



## Application for Conditional Use Permit

### **APPLICATION FEE**

A \$350 filing fee is required.

### **APPLICATION INSTRUCTIONS:**

The Conditional Use Permitting process can be complex. It is highly recommended that the applicant speak with Planning and Zoning Department staff prior to submitting the application and paying the filing fee. Contact staff at (336) 626-1201 ext. 225 to ensure application requirements are satisfied.

### **REQUIRED APPLICATION CONTENTS**

- 1) A legal description of such land.
- 2) A list of all adjoining property owners to be notified by the applicant by 1<sup>st</sup> class mail as required by Section 1011.4.b. Letters must be mailed to the adjoining property owners a minimum of 10 days and a maximum of 25 days prior to the scheduled City Council meeting. A template showing the required information contained in the letters is on page 6 of this application. Please verify location and meeting times with staff prior to mailing. Additional notification is required if the request also involves a zoning map amendment.
- 3) Five (5) copies of a site plan drawn to scale that has been reviewed and approved by staff as to its conformity with zoning ordinance requirements. See page 3 for required site plan information.

One copy is to be filed with the City Manager and one copy filed with the Zoning Administrator by 5:00 pm on the day which is at least 55 days prior to the city council meeting at which the request will be considered. No changes may be made to any site plan fifteen days prior to a city council hearing. At no time shall the city council hear more than five (5) cases per month. If five applications have been received prior to the cut-off date, the request will be heard the following month. Site plans must conform to the ordinance by the site plan cutoff date. No revisions to site plans can be accepted after 15 days prior to the scheduled City Council meeting. Failure to submit a conforming site plan by the cutoff date will result in the case being delayed.

### **MEETING INFORMATION**

<b><i>Application Deadline</i></b>	<b><i>SITE PLAN CUTOFF</i></b>	<b><i>City Council Meeting</i></b>
December 14, 2018	January 16, 2019	Thursday, February 7, 2019
January 11, 2019	February 20, 2019	Thursday, March 7, 2019
February 4, 2019	March 20, 2019	Thursday, April 4, 2019
March 15, 2019	April 24, 2019	Thursday, May 9, 2019
April 12, 2019	May 22, 2019	Thursday, June 6, 2019
May 17, 2019	June 26, 2019	Thursday, July 11, 2019
June 14, 2019	July 24, 2019	Thursday, August 8, 2019
July 19, 2019	August 28, 2019	Thursday, September 12, 2019
August 16, 2019	September 25, 2019	Thursday, October 10, 2019
September 13, 2019	October 23, 2019	Thursday, November 7, 2019
October 11, 2019	November 20, 2019	Thursday, December 5, 2019
*Confirm application deadline with staff	*Confirm site plan deadline with staff.	*January, 2020: Confirm meeting date with staff

\*January, 2019 Council meeting dates are not set by Council until December, 2018

**APPLICANT INFORMATION**

*Applicant* \_\_\_\_\_ *Applicant's Phone #* \_\_\_\_\_

*Applicant's Address* \_\_\_\_\_

\_\_\_\_\_

**PROPERTY INFORMATION**

*Property Owner's Name* \_\_\_\_\_

*Location of Property* \_\_\_\_\_ *Property Size (ac. or s.f.)* \_\_\_\_\_

*Randolph County Property Identification Number (PIN#)* \_\_\_\_\_

*Current Zoning District* \_\_\_\_\_

*Date Property Title Acquired* \_\_\_\_\_ *Deed Book* \_\_\_\_\_ *Page* \_\_\_\_\_

*Subdivision* \_\_\_\_\_ *Section* \_\_\_\_\_ *Lot #* \_\_\_\_\_

*Plat Book* \_\_\_\_\_ *Page* \_\_\_\_\_

**CONDITIONAL USE PERMIT INFORMATION**

Application is hereby made to the City of Asheboro for a Conditional Use Permit for the following purpose:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## **CONDITIONAL USE PERMIT REQUIRED SITE PLAN INFORMATION**

- 1) Actual shape, location, and dimensions of the lot
- 2) For new construction, building elevations of all exterior facades at a minimum scale of 1/8" = 1'
- 3) The shape, size, and location of any existing buildings and all buildings or structures to be erected, altered, moved
- 4) The existing and intended use of the lot and all structures on the lot
- 5) Location and size of any required buffers and/or screens (Article 200A and/or 300A)
- 6) Location and type of mechanical equipment screening (Section 306A)
- 7) Location, access, and screening of central solid waste facility (Section 307A)
- 8) Location and dimension of off-street parking indicating compliance with parking setbacks and loading spaces (Articles 300A and 400)
- 9) Grade separation of building and parking areas (Section 409)
- 10) Paving material for parking lots (Section 409)
- 11) Location of curb cuts: only 1 permitted if lot width is less than 120' (Section 408)
- 12) Driveway permit approval information by NCDOT or the City of Asheboro
- 13) Front yard landscaping or street planting (Articles 200A or Section 308A)
- 14) Location, type, size, and height of all signs (Article 500)
- 15) Notation certifying compliance with relevant Performance Standards (Article 300A) and a lighting plan demonstrating such compliance
- 16) Location of any flood zones if applicable (Article 700)
- 17) Watershed information if applicable (Article 300B)
- 18) If site disturbance is in excess of 1 acre, a soil and erosion control plan is required. The applicant shall submit the plan to NCDEQ Division of Energy, Mineral and Land Resources, located at 450 Hanes Mill Rd. Suite 300, Winston Salem, NC 27106.
- 19) Sidewalk construction if applicable (Section 322A)

**Please note that specific uses may also be subject to supplemental regulations.**

**APPLICANT AND AGENT SIGNATURES**

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for a Conditional Use Permit rests with the applicant.

No application for a Conditional Use Permit will be advertised for public hearing until the Planning and Zoning Department has received materials. If all required materials are not received prior to the specified deadlines, this will result in delays in the case being heard.

If any Conditional Use Permit is discontinued for a period of 180 days; or the permit is not initiated within 180 days; or replaced by a use otherwise permitted in the zoning district, it shall be deemed abandoned and the Conditional Use Permit shall be null and void and of no effect.

*Name of Agent (if any)*

*Name of Applicant or Owner*

\_\_\_\_\_

\_\_\_\_\_

*Agent's Address*

*Applicant or Owner's Address*

\_\_\_\_\_

\_\_\_\_\_

*Telephone Number*

*Telephone Number*

\_\_\_\_\_

\_\_\_\_\_

*Agent Signature*

*Applicant or Owner Signature\**

\_\_\_\_\_

\_\_\_\_\_

***Owner (if different from applicant)\****

\_\_\_\_\_

**\*The property owner is required to sign the application.**

<b>STAFF USE</b>		
<b>Received by:</b> _____	<b>Date:</b> _____	<b>Case Number:</b> _____

**CITY OF ASHEBORO**  
Application for Conditional Use Permit

**BASIC INFORMATION**

The granting of a Conditional Use Permit is a quasi-judicial process requiring sworn testimony. The testimony given should be directed at providing evidence that supports the application. Such evidence shall address the following four items. Failure to address these items will result in the delay or denial of your request.

- 1) That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.
- 2) That the use meets all required conditions and specifications.
- 3) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity, and
- 4) That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Asheboro and its environs.

The City Council shall make these general findings based upon substantial evidence contained in the proceedings. It shall be the responsibility of the applicant to present evidence in the form of testimony, exhibits, documents, models, plans, and the like to support the application for a Conditional Use Permit.

*I have read and received a copy of the above information regarding the testimony and the evidence required at the public hearing for the Conditional Use Permit for which I have made an application. I understand my responsibilities in this matter. I have also received the opinion of the North Carolina Bar Association regarding legal representation in quasi-judicial proceedings.*

Applicant \_\_\_\_\_

Date \_\_\_\_\_

Received by staff: \_\_\_\_\_

**NOTICE OF CONDITIONAL USE PERMIT HEARING**

This is to notify you that I (we), \_\_\_\_\_  
have filed an application with the City of Asheboro for a Conditional Use Permit  
for the property located \_\_\_\_\_ for  
the purpose of  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

On Thursday, \_\_\_\_\_, 2019, at 7:00 pm the City Council will hold a  
public hearing on the Conditional Use Permit request.

The meeting will be held in the City Council Chambers, 146 North Church Street,  
Asheboro, NC. The Council, after considering the information/testimony presented  
during the public hearing and reviewing the report of the Planning and Zoning  
Department, will take action on the application. Such action may include approval of the  
request, denial of the request, or approval of a modified version of the request on the  
basis of the Council's determination that such action is reasonably necessary to  
promote the public health, safety, or general welfare and to achieve the purposes of the  
adopted Land Development Plan. The meeting is open to the public and your  
participation is encouraged. If you have any questions, please contact the Planning and  
Zoning Department at 336-626-1201 Ext. 225. In addition, you may contact me (or my  
representative \_\_\_\_\_ at \_\_\_\_\_.