



Town of Falcon
◆
BOARD OF ADJUSTMENT

CASE #: _____

TOWN OF FALCON BOA

MEETING DATE: _____

DATE APPLICATION

SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

**APPLICATION FOR
SPECIAL USE**

The Town of Falcon Board of Adjustment meetings are held in the Town Hall, 7156 S. West Street and scheduled as cases become available. 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 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 3.4 "Special Use(s)" of the Zoning Ordinance to ensure the technical requirements of this Ordinance are met before submission to the Board of Adjustment (see next page).

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

1. A copy of the recorded deed and/or plat, or an accurate written legal description of only the area to be considered;
2. A copy of a detailed site plan drawn to engineering scale, showing the location of all buildings, yard dimensions, driveways, fencing, lighting parking areas, and all other pertinent data to the case; and
3. 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 TOWN OF FALCON ZONING ORDINANCE

SECTION 3.4. SPECIAL USE(S)

The various special use(s) set forth in tables in Article III, because of special site or design requirements, operating characteristics or potential adverse effects on surrounding property and neighborhoods, shall be permitted only upon approval by the Board of Adjustment in accordance with the standards and conditions as set forth in the following subsections.

SECTION 3.41. GENERAL PROVISIONS

In granting approval for a special use, the Board of Adjustment shall impose such reasonable terms and conditions as it may deem necessary for the protection of health, the general welfare and the public interest, including the requirement that detailed plans for each conditional use proposal be submitted as part of the application for a special use permit. Any change, enlargement or alteration in such use shall be reviewed by the Board of Adjustment and new conditions may be imposed where findings require. In granting a special use, the Board of Adjustment shall give due consideration to:

- (a) The location, size, design and operating characteristics of the proposed development so that it will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.
- (b) The harmony in scale, bulk, coverage, function and density of the proposed development.
- (c) The availability of public facilities and utilities.
- (d) The generation of traffic and the capacity of surrounding streets.
- (e) The purpose and intent of the general land use plans for the physical development of the district and the protection of the environment.

Developers are encouraged to discuss their specified conditional use plans with the Planning Staff before submission. The staff shall assist the developer, upon request, by reviewing special use plans to insure that the technical requirement of this section are met before submission to the Board of Adjustment.

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(S) As required by the Zoning Ordinance or Code

- 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, becomes “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 issue a final approval or denial decision on this request, or defer the request for additional information to be provided;
- If the petitioner or the representative of this application does not appear personally before the board, whether there is opposition or not, the board has full authority to consider the case and defer, approve, or deny the case; and
- If the board's decision is to deny the matter before them, the course of appeal to their decision will be that of Cumberland County Superior Court. (Affected parties of the board's decision have 30 days from proper notification which to serve notice of appeal).

Signed acknowledgment that the County Planning 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 _____

**BOARD OF ADJUSTMENTS FEE SCHEDULES
CUMBERLAND COUNTY**

Special Use Permit	\$200
Variance	\$200
Administrative Review	\$100
Interpretations	\$100
Nonconforming Uses	\$100

* Fees include hearings for the County Flood Ordinance and County Watershed Ordinance.
(Fees are in accordance with the schedule adopted by the Board of Commissioners.)

TOWN OF FALCON

Special Use	\$200
Variance	\$200
Administrative Review	\$100
Interpretations	\$100
Nonconforming Uses	\$100

* A non-refundable fee of twenty-five (\$25.00) dollars is to be paid to the Town of Falcon for processing and advertising (excludes requests originating with the Town of Falcon).
(Fees are in accordance with the schedule adopted by the Town of Falcon-Effective July 3, 2006)

TOWN OF SPRING LAKE

ZONING DISTRICT	LESS THAN 5 ACRES	5 TO 50 ACRES	50 TO 100 ACRES	100 + ACRES
RR, R-15, R-10, R-6A, R-6, R-5A, R-5, PND	\$130	\$260	\$300	\$400
O&I, C-1, HS(P), CB, C(P), C-3, M-1, M-2, M(P),	\$260	\$260	\$300	\$400

(Fees are in accordance with the schedule adopted by the Board of Aldermen.)

TOWN OF STEDMAN

ZONING DISTRICT	LESS THAN 5 ACRES	5 TO 50 ACRES	50 TO 100 ACRES	100+ ACRES
R15	\$130	\$260	\$300	\$400
R10	130	260	300	400
R10M	130	260	300	400
C1	260	260	300	400
C(P)	260	260	300	400
C3	260	260	300	400
M2	260	260	300	400

A non-refundable fee of twenty-six (\$26.00) dollars is to be paid to the Town of Stedman for processing and advertising (excludes requests originating with the Town of Stedman). (Fees are in accordance with the schedule adopted by the Town Board of Commissioners.)