



Buncombe County Planning & Development

Application for Additional Conditional Use Standards: Level I Planned Unit Development (PUDI)

Please complete all sections of the application.

A. Property Information

PIN(s): _____

Address(es): _____

Project Name: _____

Acreage: _____

B. Application for a Level I Planned Unit Development

Application is hereby made to the Board of Adjustment to issue a Conditional Use Permit for a Level I Planned Unit Development (*please provide a brief description of the project*):

C. Applicant Contact Information

Company/Corporate Name (*if applicable*)

Applicant's Name

Mailing Address

City, State, and Zip Code

(_____) _____
Telephone

Email

D. Owner Contact Information (*If different*)

Owner's Name

Mailing Address

City, State, and Zip Code

(_____) _____
Telephone

Email

OFFICE USE ONLY:

Date received: _____ Case number: _____

Scheduled BOA Hearing: _____

E. LEVEL I PLANNED UNIT DEVELOPMENT BURDEN OF PROOF

Before issuance of a conditional use permit for one of the specific uses listed in §78-678(b) *Conditional Use Standards* of the Buncombe County Zoning Ordinance, additional standards must be met. In the spaces provided below, indicate **the facts you intend to demonstrate** and **the arguments that you intend to make** to demonstrate to the Board that it can properly grant the Conditional Use Permit as provided for in §78-678(b)(6) *Conditional Use Standards, Planned Unit Developments, Level I (PUDI)*. The Board of Adjustment does not have unlimited discretion in deciding whether to grant a Conditional Use Permit for a PUDI.

If necessary provide the information on a separate sheet of paper. Where applicable, indicate if a requirement does not apply and why. If this is a revision to a previously approved Conditional Use Permit for a PUDI and the answers to the statements below have not changed, indicate "no change from previous approval" in the space provided.

1. Indicate ownership of the subject property. The land in a PUDI shall be under single ownership or management by the applicant before final approval and/or construction, or proper assurances (legal title or execution of a binding sales agreement) shall be provided that the development can be successfully completed by the applicant.

2. Indicate the total number of residential dwelling units and dwelling units per acre. There are no density requirements for nonresidential uses as long as the proposed project does not violate the intent of the district in which it is located. The proposed residential density of the PUDI (dwelling units per acre as shown in Section 78-642) shall conform to that permitted in the district in which the development is located. If the PUDI lies in more than one district, the number of allowable dwelling units must be separately calculated for each portion of the PUDI that is in a separate district, and must then be combined to determine the number of dwelling units allowable in the entire PUDI. When the PUDI is a community oriented development, the allowed density shall be in accordance with Sec. 78-650.

3. Indicate all proposed uses. A mixture of land uses shall be allowed in any PUDI. However, within residential districts, nonresidential uses shall be carefully designed to complement the residential uses within the PUDI. All PUDIs must be compatible with and not violate the intent of the zoning district; however, said uses may include uses not permitted under Sec. 78-641 within the zoning district(s) within which the project is located, provided that the Board of Adjustment finds that nonresidential uses do not disrupt the character of the community.

4. Lot size and setbacks shall be shown on the submitted site plan. The normal minimum lot size and requirements for interior setbacks are hereby waived for the PUDI, provided that the spirit and intent of this section are complied with in a total development plan, as determined by the Board of Adjustment.

5. Indicate the height of all structures. The normal maximum structure height may be waived for the PUDI, provided that unique elements of the development impose requirements for additional height that are not universal throughout the zoning district. Additionally, PUDIs in excess of the normal maximum height require that the spirit and intent of this section are complied with in a total development plan, as determined by the Board of Adjustment. PUDIs within the Blue Ridge Parkway Overlay District may not contain structures which exceed the maximum height allowed within the overlay district.

6. Indicate distances between buildings. The minimum distance between buildings shall be 20 feet or as otherwise specified by the Board of Adjustment to ensure adequate air, light, privacy, and space for emergency vehicles.

7. Indicate how the development provides reasonable visual and acoustical privacy for all dwelling units. Fences, insulation, walks, barriers, and landscaping shall be used, as appropriate, for the protection and aesthetic enhancement of property and the privacy of its occupants, screening of objectionable views or uses, and reduction of noise. Multilevel buildings shall be located within a PUDI in such a way as to dissipate any adverse impact on adjoining low-rise buildings and shall not invade the privacy of the occupants of such low-rise buildings.

8. Indicate conformance with perimeter setbacks. Structures located on the perimeter of the development must be set back from property lines and rights-of-way of abutting streets in accordance with the provisions of the zoning ordinance controlling the district within which the property is situated.

9. Indicate the number of parking spaces proposed. Parking requirements may be waived for the PUDI, provided that the spirit and intent of this section are complied with in a total development plan, as determined by the Board of Adjustment.

10. Indicate proposed conveyance and maintenance mechanisms. Conveyance and maintenance of open space, recreational areas and communally owned facilities shall be in accordance with G.S. 47-1 et seq. the Unit Ownership Act and/or any other appropriate mechanisms acceptable to the Board of Adjustment.

11. Building envelopes shall be shown on the submitted site plan. Where flexibility in design of residential units is desired, the building envelope shall indicate the maximum expanse of the proposed footprint of the structure.

F. CERTIFICATION

- I hereby certify that I am the owner, contractor, or authorized agent of the owner, and the above information is correct to the best of my knowledge and hereby make application for a Conditional Use Permit for a PUDI. Any incorrect information will cause this application to become null and void.
- I acknowledge that withdrawal of this application after notice has been made will result in forfeiture of any application fees associated with said application.

Signature of Petitioner

Month Day Year