



TOWN *of* HOPE MILLS

BOARD OF ADJUSTMENT

CASE #: _____

HOPE MILLS BOA
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

APPLICATION FOR SPECIAL USE PERMIT

The Hope Board of Adjustment meetings are held at the Town Hall, 5770 Rockfish Road Hope Mills, unless otherwise specified. The Town of Hope Mills will advertise the public hearing and a notice will be mailed or delivered to surrounding 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 102A-1706 "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 completed 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;
4. A check made payable to "Town of Hope Mills" in the amount of \$400.00.

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 County Planning 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 HOPE MILLS ZONING ORDINANCE

Sec. 102A-1706. Special use permits (portion of)

(b) *Procedure.* Special Use Permits shall be granted by the Board of Adjustment as permitted for only those uses enumerated in Section 102A-403, Use matrix, as special uses. Uses specified as a special use in Section 102A-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 five copies of a detailed site plan (drawn in accordance with the specifications listed in Section 102A-1502) to the County Planning Staff. The Staff will schedule the application to be heard by the Board of Adjustment in accordance with the adopted time schedule. The County Planning Staff shall also notify the commanders of the military bases of any application affecting the use of property located within a five miles or less of the perimeter boundary of said bases.

Developers are encouraged to discuss their special use plans with the County Planning Staff and Town Staff prior to submission of the application. The staff shall assist the developer upon request by reviewing special use plans to ensure that the technical requirements of this ordinance are met before submission to the Board of Adjustment.

(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. In 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 proposed;
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 Hope Mills' most recent and officially adopted land use plan, either comprehensive or a detailed area 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.

TO THE BOARD OF ADJUSTMENT, HOPE MILLS, NORTH CAROLINA:

I (We), the undersigned, hereby submit this application, and petition the Hope Mills Board of Adjustment to consider a request for a Special Use Permit. In support of this petition, the following facts are submitted:

1. Address/location of property to be rezoned: _____
2. Parcel Identification Number (PIN) of property: _____
(also known as Tax ID Number or Property Tax ID)
3. Acreage: _____ Frontage (feet): _____ Depth (feet): _____
4. Water Provider: Well _____ PWC _____ Other (name) _____
5. Sewer Provider: Septic Tank _____ PWC _____ Other (name) _____
6. Deed Book _____, page _____, Cumberland County Register of Deeds. (Attach copy of deed of subject property as it appears in Registry).
7. Existing use(s) of property: _____
8. Proposed use(s) of the property: _____

9. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes _____ No _____

If yes, where? _____
10. Has a violation been issued on this property? Yes _____ No _____
11. 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 County Planning Staff is available for advice on completing this application; however, they are not available for completion of the application.

STATEMENT OF ACKNOWLEDGEMENT

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 arguments 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 County Planning 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 Cumberland County Clerk of Superior Court within 30 days after the decision of the board is made final.

Signed acknowledgement 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 _____

Only expressly authorized agents or assigns may sign this acknowledgement in lieu of the tax record owners' signatures.

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.

Property owner(s)' name (print or type)

Complete mailing address of property owner(s)

Telephone number

Alternative telephone number

Email address

FAX number

Agent, attorney, or applicant (other than property owner) (print or type)

Complete mailing address of agent, attorney, or applicant

Telephone number

Alternative telephone number

Email address

FAX number

Owner's signature

Agent, attorney, or applicant's signature
(other than property owner)

Owner's signature

Upon submission, the contents of this application becomes "public record" and is available for review and/or copies upon request.