



County of Cumberland
◆
BOARD OF ADJUSTMENT

CASE #: _____

CUMBERLAND COUNTY BOA
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

**APPLICATION FOR
SPECIAL USE PERMIT**

The Cumberland County Board of Adjustment meetings are held on the third Thursday of each month in the Historic Courthouse, 130 Gillespie Street - Hearing Room 3. The Planning and Inspections Department will advertise the public hearing and a notice will be mailed or delivered to surrounding residents or property owners that may be affected by the proposed Special Use Permit request.

The Board of Adjustment is a quasi-judicial review board and all persons wishing to appear before this Board should be prepared to give sworn testimony on relevant facts. Applicants for Special Use Permits are encouraged to read Section 1606 "Special Use Permits" of the Zoning Ordinance to ensure the technical requirements of the Ordinance are met before submission to the Board of Adjustment (see next page).

The following items are to be submitted with the complete application:

- 1. A copy of the recorded deed and/or plat,**
- 2. If a portion of an existing tract, an accurate written legal description of only the area to be considered;**
- 3. A copy of a detailed site plan drawn to engineering scale, showing the location of all buildings, yard dimensions, driveways, fencing, lighting parking areas, landscaping, and all other pertinent data to the case; and**
- 4. Cash or check payable to "Cumberland County" in the amount of \$_____ (see attached Fee Schedule)**

NOTE: Any revisions, inaccuracies or errors to the application or site plan may cause the case to be delayed and will be scheduled for the next available Board of Adjustment meeting according to the board's meeting schedule. Also, the application fee is nonrefundable.

The Planning and Inspections Staff is available for advice on completing this application; however, they are not available for completion of the application or preparation of the site plan.

EXCERPT FROM THE CUMBERLAND COUNTY ZONING ORDINANCE

Section 1606 SPECIAL USE PERMIT (portion of)

B. Procedure. Special Use Permit shall be granted by the Board of Adjustment as permitted for only those uses enumerated in Section 403, Use Matrix, as Special Uses. Uses specified as a Special Use in Section 403 shall be permitted only upon the issuance of a Special Use Permit by the Board of Adjustment.

The owner or owners of all property included in the petition for a Special Use Permit shall submit a complete application and three copies of a site plan (drawn in accordance with the specifications listed in Section 1402) to the Planning and Inspections Staff. The Staff will schedule the application to be heard by the Board of Adjustment in accordance with the adopted time schedule. The Planning and Inspections Staff shall also notify the Commanders of Fort Bragg, and Pope U.S. Army Field of any application affecting the use of property located within a five miles or less of the perimeter boundary of said bases in accordance with the N.C. Gen. Stat §153A-323.

Developers are encouraged to discuss their Special use plans with the Planning and Inspections Staff before submission. The Staff shall assist the developer upon request by reviewing Special use plans to insure that the technical requirements of this Ordinance are met before submission to the Board of Adjustment.

All applications and site plans shall provide information indicating compliance with the development standards for individual uses as listed in Article IX of this Ordinance, as applicable, and the height and area regulations for the zoning district in which they are located, unless the provisions for the Special Use provide to the contrary.

C. Consideration of Application. The Board of Adjustment shall consider the application, site plan and any other evidence presented in accordance with this Article and may grant or deny the Special Use Permit requested. On granting a Special Use Permit, the Board shall find that:

1. The use will not materially endanger the public health or safety if located according to the plan submitted and recommended;
2. The use meets all required conditions and specifications;
3. The use will maintain or enhance the value of adjoining or abutting properties, or that the use is a public necessity; and
4. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and is in general conformity with the Cumberland County's most recent Comprehensive Land Use Plan.

Any special use permit granted becomes null and void if not exercised within the time specified in such approvals, or if no date is specified within one calendar year from the date of such approval.

BOARD OF ADJUSTMENT

LOCATION OF PROPERTY: _____

OWNER: _____

ADDRESS: _____ ZIP CODE: _____

TELEPHONE: HOME _____ WORK _____

AGENT: _____

ADDRESS: _____

TELEPHONE: HOME _____ WORK _____

E-MAIL: _____

APPLICATION FOR A SPECIAL USE PERMIT As required by the Zoning Ordinance

A. Parcel Identification Number (PIN #) of subject property: _____
(also known as Tax ID Number or Property Tax ID)

B. Acreage: _____ Frontage: _____ Depth: _____

C. Water Provider: _____

D. Septage Provider: _____

E. Deed Book _____, Page(s) _____, Cumberland County
Registry. (Attach copy of deed of subject property as it appears in Registry).

F. Existing use of property: _____

G. It is proposed that the property will be put to the following use: (Describe proposed
use/activity in detail including hours of operation, number of employees, signage,
parking, landscaping, etc.) _____

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

NAME OF OWNER(S) (PRINT OR TYPE)

ADDRESS OF OWNER(S)

E-MAIL

HOME TELEPHONE #

WORK TELEPHONE #

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

E-MAIL

HOME TELEPHONE #

WORK TELEPHONE #

SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY
OR APPLICANT

SIGNATURE OF OWNER(S)

The contents of this application, upon submission, become “public record.”

STATEMENT OF ACKNOWLEDGMENT

Regarding appearance before the Board of Adjustment, the undersigned owner(s), agents, or their assigns, by virtue of their signature(s) to this application, hereby acknowledge the following:

- That although appearance before the board is not required, it is strongly encouraged;
- The board will hear any and all argument for and against this matter before them and such relevant facts will be given under sworn testimony;
- At the public hearing the board has the authority to approve, deny, or defer the request for additional information to be provided;
- If the petitioner or their representative for this application does not appear personally before the board, whether there is opposition or not, the board has full authority to consider the case.
- If the board's decision is to deny the matter before them, the aggrieved party shall file a **"Notice to Intent to Appeal" with the Planning & Inspections Staff on the next business day following the meeting in which the board's decision was made final, or the next business day following receipt of the written copy thereof.**
- Any petition for review by Superior Court shall be file with the Clerk of Superior Court within 30 days after the decision of the board is made final.

Signed acknowledgment that the Planning and Inspections Staff has explained the application process and procedures regarding this request and the public hearing procedure stated above.

SIGNATURE OF OWNER(S) _____

PRINTED NAME OF OWNER(S) _____

DATE _____

**CUMBERLAND COUNTY BOARD OF ADJUSTMENT
FEE SCHEDULE**

BOARD OF ADJUSTMENT

SPECIAL USE PERMIT	\$200
VARIANCE	
WATERSHED	
ADMINISTRATIVE REVIEW APPEALS	\$100
INTERPRETATIONS	
NONCONFORMING USES	

* Board of Adjustment fee include hearings for the County Flood Ordinance and County Watershed Ordinance

REQUIREMENTS FOR SITE PLAN REVIEW

1. Drawing done to engineering scale

2. Drawing will reflect:

- metes and bounds of entire site with adjoining street right-of-way shown and name or state road number of that street or road;*
- foot print of all existing and/or proposed buildings or additions with dimensions and square footage indicated;*
- location and size of all existing and/or proposed curbcuts and indicate such on the plan;*
- parking plan to include the location of all proposed spaces (standard size is 9' by 20'), parking isle width and traffic circulation scheme;*
- existing or proposed location and drain field area of wells and/or septic tanks;*
- existing or proposed fencing;*
- setbacks of all existing and/or proposed buildings or additions from all other building and from all property lines- Note: If setbacks shown are not in accordance with the minimum setbacks of the zoning district of the property, then attach a letter requesting any such variance with a reasonable explanation or justification as to why the variance is necessary in order to develop the site.*
- Any easements which may exist on the subject property are accounted for and shown on the plan, not encumbered and that no part of the development is violating the rights of the easement holder.*

3. Vicinity map to show location of property or site within the City or County

4. Correct north arrow

5. Data block to reflect the following:

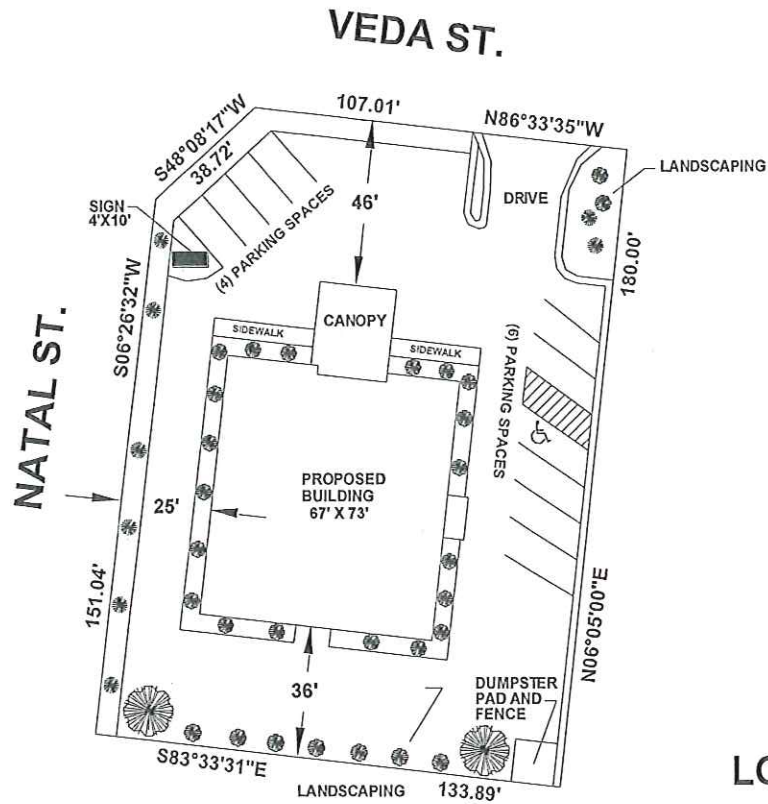
- name of development*
- owner*
- zoning of property*
- acreage of site*
- scale of drawing*
- proposed building or addition square footage*
- number of off-street parking spaces (to include handicapped spaces)*

6. If split zoning, zoning lines must be shown on the preliminary

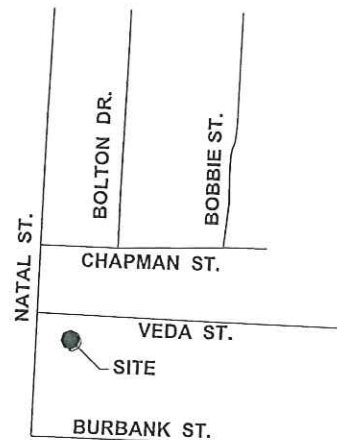
REVISED: May 2006

SAMPLE MAP

SITE PLAN REVIEW



LOCATION MAP



PROPERTY OF: _____

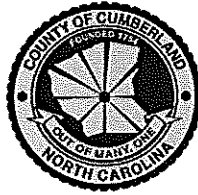
ZONED: _____ SCALE: 1" = 50'

PIN#: _____

_____ COUNTY, NC

Members:

Ed Donaldson, Chairman
Horace Humphrey, Vice-Chair
Joseph M. Dykes
Vickie Mullins
George Lott

**Alternates:**

Yvette Carson
Winton McHenry
Nathan Feinberg
Joseph Decosta
Alfonso Ferguson Sr

CUMBERLAND COUNTY BOARD OF ADJUSTMENT

130 Gillespie Street
Fayetteville North Carolina 28301
(910) 678-7602

2015***COUNTY BOARD OF ADJUSTMENT***
DEADLINE/MEETING SCHEDULE**Application Deadline****Meeting Date**

Tuesday, December 9, 2014

Thursday, January 15, 2015

Wednesday, January 14, 2015

Thursday, February 19, 2015

Wednesday, February 11, 2015

Thursday, March 19, 2015

Friday, March 13, 2015

Thursday, April 16, 2015

Wednesday, April 15, 2015

Thursday, May 21, 2015

Tuesday, May 12, 2015

Thursday, June 18, 2015

Thursday, June 11, 2015

Thursday, July 16, 2015

Wednesday, July 15, 2015

Thursday, August 20, 2015

Tuesday, August 11, 2015

Thursday, September 17, 2015

Friday, September 11, 2015

Thursday, October 15, 2015

Tuesday, October 13, 2015

Thursday, November 19, 2015

Friday, November 6, 2015

Thursday, December 17, 2015

Friday, December 11, 2015

Thursday, January 21, 2016

NOTE: Generally, deadlines are set 24 working days prior to the Board meeting date.