

Name of Applicant or Project: _____

Purpose:

Any private property owner who claims that strict application of Chapter 18.24 NMC, Critical Areas, would deny all reasonable economic use of their property may be granted a critical areas reasonable use exception – private property, subject to the criteria listed below.” (NMC 18.44.048)

Note: All fields must be completed, including blank lines and check boxes. Any check box marked “no” that is demarcated by an asterisk could result in the application being deemed incomplete.

Pre-application Conference:

As a Type III application, has a pre-application conference been held with the City of Newcastle within the past 12 months pertaining to this proposal as required by NMC 19.09.010(A)?

Yes No*

If no, do not submit this application; apply for a pre-application conference.

Date of Pre-application Conference: _____
month date year

Does this proposal reflect the comments provided by the City at the pre-application conference? Yes No

If you answered “No” to the above question, please explain:

Reasonable Use Exception (RUE) Request:

Please describe why the reasonable use exception that is requested is necessary for the reasonable economic use of the property (attach additional sheet if necessary):

Associated Development Applications: Is an associated site development application submitted concurrent with this application? Yes No

If yes, to which of the following development applications does this RUE application pertain?

- Site Plan Review
 - Preliminary Plat
 - Binding Site Plan
 - Residential Condominium Binding Site Plan
 - Building Permit (Provide Building Permit Application Number _____)
 - Other (describe) _____
-

Reasonable Use Exception Statement Letter:

This application requires that you include a statement letter addressing the decision criteria for a reasonable use exception as defined in NMC 18.44.048 and as stated below. Is a statement letter (narrative) addressing the RUE criteria submitted with this application? Yes No*

RUE – Private Project Decision Criteria (NMC 18.44.048):

1. The application of this chapter would deny all reasonable use of the property; and
2. There is no other reasonable use with less impact on the critical area; and
3. The proposed development does not pose an unreasonable threat to the public health, safety or welfare on or off the development proposal site and is consistent with the general purposes of this chapter and the public interest; and
4. Any alterations permitted to the critical area resulting from the proposed use and site design shall be the minimum necessary to allow for reasonable use of the property; and
5. The inability to derive reasonable economic use is not the result of the applicant’s actions or that of a previous property owner, such as by segregating or dividing the property and creating an undevelopable condition.

Applicant's Statement: I _____ (name) hereby affirm, under penalty of perjury, that I am the applicant of this proposal and that the property(ies) affected by this application, including any easements, is(are) under my exclusive ownership, or that this application has been submitted with the consent of all owners of the affected property(ies), including any easements. I further hereby affirm that the foregoing statements and answers are in all respects true and correct as to my understanding and belief as to those matters.

Signature: _____ Date: _____