

Item F



**TOWN OF VIRGIN**  
114 S Mill Street  
PO Box 790008  
Virgin, Utah 84779  
(435) 635-4695

**TOWN USE ONLY**  
**Filing Fee:** \$400.00 (non-refundable)  
**CONDITIONAL USE PERMIT:** Level 1 or Level 2  
Date Paid/Received: \_\_\_\_\_  
Check #: \_\_\_\_\_ Staff Initials: \_\_\_\_\_

## CONDITIONAL USE PERMIT

**File Date:** 3/8/2023 **Staff Approval:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Zone Classification of Property:** ☒ Commercial ☐ Residential ☐ Rural Residential  
☐ Agricultural ☐ Resort Zone ☐ Highway Resort Zone

### **APPLICANT INFORMATION:**

**Name:** Kirk Barker - Ensign Hospitality

**Address:**

**Phone: Home:** \_\_\_\_\_ **Work:** \_\_\_\_\_ **Cell:** \_\_\_\_\_

**Email Address:** kirk@ensignhospitality.com

**Property Address:** State Route 9 & Mesa Road Parcel F-2 (See attached Survey)

**Property Tax ID number:** V-2-1-21-20001 (attached legal description)

**Narrative of the project and use of the land:** \_\_\_\_\_

A new 2-story 100 room hotel separated into three separate buildings with surface parking, outdoor pool and amenities.

**List all permits that may be required by state or federal agencies:**

Utah Department of Transportation Access Permit  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*Have all the prerequisites of chapter 16 of VULU been met? ☒ Yes ☐ No

The Conditional Use Permit once granted, and from final date of approval must coincide with the building permit timeline and no Certificate of Occupancy will be issued without all conditional uses being met.

WHEN A CONDITIONAL USE PERMIT IS GRANTED SUBJECT TO CONDITIONS, SUCH CONDITIONAL USE PERMIT DOES NOT BECOME EFFECTIVE UNTIL SUCH TIME AS THOSE CONDITIONS HAVE BEEN MET AND APPROVED BY ZONING ADMINISTRATOR AND/OR PLANNING COMMISSION AND TOWN COUNCIL.

\*NOTE – A Conditional Use Permit does not eliminate the necessity of obtaining a Building Permit or Business License. A Building Permit is required for construction of all buildings in the project.

IF REQUIRED, APPLICANT MUST SUBMIT STAMPED, ADDRESSED ENVELOPES FOR ALL PROPERTY OWNERS WITHIN 300FT OF THE AFFECTED PROPERTY 10 DAYS BEFORE THE PUBLIC HEARING.

Applicant Signature: [Signature] Date: 3-8-23

### TOWN USE ONLY

CUP Level:                      Level 1                      Level 2

Original Permit Date: \_\_\_\_\_ Establishment Deadline: \_\_\_\_\_

APPROVAL BY ZONING ADMINISTRATOR: ☐ Approval ☐ Denial      Date: \_\_\_\_\_

Recommended to Planning Commission: N/A ☐ ☐ Approval ☐ Denial      Date: \_\_\_\_\_

Zoning Administrator's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Chairman's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Town Council Decision: N/A ☐ ☐ Approval ☐ Denial      Date: \_\_\_\_\_

Town Council Mayor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

CONDITIONS will be attached to this form and printed on the permit.

Zoning Administrator Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Town Clerk's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## ACKNOWLEDGEMENT AND AGREEMENT FOR PAYMENT OF ADDITIONAL PROFESSIONAL FEES

Name of Owner/Applicant: Kirk Barker - Ensign Hospitality

Type of Application: Conditional Use Application

The Town of Virgin requires that all applicants agree to pay the actual out-of-pocket professional fees incurred by the Town in relation your application/request. These professional fees include all fees paid by the Town to Engineers, Surveyors, Attorneys, Planning & Zoning Consultants and Administrators, etc. The Town may be able to give you an estimate of these costs, but because of differences in each application and situation it is not a quotation of a fixed amount. Because of the size of the Town and its budgetary constraints many of these professional services must be outsourced to third parties who charge for their services on an hourly basis. In instances of applications for a variance or applications for administrative appeals where the request will be heard and determined by the Town's Appeal Authority (a single member body who is a practicing municipal attorney other than the Town Attorney) the legal fees incurred by the Town will include both those of the Appeal Authority and the Town's Attorney who will be involved in the matter to represent the Town's interest in ensuring compliance with Town Standards. These fees shall be paid prior to the release of permits/licenses and any approvals for a variance or positive appeal decisions will be suspended and not become effective unless and until payment in full has been received by the Town. In the event an applicant fails to pay any aforementioned fees, the Town may recover all costs of collection including reasonable attorney's fees and costs.

### AGREED TO BY:

OWNER/APPLICANT: Kirk Barker DATE: 3-8-23

OWNER/APPLICANT: \_\_\_\_\_ DATE: \_\_\_\_\_

STATE OF UTAH )

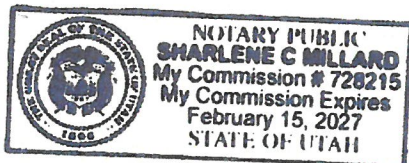
Rich

)s:

COUNTY OF ~~WASHINGTON~~ )

On this 8th day of March, in the year 2023, before me personally appeared Kirk Barker, proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same. Witness my hand and official seal.

SEAL:



Sharlene C. Millard  
Notary Public