

# Special Use Permit Application Package



## Davie County, North Carolina

**Department of Development Services**

298 E Depot Street

Mocksville, NC 27028

Phone: (336) 753- 6050 - Fax: (336) 751-7689

Website: <http://www.daviecountync.gov>

## Special Use Permit Application Process

### When is a Special Use Permit Application needed?

A special use permit is the authorization of a particular land use that is permitted in a zoning law subject to specific requirements that are imposed to assure that the proposed use is in harmony with the immediate neighborhood and will not adversely affect surrounding properties. A home office in a single-family residential neighborhood is an example. Another example would be a place of worship within a residential district. The legislature could conclude that religious institutions are harmonious uses in residential districts, but that conditions may need to be imposed on them to ensure that the size, layout, parking, and lighting do not adversely affect the residential neighborhood.

If a use is not permitted by right of the zoning district it is currently in, then the Board of Adjustment may allow the use contingent of certain conditions being met. Consult with Davie County Development Services staff if you have any questions about whether your request would require a Special Use Permit.

The **Davie County Board of Adjustment** , in order to grant a permit, must find that:

1. That the Special Use **will not** materially endanger the public health or safety, if located where proposed and developed according to the plan as proposed;
2. That the Special Use meets all required conditions and specifications;
3. That the Special Use **will not** substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
4. The Special Use will be in harmony with the area in which it is to be located and will be in general conformity with the plan of development of the county.
5. The proposed use/project will be consistent with the Davie County Land Development Plan and/or other adopted plans and policies.

### Steps for a Special Use Permit Application

- 1) Applicant schedules a pre-application meeting with the staff of the Dave County Development Services no later than 10 days prior to their desired submission deadline (Not mandatory, but highly recommended).
- 2) Applicant submits their application along with all necessary documentation and fees 30 days prior to the hearing in which you desire the Board of Adjustment to hear the case.
- 3) Davie County Development Services staff reviews and considers the application for Special Use Permit.
- 4) Application is submitted to the Board of Adjustment for review and consideration. Please consult the Board of Adjustment's calendar of events on the Davie County Development Services website or contact the staff for a schedule at 336-753-6050. Hearings take place on the Second Floor of the Davie County Administration Building in the Commissioners Chambers.



## Davie County Special Use Permit Application

SUP No. # \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_



### A. Request Type

- Special Use Permit
  Special Use Permit Amendment (SUP #)

**Note:** All applicants are strongly urged to have a Pre-Application Conference with the Davie County Development Services Department staff .

### B. Applicant/Owner Representative Information

#### Applicant

Name:	
Address:	
Phone (w):	(   ) -
Fax:	(   ) -
Email:	

#### Property Owner (if ~~different~~)

Name:	
Address:	
Phone (w):	(   )
Fax:	(   )
Email:	

**Will an attorney, engineer, or represent the applicant and/or**

Professional Affiliation:	<b>property owner in this matter?</b>	<b>realtor</b>
Name:		
Address:		
Phone (w)	(   )	
Fax:	(   )	
Email:		

**C. Request Information**

1. **Present Zoning Classification(s):** \_\_\_\_\_

2. **Describe the existing use of this property:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. **Describe the requested Special Use Permit uses/activities:**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Note:** The applicant/owner must complete the attached Special Use Permit Checklist. The Davie County Development Services staff will prepare a formal permit with the concurrence of the applicant/owner.

**D. Property Identification, Location and Site Information**

1. **Tax Map(s)** \_\_\_\_\_ **Tax Block(s)** \_\_\_\_\_ **Tax Lot(s)** \_\_\_\_\_ **Tax Map(s)** \_\_\_\_\_ **Tax Block(s)** \_\_\_\_\_ **Tax Lot(s)** \_\_\_\_\_

\_\_\_\_\_- \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ -  
\_\_\_\_\_- \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ -  
\_\_\_\_\_- \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ -

**A copy of the most recent record deed(s) and tax map identifying the above noted tax lots must accompany this application, or the application will be considered incomplete and will be returned.**

- 2.  This Special Use Permit request includes entire parcel and/or recorded platted lots.
- 3.  This Special Use Permit request includes a portion(s) of an existing parcel(s). A written legal description along with a map identifying that portion of the parcel(s) is attached.

**E. Geographic location & address of site :**

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

**F. Total acreage (square footage if less than one acre) of the subject property:**  
\_\_\_\_\_

**G. Square footage of building an/or portion of a building of the Special Use Permit request:** \_\_\_\_\_

(A site plan identifying the building(s) or portion of the building in which the uses will be located is required to be attached.)

**H. Supplemental Information**

1. **The Special Use Permit must meet applicable requirements of the Davie County Development Ordinance and the Board of Adjustment must make findings in order for the request to be approved.**
2. The County of Davie does not produce a verbatim transcript of the hearing proceedings. If a verbatim transcript is required, the applicant or party requesting said transcript shall be responsible for arranging, producing and payment of all expenses for the production of said transcript. The applicant shall in no manner be responsible for providing the County of Davie a verbatim transcript of public hearings. Signing this application indicates the applicant's understanding and acceptance of this policy.
3. Application Withdrawal:
  - a) This application may only be withdrawn by written request from the applicant or property owner. If such request is received prior to submission of the public hearing notice to the newspaper, filing fees may be refunded. Filing fees **will not** be refunded after submission of the public hearing notice to the hearing.
  - b) After submission of the public hearing notice to the newspaper, an application may only be withdrawn by action of the Board of Adjustment at the public hearing.
4. No more than one (1) proposal for a major amendment to a Special Use Permit shall be considered within one (1) year after the date of the original authorization of such a permit.
5. If for any reason any condition imposed pursuant to these regulations is found to be illegal or invalid, such Special Use Permit shall be null and void and of no effect.
6. An approved Special Use Permit shall be void as authorized by the Board of Adjustment unless the use of the property has begun and/or a footing inspection has passed. Refer to the appropriate ordinance (Davie County - § 155.282 B).
7. If any Special Use is discontinued for a period or replaced by a use otherwise permitted in the zoning district, it shall be deemed abandoned and

the Special Use Permit shall be null and void and of no effect. Refer to the appropriate ordinance (Davie County - § 155.282 B).

**All of the items required by this application must be turned in to the Davie County Development Services, FULLY COMPLETED, by 5:00 p.m. of the prescribed deadline. Incomplete applications will not be accepted. Applications submitted after the deadline will be held until the next deadline for processing.**

**I. Signatures**

When the applicant is someone other than the current property owner, the signatures of both the current property owner and the applicant shall be provided unless a power of attorney authorization is in effect. If power of attorney is in effect, a properly executed copy is required to be submitted with this application.

**Signature of Property Owner(s)**

**I/We the undersigned, do hereby certify that all information given above is true, complete and accurate to the best of my/our knowledge, and do hereby request the County of Davie Board of Adjustment to take action as sought by this application.**

_____	_____	____/____/____
(Owner Print Name)	(Owner Signature)	(Date)
_____	_____	____/____/____
(Owner Print Name)	(Owner Signature)	(Date)
_____	_____	____/____/____
(Owner Print Name)	(Owner Signature)	(Date)
____/____/____	_____	
(Applicant Print Name)	(Applicant Signature)	(Date)
_____	_____	____/____/____
(Representative Print Name)	(Representative Signature)	(Date)

**Note:** If there are additional property owners, applicants or representatives, please attach an additional signature sheet with their names and signatures.

Corporations, Partnerships or other similar entities please include notarized Official Corporate Certification authorizing representative to sign on behalf of the corporation.

**Office Use Only**

Board of Adjustment Hearing Date: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Board of Adjustment Action:  Approval  Denial

Comments: \_\_\_\_\_  
\_\_\_\_\_

Fee Paid:  Yes  No Amount Paid: \$\_\_\_\_\_.\_\_\_\_\_

Received By: \_\_\_\_\_ (Staff Signature) \_\_\_\_\_ (Date) / \_\_\_\_ / \_\_\_\_



## Special Use Permit Application Checklist

Please submit this checklist along with all required items within the Special Use Permit Application to:

**Department of Development Services**  
298 E Depot Street  
Mocksville, NC 27028  
Phone: (336) 753-6050  
Fax: (336) 751-7689

When a Special Use Permit Application is submitted, several things are needed in addition to the application itself. Please review the list and make sure every item is accounted for in order to have your request handled expeditiously. If an item is unaccounted for, it may slow down the process or your request or cease it altogether.

**Notes:**

- o All documents and maps submitted as required by the application process become property of Davie County.
- o All application fees are non-refundable.
- o Development Services Staff may waive required information if they certify in writing as unnecessary to determine compliance with applicable standards and requirements.
- o The Special Use Permit (SUP) Number given should be referenced on all related correspondence subsequent to application acceptance.

For each item below, check (√) if provided, write "N/A" if the feature does not exist or is not proposed, and write "W" if a waiver from the requirement is justified because it is unnecessary in the particular case to determine compliance with applicable regulations or to address the required conclusions.			Staff use only
√, n/a, or w		Application Requirement	√, X, or W
	1	Completed Special Use Permit Application (2 copies) (attached)	
	2	All necessary signatures are present on both copies of the applications	
	3	7 Preliminary Site Plan copies attached and folded	
	a	All property lines with dimensions including North Arrow	
	b	Adjoining street with right-of-way and paving widths	
	c	The location of all structures; the use of all land	
	d	Comprehensive site plan if the application is for commercial, industrial, or multi-family development.	
	e	Topographic contours (at intervals of not more than 10 feet)	
	f	Surface Waters, FEMA 100-year floodway and floodway fringe boundaries, flood hazard soils, all streams and/or rivers	
	g	Inset Map showing site's location relative to County's cities and major roads	
	h	Title block showing name and address of site owner(s), name of plan designer, parcel identification numbers, date map prepared (and revised), bar scale, north arrow, and title "Existing Conditions Map".	
	4	Documentation containing facts which will be used to support the petition, including but not limited to deed restrictions, letter of sufficiency regarding public water and sewer, proposed homeowners association documents, and appropriate county and state approvals.	
	5	Copy of Deed for the Property	
	6	An Attachment containing a synopsis or overview of the project, including information relevant to use, density, lot, layout, housing type, planned amenities, and similar information.	
	7	Offer to Purchase Agreement (financials can be omitted or blacked out)	
	8	Written Consent from current owner to have Special Use Permit applied for by prospective owner (if applicable)	
	9	Attachment of any Special Conditions applicant wishes to propose as a part of the application process	
	10	Current owner and Applicant's information are both present (name, phone, address)	
	11	Stamp (signed and dated) by Professional Engineer, Architect, or landscape Architect on all plats	
	12	Check paid to the order of Davie County (Fee for processing)	

**Special Conditions Listed**

The following are special conditions agreed upon by the Board of Adjustment and the Applicant/Owner. The Special Use Permit's acceptance is contingent upon these conditions being met. If they are not, the permit shall be revoked and the use will no longer be allowed per the Development Ordinance of Davie County.

1. \_\_\_\_\_  
 \_\_\_\_\_  
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2. \_\_\_\_\_  
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