

DATE APPLICATION SECURED \_\_\_\_\_  
RETURN DEADLINE \_\_\_\_\_  
DATE OF PLANNING BOARD \_\_\_\_\_  
DATE APPLICATION SUBMITTED \_\_\_\_\_  
RECEIPT # \_\_\_\_\_ RECEIVED BY: \_\_\_\_\_

## **APPLICATION FOR CONDITIONAL USE OVERLAY CUMBERLAND COUNTY**

Upon receipt of this application, the Planning Department will advertise a public hearing before the scheduled meeting of the Planning Board. In accordance with Board policy, a notice of public hearing will be mailed to the owners of the surrounding properties, which may be affected by the proposed Conditional Use.

The Planning Board will make a recommendation to the Cumberland County Board of Commissioners concerning the request. The Board of Commissioners will schedule a public hearing and make a final decision on the matter. Generally, the Commissioners will hold a public hearing four weeks following the meeting of the Planning Board. Conditional Use shall not be made effective until the request is heard and approved by the Board of Commissioners.

**Submit with the completed application, the following:**

- The recorded deed and/or recorded plat;
- If a portion of a larger tract is being considered for rezoning, a written legal description\* must be provided;
- A copy of a detailed site plan drawn to an engineering scale\*; and
- Cash or check payable to “County of Cumberland” in the amount of \$\_\_\_\_\_.

**NOTE:** This application will not be accepted incomplete. Also, the application fee is nonrefundable.

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE BOARD OF  
COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:

I (We), the undersigned, hereby submit application and petition the County Commissioners to  
amend and to change the zoning map of the County of Cumberland as provided for by Section  
12.5 of the Zoning Ordinance. In support of this petition, as hereinafter requested, the following  
facts are submitted:

The property sought for Conditional Use Overlay is located:

Address \_\_\_\_\_  
(Street address or Route and Box #, and Zip Code)

Located on \_\_\_\_\_  
(Name of Street/ Road, or General Directions to Site)

Parcel Identification Number \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
(obtain from Tax Receipt or from Office of the Tax Administrator 678-7567)

Lot(s) # \_\_\_\_\_ Frontage \_\_\_\_\_ feet Depth \_\_\_\_\_ Containing \_\_\_\_\_ acres +/-.

\*\*\*\*\*  
The applicant(s) must furnish a copy of the recorded deed(s) and/or recorded plat map of the area  
considered for Conditional Use Overlay. If area to be considered for Conditional use Overlay is  
a portion of a parcel, a written legal description by metes and bounds must accompany the deed  
and/or plat. (Attach a copy of each, as they apply, to this petition.)

The property sought for Conditional Use is owned by: \_\_\_\_\_

as evidenced by deed from \_\_\_\_\_

as recorded in Deed Book \_\_\_\_\_, Page(s) \_\_\_\_\_, Cumberland County Registry.

\*\*\*\*\*  
It is requested that the foregoing property be rezoned as Conditional Use Overlay District  
from \_\_\_\_\_ to \_\_\_\_\_ Conditional Use.  
\*\*\*\*\*

Proposed use of property requested for Conditional  
Use: \_\_\_\_\_

Note: This information shall not be used in the consideration of the Conditional Use request by the  
Planning Staff, Planning Board or the County Commissioners but to ensure that the proposed or  
intended use of the property is not otherwise allowed as a Specified Conditional Use in the zoning  
district in which it is located. Planning Staff will assist in determining the proper classifications(s),  
however, the responsibility of the actual request as submitted is that of the applicant.

[illegible]

APPLICATION FOR  
CONDITIONAL USE OVERLAY DISTRICT

1. Proposed uses(s):
  - A. List the uses proposed for the Conditional Use Overlay District. (Use of the underlying district will continue to be legal, unless otherwise restricted.)
  - B. Justification in terms of need and benefit to the community. Include a statement regarding how the uses will be compatible.
  - C. Density: (If the project is to include residential units, state the number of dwelling units proposed for the project and the gross number of acres to be used.)
1. Dimensional Requirements:
  - A. Reference either the dimensional requirements of district as shown in Section 7.3 or list proposed setbacks.
  - B. Off-street parking and loading.

1. Sign Requirements:

A. Reference district sign regulations proposed from Section 9.4.

B. List any variance proposed from those regulations.

1. Miscellaneous:

Set forth other information regarding the proposed use(s), such as days and hours of operation, number of employees, exterior lighting, and noise, odor and smoke emission controls, etc., which are considered to determine whether the proposed use of the property will be compatible with surrounding areas and uses allowed therein.

2. Site Plan Requirements:

Attach a site plan drawn to scale. If the proposed uses involve development subject to Cumberland County subdivision regulations, the site plan required hereunder may be general in nature, showing a generalized street pattern, if applicable and the location of proposed structures. If the proposed uses involve development not subject to subdivision regulations, the site plan shall include sufficient detail to allow the Planning Department and Planning Board to analyze the proposed use(s) and arrangement of use(s) on the site. Outline all buildings to be placed on the site, the proposed number of stories, the location and number of off-street parking spaces, proposed points of access to existing streets and internal circulation patterns, and the location of all proposed buffers and fences.

3. Acknowledgement:

It is understood and agreed that upon review by the Planning Board and action by the Board of Commissioners, the uses proposed in the petition may be modified and conditions and limitations placed upon them to insure compatibility of the uses with land use plans, studies or policies and/or existing uses in the surrounding area or community.

It is understood by the undersigned that the official zoning map, as originally adopted and subsequently amended, is presumed to be appropriate to the property involved and that the burden of proof for a zoning amendment (change) rests with the petitioner.

It is the responsibility of the petitioner (personally or by agent) to submit to the Planning Department a valid request, not incompatible with existing neighborhood zoning patterns.

The undersigned hereby acknowledge that the Planning Staff has conferred with the petitioner or assigns, and that the application as submitted is accurate and correct.

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(PRINT OR TYPE) NAME OF OWNER(S)

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ADDRESS OF OWNER(S)

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(HOME) TELEPHONE #

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(WORK) TELEPHONE #

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(PRINT OR TYPE) NAME OF AGENT, ATTORNEY, APPLICANT (By Assign)

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ADDRESS OF AGENT, ATTORNEY, APPLICANT

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(HOME) TELEPHONE #

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(WORK) TELEPHONE #

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SIGNATURE(S) OF OWNER

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SIGNATURE(S) OF AGENT,  
ATTORNEY OR APPLICANT