



APPLICATION FOR CONDITIONAL USE PERMIT
(Must be submitted 30 days prior to scheduled Planning Board Meeting)

Application Number CUP _____ - _____

Date of Application: _____

Number of Attachments: _____

Date of Planning Board Meeting: _____ Permit Fee: _____

Petitioner/Applicant(s): _____

Mailing Address: _____

Telephone: _____ Fax: _____

Property Owner(s): _____

Address: _____

Telephone: _____ Fax: _____

Relationship of applicant to owner: _____

I, _____ hereby petition the
Board of County Commissioners to grant the Zoning Administrator the authority to issue a Conditional
Use Permit in the name of _____
of _____

for the use of the property as described in the space below:

Proposed use: _____

Parcel Identification Number _____

Street Address _____

Lot Size _____ Deed Reference # _____

Current Zoning District _____

Zoning Districts and current use of Adjacent Properties

East _____

North _____

South _____

West _____

Section 650.3(Step 3) of the Stanly County Zoning Ordinance states that “an applicant for a Conditional Use Permit must demonstrate that he/she can comply with the following”:

A. GENERAL STANDARDS:

- Maintain or enhance the public health, safety and general welfare if located where proposed, and developed and operated according to the plan submitted;

- Maintain or enhance the value of contiguous property (unless the use is a public necessity, in which case the use need not do so); (certified appraisal etc...)

- Assure the adequacy of : (attach supporting documents as needed)

- a) Sewerage disposal facilities
- b) Solid waste and water
- c) Police, fire and rescue squad protection
- d) Transportation systems, within and around the site; and,

a: _____

b: _____

c: _____

d: _____

- Comply with the general plans for the physical development of the County as contained in the County Land Use Plan, or portion thereof, adopted by the Board of Commissioners.

B. PREDEFINED STANDARDS

- See each individual conditional use listed in Section 650 of the Stanly County Zoning Ordinance.

C. SPECIAL CONDITIONS ARRIVED AT BY THE COUNTY BOARD OF COMMISSIONERS.

- When the County Commissioners find that the circumstances relating to a particular use warrant more requirements in addition to those listed in connection with the use, the Commission may attach necessary conditions, such as time limitation, requirements that one or more things be done before the request can be initiated, or conditions of a continuing nature. These may include, but not limited to, such other requirements as screening, landscaping, lighting, size, hours of operation, setbacks and location of sign, etc.

..... **Official Use Only**

Date of Planning Board Meeting: _____
(outside 30 days)

Further information needed: _____

Initials _____

..... **Process Record**

Date Property Posted: _____

Public Hearing Date: _____

Date Advertised: 1st _____

2nd _____

Date Applicant Notified: _____

Commissioner's Action: [] *Approved*

[] *Disapproved*

Notes: _____

THE CONDITIONAL USE PROCESS

Because of their potential for effecting neighboring landowners, conditional uses warrant review in a public forum. The Planning Board acting as an advisory board hears the request for issue of a conditional use permit. Recommendation is forwarded to the County Commissioners for public hearing consideration. Following a duly advertised public hearing as specified in section 1003.2 and hearing the evidence as specified, the County Commissioners shall vote in favor with a minimum of four-fifths of the Commission in order to issue the conditional use permit. When calculation the four-fifths requirement, the entire board shall be considered regardless of absence or abstention. If the Board of Commissioners, acting as the Board of Adjustment in a quasi-judicial capacity, vote not to approve the Conditional Use Permit, the applicant can appeal the decision only to the Superior Court of North Carolina. The process for asking for a conditional use is as follows:

Step 1. An applicant for a conditional use permit, known as the “Petitioner” must file an application known as a “petition” with the County Planning Department. The Department will provide the application form. The petitioner must also submit the standard site plan required for all development projects described in Section 710. Twelve (12) copies of the site plan are required. In some cases, additional information shall be requested for the site plan. If so, additional site plan information requested will be set forth under the individual conditional use.

Step 2. A completed petition is presented to the Planning Department, which forwards the petition to the Planning Board, which meets monthly. **The deadline for submission of a conditional use permit application is 30 days prior to the meeting, unless this requirement is waived by a unanimous vote of the Planning Board.**

Step 3. An application for a conditional use permit must demonstrate that they can comply with the following:

- 1) General standards. All conditional uses must:
 - Maintain or enhance the public health, safety and general welfare if located where proposed, and developed and operated according to the plan submitted;
 - Maintain or enhance the value of contiguous property (unless the use is a public necessity, in which case the use need not do so);
 - Assure the adequacy of :
 - 1) Sewerage disposal facilities
 - 2) Solid waste and water
 - 3) Police, fire and rescue squad protection
 - 4) Transportation systems, within and around the site; and,
 - Comply with the general plans for the physical development of the County as contained in the County Land Use Plan, or portion thereof, adopted by the Board of Commissioners.
- 2) Predefined standards
See each individual conditional use listed below for specified standards, if any, on each.
- 3) Special conditions arrived at by the Board of Commissioners acting as a Board of Adjustment.
When the Commission finds that the circumstances relating to a particular use warrant more requirements in addition to those listed in connection with the use, the Commission may attach necessary conditions, such as time limitation, requirements that one or more things be done before the request can be initiated, or conditions of a continuing nature. These may include, but not limited to, such other requirements as screening, landscaping, lighting, size, hours of operation, setbacks and location of sign, etc.

To summarize, conditional uses are subject to both general and specific requirements rather than being automatically permitted. The review process of a conditional use assures that County government is meeting its responsibility in providing for the general health, safety and welfare of the residents of Stanly County.