



## CITY OF ASHEBORO

### *Application for Conditional Use Permit*

#### **APPLICATION FEE** *(paid with application)*

***A THREE HUNDRED DOLLAR (\$300) FILING FEE IS REQUIRED.***

**APPLICATION INSTRUCTIONS:** THE CONDITIONAL USE PERMITTING PROCESS CAN BE COMPLEX. IT IS HIGHLY RECOMMENDED THAT THE APPLICANT SPEAK WITH PLANNING DEPARTMENT STAFF PRIOR TO SUBMITTING THE APPLICATION AND PAYING THE HEARING 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 10114.B.
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 2 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 CITY COUNCIL (EXCLUDING LEGAL HOLIDAYS). FAILURE TO SUBMIT A CONFORMING SITE PLAN BY THE CUTOFF DATE WILL RESULT IN THE CASE BEING DELAYED.

#### **MEETING INFORMATION**

<i>Application Deadline</i>	<i>SITE PLAN CUTOFF</i>	<i>City Council Meeting</i>
December 7, 2009	January 19, 2010	February 4, 2010
January 7, 2010	February 17, 2010	March 4, 2010
February 11, 2010	March 23, 2010	April 8, 2010
March 11, 2010	April 21, 2010	May 6, 2010
April 15, 2010	May 3, 2010	June 10, 2010
May 12, 2010	June 22, 2010	July 8, 2010
June 10, 2010	July 21, 2010	August 5, 2010
July 15, 2010	August 24, 2010	September 9, 2010
August 12, 2010	September 22, 2010	October 7, 2010
September 10, 2010	October 20, 2010	November 4, 2010
October 13, 2010	November 22, 2010	December 9, 2010
November 5, 2010	December 17, 2010	January 6, 2011

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**APPLICANT INFORMATION**

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

Applicant's Address \_\_\_\_\_  
street city state zip

**PROPERTY INFORMATION FOR MAP AMENDMENTS**

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**

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

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

**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 NCDENR Division of Land Resources, located at 585 Waughtown Street, Winston Salem, NC 27106.
19. Sidewalk construction if applicable (Section 322A)

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**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 ALL REQUIRED MATERIALS HAVE BEEN RECEIVED BY THE PLANNING DEPARTMENT. IF ALL REQUIRED MATERIALS ARE NOT RECEIVED PRIOR TO THE ADVERTISING DEADLINE, THE APPLICATION WILL BE NOTED AS DEFERRED ON THE CITY COUNCIL'S AGENDA.**

**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*

*STAFF USE*

*Received by: \_\_\_\_\_ Date: \_\_\_\_\_ Case Number: \_\_\_\_\_*

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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:* \_\_\_\_\_