

Permit # _____



Date Received: _____

TOWN OF CLARKTON

81 N Elm St

Clarkton, NC 28433

Office: (910) 647-5961

APPLICATION FOR SPECIAL USE PERMIT

The Process:

1. Petitioner shall request a mandatory pre-submittal meeting with the Planning Staff to discuss the request and the County's requirements prior to application submittal.
2. Application and all required materials (see checklist) must be submitted. Incomplete application packages or inaccurate information will delay or prevent processing and review.
3. Planning Staff will review submitted application for sufficiency. Submittal of incomplete or inaccurate information will delay processing of application. Completed applications are sent forward for review.
4. The Planning and Zoning Board will review the application and make a written recommendation to the Board of Commissioners for approval or denial and the reasons therefor.
5. The Board of Commissioners shall hold an evidentiary hearing during a regularly scheduled meeting, on the application and votes on whether to approve or deny the application.
6. All petitioners/applicants must attend the Planning and Zoning Board evidentiary hearing and make the case for their request. Special Use permits are quasi-judicial proceedings and Staff does not recommend whether to approve or deny the application.

Submittal Checklist:

- ☐ One (1) Completed Application for Special Use Permit with original signatures, completed in ink (no copies or faxes).
- ☐ \$375 Application Fee.
- ☐ Three (3) copies of a scaled drawing (1" = 100' or larger) of the site-specific plan. All plans submitted must be clear and accurate to the request. The drawings must contain the following:
 - ☐ All property lines with bearings and distances, north arrow and scale.
 - ☐ Adjacent right-of-way, including width
 - ☐ Location and layout of all structures, parking, landscaping, buffers, access, etc. (both existing and proposed)
 - ☐ The present and proposed use of the property subject of the application and all adjacent uses
 - ☐ Zoning classification of the property and all adjacent properties
 - ☐ PINs of the subject property and all adjacent properties
- ☐ Written legal description of the subject property (meets and bounds).
- ☐ One (1) copy of the recorded deed to the property showing the current owner(s).

A land use designated as a "**special use**" in a particular zoning district is one that because of its nature, extent and external effects, generally is not appropriate in the district, but might be if subject to special standards and review that will ensure it is located, designed and operated in a manner that is in harmony with neighboring development and does not adversely affect the public health, safety and general welfare. Therefore, development associated with a land use designated as a special use is allowed only pursuant to a Special Use Permit. (Article 6, Section 6.5.2)

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PETITIONER INFORMATION:

Property Owner Name: _____

Address: _____ City: _____ State: _____ ZIP: _____

Email Address: _____ Phone: _____

Petitioner Name: _____

Address: _____ City: _____ State: _____ ZIP: _____

Email Address: _____ Phone: _____

Contact Person Name: _____

Address: _____ City: _____ State: _____ ZIP: _____

Email Address: _____ Phone: _____

PROPERTY INFORMATION:

Address: _____ City: _____ State: _____ ZIP: _____

Bladen County PIN: _____ Current Zoning: _____

Present Use of the Property: _____

Total Acreage: _____

Name of Public Street(s)/Highways the Property Fronts or Has Access: _____

Existing/Proposed Land Uses on Adjoining Properties:

North: _____ South: _____

East: _____ West: _____

SPECIAL USE PERMIT REQUEST: State the applicable land development ordinance section and/or provide a description of the special use permit request: (attach additional sheets if necessary)

Was the Property Rezoned for the Proposed Use? ☐ Yes ☐ No

FINDINGS OF FACT:

In order to grant a Special Use Permit, the County Board of Commissioners must make the required findings of fact, as required by the North Carolina General Statutes. The petitioner shall present factual evidence and testimony supporting each and all of the required findings of fact as they relate to this petition for a Special Use Permit, as provided below. (attach additional sheets if necessary) The Planning and Zoning Board has the authority to approve or deny Special Use Permit petitions that are specifically permitted by the Zoning Ordinance. The North Carolina General Statutes require that the Planning and Zoning Board ensure specific facts are met before a Special Use Permit can be granted. The petitioner is encouraged to respond below. If the petitioner chooses not to prepare a written response, he or she will still be required to prove to the Board that all findings of fact have been met. The Planning and Zoning Board may attach reasonable and appropriate conditions with granting of a Special Use Permit, provided to support the findings of fact and the intent of the Zoning Ordinance.

Finding 1. The proposed use [will/will not] materially endanger the public health or safety if located where proposed and developed according to the plan as submitted.

Statement by Petitioner: _____

Finding 2. The proposed use [meets/does not meet] all required conditions and specifications.

Statement by Petitioner: _____

Finding 3. The proposed use [will/will not] substantially injure the value of adjoining property or the use is a public necessity.

Statement by Petitioner: _____

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Finding 4. The location and character of the proposed use, if developed according to the plan submitted, [will/will not] be in harmony with the area in which it is to be located and in general conformity with the plan of development of the Town and its ordinances.

Statement by Petitioner: _____

LIST OF WITNESSES:

In support of an application for a Special Use Permit, the petitioner may have witnesses testify to their professional area of expertise as it relates to the application. Please list any witnesses herein.

WITNESS #	NAME (print)	PROFESSION/AREA OF EXPERTISE
1.		
2.		
3.		
4.		
5.		

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REQUEST FOR PRESENTATION BEFORE THE CLARKTON BOARD of COMMISSIONERS:

I, _____, hereby request to make a presentation before the Board of Commissioners in the matter of the case noted above and petition attached. In making this request, I assert that I understand all the following statements:

1. This request will be reviewed by the Board of Commissioners and may be either granted or denied.
2. Making a presentation will require the presence of myself and/or my authorized agent during any public hearing held in this matter and such presentation will be limited to discussion of issues and information regarding the matter noted above.
3. I understand that the proceedings before the Board of Commissioners in this matter are quasi-judicial in nature. A hearing on an application for a special use permit or for a variance under zoning ordinances is quasi-judicial in nature, where evidence is formally presented, and witnesses are sworn, testify, and cross-examined. I understand that the decision must be based upon the evidence presented and include findings of fact; and the decision is reviewable by an appellate court based solely upon the record of the proceeding.

PETITIONER SIGNATURE:

Signature

Date

Printed Name

State of North Carolina

County of _____

I, _____, Notary Public, do hereby certify that _____ (name of individual(s) whose acknowledgment is being taken) personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this _____ day of _____, 20____.

(Official Seal) Official Signature of Notary

Notary's printed or typed name

Notary Public

My commission expires: _____

**APPLICATION FOR SPECIAL USE PERMIT
FINDINGS OF FACT BY THE
COUNTY BOARD OF COMMISSIONERS**

This section is to be completed by the Board of Commissioners following the Evidentiary Hearing. Each finding below must be addressed with factual evidence and testimony to support the petition for the Special Use Permit.

Finding 1: The proposed use will not materially endanger the public health or safety. Considerations shall include:

- (i) traffic conditions in the vicinity, including the effect of additional traffic on streets and street intersections, and sight lines at street intersection and curb cuts;
- (ii) provision of services and utilities, including sewer, water, electrical, garbage collections, fire protection;
- (iii) soil erosion and sedimentation; and
- (iv) protection of public, community, or private water supplies, including possible adverse effects on surface waters or groundwater.

☐ YES ☐ NO

Finding 2: The proposed use will comply with all regulations and standards generally applicable within the zoning district and any development regulations applicable to that specific use as included in **Article 6** of this Ordinance.

- (1) The proposed development will not substantially injure the value of adjoining property, or is a public necessity. Considerations shall include:
 - (i) the relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved; and
 - (ii) whether the proposed development is so necessary to the public health, safety, and general welfare of the community or County as a whole as to justify it regardless of its impact on the value of adjoining property.
- (2) The proposed development will be in harmony with the area in which it is located. Considerations shall include:
 - (i) The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved.

☐ YES ☐ NO

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- (3) The proposed development will be consistent with the Clarkton Comprehensive Plan. Considerations shall include:

- (i) consistency with the Plan's objectives for the various planning areas, its definitions of the various land use classifications and activity centers, and its locational standards.

☐ YES ☐ NO

Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the Special Use Permit. Additional conditions applied to this petition, if granted, are:
