

Special Use Permit Application

Instructions for Filing an Application for a Special Use Permit

Boards of Adjustment in North Carolina function as a quasi-judicial body. Therefore, ex parte contact between applicants, other interested person, or their respective representatives and members of the Board is inappropriate and not permitted. No Board member shall discuss any case with any parties in interest prior to the public hearing on that case, provided however, that members may receive and/or seek information pertaining to the case from any other members of the Board.

1. The applicant for a special use permit must complete this application in full. The application must be signed by the property owner(s) or their authorized representative. **This application will not be processed unless all information requested is provided.**

In order to be considered by the Board of Adjustment, applications must be submitted to the Planning Department **at least fifteen (15) working days** prior to the meeting. The Board meets as needed, typically the second Thursday of the month at Town Hall, located at 201 West Main Street, Marshville, NC at 7:00 PM.

2. A digital version (PDF) and twelve (12) copies of an adequately scaled, legible, site plan for the property noted above showing:

The property lines, a north arrow, and all (appropriately labeled) existing and proposed easements, right-of-ways, reservations, sidewalks, streets, parking areas (including the number of spaces), loading areas, driveways, drive isles, pedestrian improvements and public utilities;

The exact shape, dimensions, and location of all existing and proposed structures (principal and accessory), appropriately labeling all structures, and noting all expected distances from the property lines to the proposed structure(s) once the structure(s) are complete;

All (appropriately labeled) existing and proposed screening, streams, ponds and other similar natural or man-made features;

All existing and proposed sign locations with distances of sign bases and sign faces from property lines for proposed signs and diagrams of each proposed sign detailing sizes, heights, and proposed wording;

The topographical features including all (appropriately labeled) existing and proposed screening, streams, ponds and other similar natural or man-made features; delineation of any flood plain lines, the boundaries of any phasing of the project with the dates and chronological order of the phasing clearing noted, and the general location of property lines of adjoining properties that directly connect to the subject property.

A vicinity map with north arrow showing the property and project in relation to the general surrounding area, other properties, and streets;

A letter or driveway permit from the North Carolina Department of Transportation or the Town of Marshville Public Works Director indicating proper transportation accesses will be provided;

A letter from the Town of Marshville Public Works Director stating that adequate water and sewer is available, or can be made available, to the site in adequate capacities;

The names and addresses of all adjoining property owners, including those across streets and highways as currently registered in the Union County Tax Assessor's Office;

Any other information that may be needed to insure that the application and the proposed structure and/or use is in compliance with all provisions of the Land Use Ordinance;

A fee (in cash or check made payable to the Town of Marshville) for each application is set out in the Fee Schedule adopted annually by the Marshville Town Council.

118 E. Union Street, Marshville, NC 28103 | Town Hall:704.624.2515 | Fax:704.624.0175

Property Owner's Information:

Name: _____

Mailing Address: _____

Email Address: _____ Phone Number: _____

Applicant's Information:

Name: _____

Mailing Address: _____

Email Address: _____ Phone Number: _____

Relationship to owner: _____

Property Information:

Location: ☐ Town Limits ☐ ETJ Flood Hazard Area: ☐ Yes ☐ No

Property Address: _____

Parcel ID Number: _____ Total Acreage: _____ Existing : _____

Property Description/Proposed Use: _____

Requirements on Special Use Permits:

The applicant must state all facts and attach any supporting documents to address the following: (please address the following items in a separate document, label such accordingly, and attach any additional supporting documentation for such.

1. The Board of Adjustment shall consider whether the application complies with all of the applicable requirements of the current Land Use Ordinance.

Additionally the following four findings of fact must be addressed showing the proposed use:

1. Will not endanger the public health or safety;
2. Will not injure the value of adjoining or abutting property;
3. Will be in harmony with the area in which it is located; and
4. Will be in conformity with the land development plan, thoroughfare plan, or other plan officially adopted by the Town Council.

If the application does not comply with these requirements, it will be deemed incomplete and returned to the applicant to provide the requested information. A general statement or generalized conclusion/opinion is not sufficient to satisfy this requirement. For example, it is not sufficient to include statements such as "the application does not violate the zoning policies" or "the use will not endanger the public health or safety." The applicant must provide explanation and/or evidence of such.

Note: These are minimum submission requirements. The Board of Adjustment reserves the right to require additional information where such submission is necessary to insure compliance with applicable criteria in the individual case. The applicant is encouraged to submit additional information if desired. The Board may also attach additional conditions that modify or alter the specific requirements set forth in the Land Use Ordinance provided such conditions can be justified based on the circumstances, are appropriate, and agreed upon by the applicant and the Board.

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I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information and belief. I authorize the Town of Marshville to place a sign on the property in question, for the purpose of alerting the general public of my request.

Applicant's Printed Name: _____

Applicant's Signature: _____

Date: _____

Applicant's Printed Name: _____

Applicant's Signature: _____

Date: _____

If the person who is requesting the Board of Adjustment to take action on a particular piece of property is not the owner of the property and does not have a binding option to purchase the property, then the actual owner(s) of the land must complete this form. If the person who is requesting the Board of Adjustment to take action on a particular piece of property is the owner of the property or has a binding option to purchase the property, please disregard this form. **Attach a copy of the option to purchase if the applicant has a binding option to purchase the property.**

I/We the owner(s) of the property referenced above and authorize the applicant identified to appear by consent before the Marshville Board of Adjustment in order to ask for a special use permit for the described project/ proposed use on the property. I /We understand that the special use permit, if granted, is permanent and runs with the land unless otherwise conditioned. I /We authorize the Town of Marshville to advertise and present this matter in my /our name as the owner of the property.

I/We the owner(s) of the property, of the property, certify that all of the information presented by me is accurate to the best of my knowledge, information and belief.

Applicant's Printed Name: _____

Applicant's Signature: _____

Date: _____

Applicant's Printed Name: _____

Applicant's Signature: _____

Date: _____

UNION COUNTY, NORTH CAROLINA

I, _____, certify that _____ personally appeared before me on this day and acknowledged the due execution of the foregoing instrument.

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

My commission expires: _____

Notary Public

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OFFICE USE ONLY

Permit Number: SUP: _____ - _____ Date Received: _____

Staff Initials: _____

I, as Land Use Administrator, believe this application to be complete based on the certification of the owner and/or applicant, and with my signature accept the application and any corresponding documentation.

Land Use Administrator Signature: _____ Date: _____

BOA Hearing Date: ____/____/____ Date of Posting & Mailed Notices: ____/____/____

BOA Decision: ☐ Approved ☐ Denied Date of Published Notice: ____/____/____

Additional Conditions: ☐ Yes, Attached ☐ No Date of Issue: ____/____/____

Permit Expiration: _____

Staff Comments: _____
