

CHAPTER 175: ADMINISTRATIVE AND SPECIAL PROVISIONS

Section

- 175.01 Administration
- 175.02 Amendments
- 175.03 Variances
- 175.04 Conditional use permit
- 175.05 Special uses
- 175.06 Definitions
- 175.07 Special use permit procedure
- 175.08 Restrictions applicable to particular special uses
- 175.09 Discontinuance of special use
- 175.10 Time limits
- 175.11 Pre-existing uses
- 175.12 Severability
- 175.13 Violations and penalties

§ 175.01 ADMINISTRATION.

(A) *Enforcement.* Except as otherwise noted herein, the Plan Commission, through its officers and employees, shall enforce the provisions of this title.

(B) *Improvement location permit.* No building or structure except government agencies, government owned and/or operated utilities, and buildings whose primary use is in connection with the production of agricultural crops and livestock and fowl, other than residences may be erected, move, added to, or structurally altered unless an improvement location permit has been issued.

(C) *Application for improvement location permit.* An application for improvement location permit must be made on a duplicate form prescribed by the APC and must be accompanied by a scale drawing showing the dimensions and the shape of the lot to be built upon; the size and location of existing buildings; and the location and dimensions of the proposed building or alteration. The application must include any additional information required by the Executive Director for the administration and enforcement of this title, including but not limited to; the existing or proposed building or alteration; existing or proposed uses of the building and land; the number of families, housekeeping units or rental units the building is designed to accommodate; and the conditions existing on the lot. Any residential application for an improvement location permit shall be reviewed by the Executive Director. Any non-residential application for an improvement location permit shall be forwarded to the Town of Chandler Planning Commission for site review through the Executive Director. A site review approval by the Plan Commission shall remain valid for one year from the date of approval. If an improvement location permit is not obtained within that time, the approval shall expire, and the applicant must resubmit for site review approval in accordance with the requirements of this title.

(D) *Proof of compliance.* Shall be provided to the Executive Director, for sewer and water tap permit numbers from the appropriate water and sewer companies, municipalities, or the applicable Health Department must accompany the application. Where a state law requires a release prior to construction

from the State Building Commissioner for a proposed structure, no improvement location permit will be issued until the release is obtained by the applicant by the appropriate state agency. Prior to issuance of an improvement location permit, the applicant must provide proof of compliance with all state building codes and other applicable regulations. One copy of the application shall be returned to the applicant by the Executive Director after approval or disapproval of the application. The second copy similarly marked, shall be retained by the APC. If any application is not approved, the Executive Director shall state the reasons for its action of the application. When permits are issued for lots located in subdivisions for which streets have not been accepted for maintenance by the town, the Plan Commission shall cause to be printed on the face of the permit the following:

"The streets in your subdivision have not been accepted for maintenance by the Town of Chandler."

(E) After a permit is issued and construction has commenced it shall be unlawful to bury any construction debris including trees and tree stumps during or at completion of any improvement made on a parcel of real estate. Burying of any construction debris is a violation and subject to a violation fee.

(F) *Certificates of occupancy.* It is unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, converted, or wholly or partly altered or enlarged in its use or structures until a certificate of occupancy has been issued stating that the proposed use of the building or land conforms to the requirements of this title. A non-conforming structure or use may be maintained, renewed and changed only after a certificate of occupancy has been issued stating specifically how the non-conforming use differs from the provisions of this title. A temporary certificate of occupancy may be issued for a period not exceeding 6 months during alteration or partial occupancy of a building. The APC may require as a condition precedent safeguards that will reasonably protect the safety of the occupants and the public.

(G) *Expiration of improvement location permits.* If the work described in an improvement location permit has not been started within 6 months from the date it was issued, the permit shall expire and written notice thereof shall be given to the persons affected. If the work described in any improvement location permit has not been substantially completed within 1 year of the date it was issued, the permit shall expire and written notice thereof shall be given to the persons affected, together with the notice that all work shall cease until a new permit has been obtained.

(H) *Construction and use.* Improvement location permits or certificates of occupancy issued on the basis of plans and applications approved by the APC or the Executive Director authorize only the use, arrangement, and construction set forth in such approved plans and applications and no other use arrangement, or construction.

(I) *Fees and expenses for notice.*

(1) Each application for an improvement location permit shall be accompanied by the Chandler Plan Commission. No permit shall be required for improvements which cost less than \$1,000, unless otherwise specified in the permit fee schedule herein. If construction has commenced without first obtaining an improvement location permit, the applicable contractor or the property owner shall be fined an additional \$200. For purposes of this section, **START OF CONSTRUCTION** shall be defined as any work or use of material at the improvement location site.

(2) (a) All persons applying for petitions to rezone property, variances, conditional uses, special exemptions, appeals, zoning certifications, and review by the Department of Natural Resources of an improvement location permit in a flood hazard area shall accompany applications with the following fees payable to the Town of Chandler:

Improvement local permit: \$50.

(b) (Fees for the following items include the costs of the public notice and for up to 6 certified letter notices. If more than 6 certified letter notices are required, an additional charge of \$10 each for each certified letter notice over the initial 6.)

Petition to rezone	\$200 per lot
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Variance	\$200 per lot
Special exemption	\$200
Appeals	\$200
Zoning certificate	\$25 per lot
Conditional or special use	\$200
Certificate of occupancy	\$25
Subdivision plat	
Major (3 lots or more)	\$250, plus \$20 per lot
Minor (2 lots)	\$150
Replat	\$150
Copies of any documentation	\$0.25 (\$0.50 if legal sized)

(3) On all work having a value of \$1,000 or more (unless otherwise specified herein), for structural, electrical, HVAC, and plumbing the following fees shall be paid.

Type of Construction	Improvement Location Permit Fee	Inspection Fee
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Single-family dwelling	\$0.10 per sq. ft. (\$150 minimum; includes electrical, HVAC, plumbing, driveway, and culvert)	\$75
Two-family dwelling (duplex)	\$0.10 per sq. ft. (\$175 minimum; includes electrical, HVAC, plumbing, driveway, and culvert)	\$75 per unit
Multi-family dwellings (3 or more units)	\$0.12 per sq. ft. (\$200 minimum; includes electrical, HVAC, plumbing, 1 driveway, and 1 culvert per building)	\$75 per unit
Manufactured (mobile) home (single wide)	\$0.10 per sq. ft. (\$95 minimum; includes electrical, HVAC, plumbing, driveway, and culvert)	\$75
Garage (unattached), pole barns, storage structures, and accessory buildings with a permanent foundation	\$0.10 per sq. ft. (\$50 minimum)	\$75
Addition to existing building, including attached garage	\$0.10 per sq. ft. (\$50 minimum)	\$75
Interior remodeling, structural alteration (over \$1,500)	\$50	Included with permit
Exterior remodeling (siding, windows, doors, etc. – over \$1,500)	\$50	Included with permit
Decks, porches, yard barns, metal storage buildings, gazebos, and ramps	\$40 (no charge if under 50 sq. ft.)	Included with permit
Metal carport	\$40	Included with permit

Fences (new)	\$30	Included with permit
Fences (replacing old fence with no alterations)	Permit required – no fee	No fee
Fences (replacing old fence with alterations)	\$30	Included with permit
Roof repair/replacement (5 square feet or more)	\$50	Included with permit
Driveway culvert (new)	\$40	Included with permit
Driveway culvert (replacing)	Permit required – no fee	No fee
Driveway	\$30	Included with permit
In-ground swimming pool (requires fence)	\$75	Included with permit
Above ground swimming pool (deeper than 36 inches of water) (requires fence)	\$30	Included with permit
Spa or hot tub	\$30	Included with permit
Electrical	\$35	Included with permit
Electrical inspection	\$35 (includes turn-on notice to CenterPoint)	Included with permit
HVAC	\$35	Included with permit
Plumbing	\$35	Included with permit
Demolition (any structure over 500 sq. ft.)	\$40	
Storm shelter	Permit required – no fee	No fee
Business, commercial, hotel, and motel	\$0.12 per sq. ft. (\$200 minimum), plus \$20 per unit for hotels and motels	\$50
Industrial, warehouses, and bulk storage buildings	\$0.16 per sq. ft. (\$200 minimum)	\$50
Church	\$0.12 per sq. ft.	\$50
Schools and libraries	\$0.12 per sq. ft.	\$50
Institutional (prison/jail)	\$0.16 per sq. ft.	\$50
Additions on commercial and industrial use buildings	Same as use of building listed above	
Communication, radio, and TV towers	\$1 per linear foot (\$50 minimum)	

(4) A violation fee of \$200 will be required in addition to the regular fee for any application to locate a mobile home, or manufactured home, or modular home if the home has been moved onto property and posted as a violation by the Zoning Inspector for the Town of Chandler Plan Commission.

(5) All fees include the costs for legal notice of public hearing. No part of any filing fee paid pursuant to this section shall be returnable to the applicant or petitioner. Fees may be adjusted from time to time by the APC following approval from Town Council.

(6) A violation fee of \$500 will be imposed if it is determined by the Executive Director that construction debris has been buried during or upon completion of construction of any improvement made on a parcel of real estate for which an improvement location permit has or has not been issued. The requirement and/or receipt of payment of the violation fee is not a waiver of the provisions of any other local ordinances regulating the disposal of waste.

(Ord. 2017-02, passed 2-20-2018; Am. Ord. 2022-11, passed 12-5-2022; Am. Ord. 2025-01, passed 2-3-2025) Penalty, see § 175.99

§ 175.02 AMENDMENTS.

(A) *General.* Whenever the public necessity, convenience, general welfare, or good zoning practice require the amendment, supplement or change in the regulations, district boundaries or reclassification of property, now or hereafter established by this title or amendments thereto, the amendment may be proposed by:

- (1) A member of a participating legislative body, to that body;
- (2) The Plan Commission to the Town Council of the town; or

(3) By petition of the owners of property of 50% or more of the area involved in the petition either to the body having legislative authority over the land or to the Plan Commission. Any proposed ordinance for the amendment, supplement, change, or repeal of this title shall be referred to the Plan Commission for consideration and report before any final action is taken by a legislative body.

(B) *Area for rezoning.* In case of a petition for a change in the zoning of property, the Plan Commission may consider whether the area described in the original petition should be enlarged, reduced or modified in order to reflect the interests of the community and to correspond with the Comprehensive Plan. The Plan Commission may recommend to the Town Council such enlargement, reduction or modification if any, as it may deem desirable, provided the Plan Commission properly notifies any and all persons affected by such enlargement, reduction or modification.

(C) *Plan Commission initiation.* The Plan Commission shall carry on a continual study of zoning, zoning techniques and the relation of zoning to private developments and public improvements and the Comprehensive Plan for the orderly growth of the town and may from time to time submit recommendations as to the amendment of this title to the Town Council.

(D) *Basis for recommendations.* In reviewing and formulating recommendations to the Town Council as to requested or proposed changes in this title, the Plan Commission shall consider and evaluate the change in relation to the following aspects of the Comprehensive Plan:

- (1) The land use pattern of the town.
- (2) The transportation system of the town.
- (3) Other parts of the Comprehensive Plan deemed pertinent by the Plan Commission.
- (4) Whether there have been substantial changes in the character, development of areas in or near the area under consideration.
- (5) The purposes and objectives of this title as outlined in Chapter 170.

(E) *Conditional rezoning.* No amendment to this title to rezone property shall contain conditions, limitations, or requirements not applicable to all other property in the zoning district to which the particular property is rezoned.

(F) *Limit on petitions.* The following time limitations shall apply to petitions for rezonings or variances: