



# City of Dickinson Community Development

## Registration of Nonconforming Use or Structure Application

### Property Information

Address: \_\_\_\_\_

County Appraisal District No.: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Acres: \_\_\_\_\_ Floodplain: \_\_\_\_\_

### Property Owner Information

Owner: \_\_\_\_\_  
*Last First M.I.*

Address: \_\_\_\_\_  
*Street Address Apartment/Unit #*

\_\_\_\_\_ *City State ZIP Code*

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**\*\*If the property is owned by any entity or corporation and not an individual, submit Articles of Incorporation or other official documentation verifying Signatory Authorization. \*\***

### Business Information

Business Name: \_\_\_\_\_

Business Owner: \_\_\_\_\_  
*Last First M.I.*

Business Address: \_\_\_\_\_  
*Street Address Apartment/Unit #*

\_\_\_\_\_ *City State ZIP Code*

Business Phone: \_\_\_\_\_ Business Email: \_\_\_\_\_

### Applicant / Agent Information

Applicant: \_\_\_\_\_  
*Last First M.I.*

Address: \_\_\_\_\_  
*Street Address Apartment/Unit #*

\_\_\_\_\_ *City State ZIP Code*

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**\*\*If applicant is different than property owner, a Notarized Agent Authorization is required. \*\***

**Details of Request**

**NONCONFORMING USE**

Current Zoning: \_\_\_\_\_

Primary Use: \_\_\_\_\_ Date Use Began: \_\_\_\_\_

Accessory Use: \_\_\_\_\_ Date Use Began: \_\_\_\_\_

Describe Nonconforming Use (attach additional pages to support your request):  
\_\_\_\_\_  
\_\_\_\_\_

**\*\*Official documents required. \*\***

**Details of Request**

**NONCONFORMING STRUCTURE**

Current Zoning: \_\_\_\_\_

Type of Structure \_\_\_\_\_ Date Built: \_\_\_\_\_

Describe Nonconforming Structure (attach additional pages to support your request):  
\_\_\_\_\_  
\_\_\_\_\_

**\*\*Official documents required. \*\***

**Disclaimer and Signature**

*I certify that my answers are true and complete to the best of my knowledge. By my signature, I hereby affirm that I am the **property owner** of record, or if the applicant is an organization or business entity, that authorization has been granted to represent the owner, organization or business in this application. I certify that the preceding information is **complete and accurate**, and it is understood that I agree to the application being requested for this property. Additionally, my signature below indicates my awareness of the fee required at the time of the application submittal and any additional fees as noted in the City's Fee Schedule. This (FEE) is **non-refundable** even in the event of application withdrawal. I have the power to authorize and hereby grant permission for **City of Dickinson Officials** to enter the property on official business as part of the application process.*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

**Staff Use Only**

Date Received: \_\_\_\_\_ Permit Number: \_\_\_\_\_

Permit Fee: \_\_\_\_\_ Date Paid: \_\_\_\_\_

**Details of Request**

**NONCONFORMING USE**

Current Zoning: \_\_\_\_\_

Primary Use: \_\_\_\_\_ Date Use Began: \_\_\_\_\_

Accessory Use: \_\_\_\_\_ Date Use Began: \_\_\_\_\_

Describe Nonconforming Use (attach additional pages to support your request):  
\_\_\_\_\_  
\_\_\_\_\_

**\*\*Official documents required. \*\***

**Details of Request**

**NONCONFORMING USE**

Current Zoning: \_\_\_\_\_

Primary Use: \_\_\_\_\_ Date Use Began: \_\_\_\_\_

Accessory Use: \_\_\_\_\_ Date Use Began: \_\_\_\_\_

Describe Nonconforming Use (attach additional pages to support your request):  
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\_\_\_\_\_

**\*\*Official documents required. \*\***

**Details of Request**

**NONCONFORMING USE**

Current Zoning: \_\_\_\_\_

Primary Use: \_\_\_\_\_ Date Use Began: \_\_\_\_\_

Accessory Use: \_\_\_\_\_ Date Use Began: \_\_\_\_\_

Describe Nonconforming Use (attach additional pages to support your request):  
\_\_\_\_\_  
\_\_\_\_\_

**\*\*Official documents required. \*\***

**Details of Request**

**NONCONFORMING STRUCTURE**

Current Zoning: \_\_\_\_\_

Type of Structure \_\_\_\_\_ Date Built: \_\_\_\_\_

Describe Nonconforming Structure (attach additional pages to support your request):

\_\_\_\_\_  
\_\_\_\_\_

**\*\*Official documents required. \*\***

**Details of Request**

**NONCONFORMING STRUCTURE**

Current Zoning: \_\_\_\_\_

Type of Structure \_\_\_\_\_ Date Built: \_\_\_\_\_

Describe Nonconforming Structure (attach additional pages to support your request):

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\_\_\_\_\_

**\*\*Official documents required. \*\***

**Details of Request**

**NONCONFORMING STRUCTURE**

Current Zoning: \_\_\_\_\_

Type of Structure \_\_\_\_\_ Date Built: \_\_\_\_\_

Describe Nonconforming Structure (attach additional pages to support your request):

\_\_\_\_\_  
\_\_\_\_\_

**\*\*Official documents required. \*\***

## Registration of Nonconforming Use or Structure Requirements Checklist

The following list of submittal requirements shall be used by the applicant as a checklist in preparing a complete application. Applications that do not have these items will be rejected and returned to the applicant. Additional information regarding zoning is found in Chapter 18 - Zoning of the Dickinson Code of Ordinances.

- Application – complete with signature.
- Fees – The following fees have been adopted by City Council and are periodically changed. All fees are non-refundable.
  - \$100.00 Application
- Authorization:
  - Ownership – submit county appraisal information verifying ownership. If county appraisal information is not correct, submit deed.
  - Agent Authorization – if you are an agent and not the property owner, submit a notarized statement from the owner naming you as agent for this application.
  - Signatory Authorization – if the property is owned by any entity or corporation and not an individual, submit Articles of Incorporation or other official documentation verifying signatory authorization.
- Proposed Floor Plan – Floor plan showing the location of the space inside to be occupied, including:
  - Total building square footage
  - Square footage of each area
  - Use of each area
  - Location of windows and doors
  - Occupant load
- Proposed Site Plan – Site plan showing the location of the space outside to be occupied with calculations and dimensions, including:
  - Fire lane
  - Parking - If multi-tenet use, parking plan must include all uses.
  - Lighting (Emergency and site lighting)
- Official Documents – Nonconforming uses and structures must be proven with official documentation. The city requires proof by the owner that a use or structure was lawfully existing at the time of adoption of the zoning code, or any applicable amendment hereto, or said nonconforming use or structure shall be deemed unlawful and a violation of zoning code. It is the express purpose and intent of the code to create a presumption of illegality for any nonconforming use or structure not registered in accordance herewith, and such presumption of illegality shall apply in any permit approval process, in any criminal proceeding relating to violations of this chapter, or to any civil proceeding in which the city seeks to enjoin violation of any provision hereof or seeks the imposition of civil penalties for any such violation.
- Official Documents – A nonconforming use of land or of a structure in a district that is discontinued or remains vacant for a continuous period of six (6) months shall be presumed to be abandoned and shall not thereafter be reestablished or resumed. Any subsequent use or occupancy of the structure or land site must conform with the regulations for the district in which it is located. Provide proof that non-conforming use or structure has not been abandoned.
- Additional Information – The zoning official may require additional information necessary to undertake a complete analysis and evaluation, and to determine whether the circumstances prescribed for granting the variance exists.

### **COMMERCIAL USES:**

- Certificate of Occupancy – copy of valid Certificate of Occupancy is required for all commercial uses.
- Manufactured Home License – copy of valid Manufactured Home License.