

COMPREHENSIVE PERMIT GUIDE

BUILDING PERMIT

To ensure code compliance and safe building techniques as well as to protect the owner and future occupants, a building permit is required for all new structures (including accessory buildings, above & in-ground pools 30" deep, decks, fences, etc.); when making any structural alterations and/or additions, and when a project includes any electrical, mechanical or plumbing work. In addition, when changing the use of a structure (for example, converting non living area such as a garage or porch into living area, converting an office to retail or changing from residential to commercial) a building permit is required. The City of Madisonville has expanded jurisdiction and will permit/inspect all projects with the exception of day cares, nursing home and hospitals.

HVAC

HVAC stands for heating, ventilation, air conditioning. A permit is required for all new HVAC installations in all structures. The City of Madisonville carries expanded jurisdiction and the City's Building Official will be issuing and inspecting these projects.

SIGNS

The purpose of the Sign Regulations is to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; to promote the economic welfare of the community by providing businesses a reasonable opportunity to use signs to communicate, to advertise and to assist potential customers to locate and identify desired products, goods, services or facilities; to maintain and enhance the aesthetic environment without unduly restricting the City's ability to attract sources of economic development and growth; to promote both renovations and proper maintenance; and to enable the fair and consistent enforcement of said Regulations. The Zoning Administrator shall be charged with the issuance of sign permits and enforcement. No sign may be erected in the City unless in conformance with the City's Sign Regulations.

DEMOLITIONS

A demolition permit is required of any building or structure prior to the start of any such work. All demolition shall be carried out in a manner to provide reasonable safety to persons and property. Safety measures at the demolition site must be in accordance with all applicable code & ordinances. If the demolition is part of a project submitted for a building permit, a separate demolition permit will not be required.

GRADING & PAVING

Any grading, excavating, filling or removal of soil, trees or other vegetation, except for minor changes such as the filling of small depressions, removal of vegetation which is diseased or endangering the public safety, etc., or paving of any lot or parcel (except the paving of driveways for single and two-family dwellings), must first obtain a grading and paving permit. Contact Engineering Department.

CHANGE OF USE

In cases where a building permit is not necessary but the use of the structure will be changed (i.e. residential to commercial, offices to retail, etc.), a change of use application is required. The application shall be accompanied by a detailed account of the new use including parking.

UTILITY CONNECTION

Requests for water or sewer service outside the city limits of Madisonville requires City Council approval.

CONDITIONAL USE

In the Madisonville Zoning Ordinance, there are permitted uses (those uses automatically allowed without conditions or special approvals) and there are conditional uses which require approval of the BOA. Be sure to refer to Section 156.051 of the Madisonville Zoning Ordinance for more requirements regarding conditional uses. Upon application, the BOA holds a public hearing and hears and decides whether to grant or deny a conditional use permit. When granting a conditional use permit, the BOA shall certify compliance with the specific rules governing individual permits and that satisfactory provisions have been made concerning the following (where applicable):

- Ingress and Egress
- Off-Street Parking and Loading Areas
- Refuse & Public Service Area
- Availabilities of Utilities
- Screening and Buffering of Non-Compatible Uses
- Signs
- Required Yard & Open Space
- Specific Criteria to Chapter 4 of the Madisonville Zoning Ordinance
- General Compatibility with Adjacent Properties
- Other Items Pertaining to the General Health, Safety and Welfare of the Public

DIMENSIONAL VARIANCES

The BOA may consider, granting a variance from the terms of dimensions and setbacks as specified by the Zoning Ordinance where special conditions exist and a literal enforcement of the provisions of the Zoning Ordinance would result in undue hardship or practical difficulty. Variances are not intended to be granted frequently. The BOA must conduct a public hearing and find the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or nuisance to the public and will not allow an unreasonable circumvention of the requirements of the Zoning Ordinance. A variance applies for the property for which it was granted and runs with the land and is transferable to any future owner but it cannot be transferred by the applicant to a different site.

Findings necessary for granting a variance are:

- The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or in the same zone;
- The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and,
- The circumstances are the result of actions of the applicant taken subsequent to the adoption of the Zoning Ordinance from which relief is sought.

REPLACEMENT OF AN EXISTING MOBILE HOME

Mobile homes not in an approved mobile home park or subdivision may be replaced, provided approval is given by the Board of Adjustments in accordance with the following criteria. If replacing a mobile home with another mobile home, consult with the Administrative Official prior to the home's removal.

1. Application is made within 3 months of the date of its removal and replacement home occupies the lot within 30 days of approval by the BOA.
2. The replacement home does not create new non-conformities with respect to such matters as, but not limited to, setback and parking requirements.
3. The replacement home's appearance and standards and value must be equal to or higher than the home being replaced and in no case have a minimum value of less than \$5,000. The BOA may use an assessed value, bill of recent sale or, when meeting the minimum \$5,000 value is in question, require a certified appraisal conducted by a licensed appraiser to establish a current value. The cost of such appraisal shall be at the owner's expense.
4. If the replacement home is build prior to June 15, 1976, the home must be HUD inspected and written approval for habitation provided.
5. All other applicable provisions of the Zoning Ordinance are met.