



Buncombe County Planning & Development

Application for a Conditional Use Permit (CUP)

PLEASE NOTE:

A PRE-SUBMITTAL CONFERENCE WITH THE ZONING ADMINISTRATOR IS REQUIRED PRIOR TO SUBMITTING THIS APPLICATION FOR A CONDITIONAL USE PERMIT

Please complete all sections of the application.

A. Property Information

PIN(s): _____

Address(es): _____

Project Name: _____

Acreage: _____

B. Application for Conditional Use Permit

Application is hereby made to the Board of Adjustment to issue a Conditional Use Permit for use of the property described above as a *(please provide a brief description of the use)*:

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: _____

Pre-Submittal Conference Date: _____

Buncombe Zoning Administrator/Designee Signature

E. CONDITIONAL USE PERMIT APPLICATION CHECKLIST

I, the petitioner, submit a site-specific development plan containing the following information (Please mark 'NA' by any requirement that is not applicable and provide a brief statement as to why it is not applicable. Failure to submit a complete application will result in removal from the Board of Adjustment agenda):

☐ **Development Plans:**

- ☐ One full sized copy of the development plan to scale and dated.
- ☐ 11 copies of the development plan reduced to either 11"x 17" or 8.5"x 11".
- ☐ A digital version of the development plan in pdf format.
- ☐ A statement of present and proposed ownership.
- ☐ Development schedule indicating approximate beginning and completion dates of the development, including any proposed stages.
- ☐ Statement of the applicant's intentions regarding future sales and/or leasing of all or portions of the development.
- ☐ Quantitative data for the following: proposed total number and type of residential dwelling units, parcel size, gross residential densities, and the total amount of open space.
- ☐ Plan for maintenance of common areas, recreation areas, open spaces, streets and utilities.
- ☐ For commercial structures in PUDs, architectural renderings of all principal buildings, drawn to a known scale. Elevation renderings of the site, to scale, for any retaining wall system proposed to provide a cumulative vertical relief in excess of 10' in height showing landscaping, vegetative screening, and the top and bottom of the wall at grade.
- ☐ For developments of more than 75 residential units, a traffic impact study meeting the guidelines for traffic impact studies provided in the North Carolina Department of Transportation's "Policy on Street and Driveway Access to North Carolina Highways."

☐ **Site Conditions:**

- ☐ Existing site conditions including the following if applicable: contours, watercourses, identified flood hazard areas, and any unique natural or manmade features.
- ☐ Boundary lines of the proposed development, lot lines, and plot design.
- ☐ Proposed location and use of all existing and proposed structures, including the location of any proposed retaining walls. The maximum height of any retaining wall shall be shown on the proposed site plan.
- ☐ Location and size of all areas to be conveyed, dedicated, or reserved as common open space, parks, recreational areas, school sites, and similar public and semipublic uses.
- ☐ Locations and/or notation of existing and proposed easements and rights-of-way.
- ☐ Zoning district in which the project is located.

☐ **Infrastructure:**

- ☐ Existing and proposed street system, including the location and number of off-street parking spaces, service areas, loading areas, and major points of access to the public right-of-way.
- ☐ Notation of the proposed ownership of the street system (*public or private*).
- ☐ Documentation from the Buncombe County Fire Marshal indicating the adequacy of the development's facilities for emergency medical and fire services.
- ☐ Approximate location of proposed utility systems, including documentation of water and sewer availability.
- ☐ Documentation of pre-application conferences with the Sedimentation and Erosion Control and Stormwater Management offices (*where required*).

☐ **Perimeter and Adjacent Uses:**

- ☐ Proposed treatment of the development's perimeter including materials/techniques (*ex: screens, fences, walls*).
- ☐ Information on adjacent lands: land use, zoning classifications, public facilities, and any unique natural features.

F. CONDITIONAL USE PERMIT BURDEN OF PROOF

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 §78-677(g) *Procedures for obtaining a Conditional Use Permit, Conditions for granting approval*. The Board of Adjustment does not have unlimited discretion in deciding whether to grant a Conditional Use Permit.

If necessary please 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 and the answers to the statements below have not changed, indicate 'no change from previous approval' in the space provided.

1. Indicate how the proposed CUP will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed CUP:

2. Indicate how the proposed CUP will not be detrimental to the public welfare or injurious to property or public improvements in the neighborhood of the proposed CUP:

3. Indicate how the proposed CUP will not cause or have adverse effects on surrounding properties due to noise, vibration, odor, or glare effects:

4. Indicate how satisfactory ingress and egress to the property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control have been provided or how the items listed are not applicable to the proposed CUP:

5. Indicate how off-street parking and loading areas are proposed to be provided, with particular attention to the items in §78-658 of the Buncombe County Zoning Ordinance or how the items listed are not applicable to the proposed CUP:

6. Indicate how adequate and proper utilities, with reference to locations, availability, and compatibility are to be provided or how the items listed are not applicable to the proposed CUP:

7. Indicate how buffering, with reference to type, locations, and dimensions will be provided or how it is not applicable to the proposed CUP:

8. Indicate how signs, if any, and proposed exterior lighting with reference to glare, traffic safety, and economic effect will be compatible and harmonious with properties in the area or how the items listed are not applicable to the proposed CUP:

9. Indicate what playgrounds, open spaces, yards, landscaping, access ways, and pedestrian ways are proposed, with reference to location, size, and suitability in relation to the proposed CUP or how the items listed are not applicable to the proposed CUP:

10. Describe building(s) and structure(s) with reference to location, size, and use and how the proposed buildings would be compatible with the surrounding neighborhood or how the items listed are not applicable to the proposed CUP:

11. Describe the hours of operation of the proposed use and how those hours will protect and maintain the character of the surrounding neighborhood or how the hours of operation are not applicable to the proposed CUP:

G. ADDITIONAL CONDITIONAL USE STANDARDS

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.

The petitioner shall be required to submit an additional form specific to the use, in order to assure these conditions are met. An application for a use listed in §78-678(b) shall not be deemed complete without the additional form.

Failure to submit the complete additional form(s) required for specific conditional uses will result in removal from the Board of Adjustment agenda

H. 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. Any information given that is incorrect 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