

# CONDITIONAL USE PERMIT APPLICATION (CUP 05-01)

## Town of Wrightsville Beach, North Carolina

Purpose of Conditional Use *There are certain land uses which, because of their unique characteristics, cannot be properly classified in any particular district without consideration in each case of the impact of those uses upon neighboring land uses and the public need for the particular use in the particular location*(§155.4.5). The project you are proposing requires a Conditional Use Permit. The permit is issued only after the application is reviewed by town staff, the Planning Board and the Board of Aldermen and the public by public notice and public hearing.

Applicants must fill out this application entirely and also gather information and material referenced in this application. **The non-refundable fee for this application is \$400.00.** The following guidelines are provided to aid the applicant in preparing a proper application as referenced in Section 155.4.5 as amended, of the Town's Zoning Ordinance.

1. The applicant must prepare and submit **10 hard copies and one electronic copy** of this application and accompanying materials to the Planning and Inspections Director (Town Hall, P. O. Box 626, 321 Causeway Drive, Wrightsville Beach, NC 28480) thirty (30) days prior to the next regular Planning Board meeting. The Planning Board meets the FIRST TUESDAY of each month except November when they meet the second Tuesday.
2. Failure to submit the complete packet of materials will result in return of the application. The application must meet minimum Town Requirements for all local ordinances (zoning, flood, building, etc.). Amended submittals may be held until the next Planning Board meeting if returned less than ten (10) days prior to the current Planning Board meeting.
3. Upon receipt of a valid and complete application, the Planning and Inspections Director will submit the application to department heads for review and also include the application in the next available Planning Board packet.
4. A representative of the proposed project must be present during the Planning Board meeting.
5. No conditional use shall be recommended to the Aldermen by the Planning Board unless the Board shall find in the affirmative of the Zoning Ordinance standards §155.4.5.4(E) (See page 5 of this application.)
6. After review and recommendation by the Planning Board, the Board of Aldermen shall hold a public hearing on the Conditional Use Permit. The Board of Aldermen at the advertised public hearing will consider recommendations from the Planning Board and staff. The Board of Aldermen will also hear objections to or approval of the Conditional Use Permit application from members of the public. The Board of Aldermen will then grant or deny the permit.

**APPLICANT INFORMATION**

Property Owner \_\_\_\_\_

Owner Mailing Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone Number (W) \_\_\_\_\_ (H) \_\_\_\_\_ (FAX) \_\_\_\_\_

Representative/Agent for Owner \_\_\_\_\_  
(ATTACH AUTHORITY FOR APPOINTMENT OF AGENT)

Agent Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone Number (W) \_\_\_\_\_ (H) \_\_\_\_\_ (FAX) \_\_\_\_\_

**PROJECT INFORMATION**

Address: \_\_\_\_\_  
\_\_\_\_\_

Legal Address : \_\_\_\_\_  
(Book and Page as recorded at the New Hanover County Registrar of Deeds Office)

**PROPOSED PROJECT** Describe project and use: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed Construction Date \_\_\_\_\_

Estimated Completion Date \_\_\_\_\_

State Primary Street Frontage (name) \_\_\_\_\_

**ZONING INFORMATION**

Zoning District of Site \_\_\_\_\_ Does this project require rezoning? \_\_\_\_\_

Proposed Use \_\_\_\_\_

DIMENSIONAL INFORMATION

Lot Dimensions \_\_\_\_\_ Total Lot Square Footage \_\_\_\_\_

State Setbacks of ALL Structures:

\_\_\_\_\_  
\_\_\_\_\_

Dimensions of Principal and Accessory Buildings

\_\_\_\_\_  
\_\_\_\_\_

Elevation of ALL Structures \_\_\_\_\_

\_\_\_\_\_

Total Square Footage of Principal Structure \_\_\_\_\_

Total Square Footage of Accessory Structures \_\_\_\_\_

PARKING AND TRAFFIC MANAGEMENT

Parking Spaces On Site (TOTAL) \_\_\_\_\_ (Handicapped) \_\_\_\_\_ (Standard) \_\_\_\_\_

Parking Space Dimension and Isle Separation \_\_\_\_\_

Describe Provisions for Ingress and Egress of Site \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

SIGNAGE

Describe (fully) All Proposed Signs for this Project (Dimensions, Heights, Construction Materials and Location MUST be Provided):

\_\_\_\_\_  
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**INFORMATION FOR DEPARTMENTAL REVIEW**

**FIRE PROTECTION**

Fire Protection - Construction Classification \_\_\_\_\_

Describe (fully) Fire Protection Provisions Provided in the Project:

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Fire Flow Requirements \_\_\_\_\_

**POLICE REQUIREMENTS**

Describe Any Special or Unusual Police Protection Requirements:

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**STORMWATER**

Describe any connections to Town drainage systems \_\_\_\_\_

**WATER REQUIREMENTS**

Maximum Estimated Water Demand GPD \_\_\_\_\_

Calculations \_\_\_\_\_

Water Main Size Available at Site \_\_\_\_\_

**SEWER REQUIREMENTS**

Maximum Estimated Sewage Disposal GPD \_\_\_\_\_

Calculations \_\_\_\_\_

**SOLID WASTE REQUIREMENTS**

Maximum Solid Waste Disposal (cubic yards) Per Day \_\_\_\_\_; Calculations \_\_\_\_\_

Size and Location of Dumpster Pad \_\_\_\_\_

LANDSCAPING

Describe (fully) All Existing and Proposed Landscaping and Buffering:

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Describe (fully) All Provisions to Minimize Effects to the Environment and Surrounding Property:

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**OTHER ATTACHMENTS REQUIRED WITH APPLICATION**

CONFORMANCE WITH CONDITIONAL USE PERMIT STANDARDS (§155.4.5.4 (E))

Please attach a statement in writing accompanied by adequate evidence if needed, that the proposed conditional use will conform to each of the following standards as established in the ordinance:

(a) That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare. \_\_\_\_\_

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(b) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor diminish or impair property values within the neighborhood. \_\_\_\_\_

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(c) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

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(d) That the exterior architectural appeal and functional plan or any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood. \_\_\_\_\_

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(e) That adequate utilities, access roads, parking, drainage and necessary facilities have been or are being provided. \_\_\_\_\_

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(f) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. \_\_\_\_\_

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(g) That the conditional use shall, in all other respects, conform to all the applicable regulations of the district in which it is located. \_\_\_\_\_

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(h) Public access shall be provided in accordance with the recommendations of the Town's Land Use Plan and Access Plan and/or the present amount of public access and public parking as exists within the Town now. If any recommendations are found in conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

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(i) That the proposed use be consistent with the recommendations and policy statements as described in the adopted Land Use Plan. \_\_\_\_\_

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**SITE PLAN INFORMATION**

A site plan of the proposed project prepared by a professional engineer, registered land surveyor or architect drawn to a scale of not less than one inch equals thirty feet (1"=30'). The site plan shall be based on the latest tax map information. The site plan must contain the following information. ***WE SUGGEST YOU BRING A DRAFT SITE PLAN TO PLANNING AND INSPECTIONS FOR REVIEW PRIOR TO PRINTING THE FINAL COPIES FOR DISTRIBUTION!***

- (1) A key map of the site with reference to surrounding areas and existing street locations.

- (2) The name and address of the owner and site plan applicant, together with the names of the owners of all contiguous land and of property directly across the street as shown by the most recent tax records.
- (3) Lot line dimensions.
- (4) Location of all structures, streets, entrances and exits on the site and on contiguous property and property directly across the street.
- (5) Location of all existing and proposed structures, including their outside dimensions and elevations.
- (6) Building setback, side line, and rear yard distances.
- (7) All existing physical features including streams, water courses, dunes, existing trees greater than one (1) inch in diameter measured six (6) feet above ground level, and significant soil conditions.
- (8) Topography showing existing and proposed contours at two (2) foot intervals. All reference bench marks shall be clearly designated.
- (9) Parking, loading, and unloading areas shall be indicated with dimensions, traffic patterns, access aisles and curb radii.
- (10) Improvements such as roads, curbs, bumpers, and sidewalks shall be indicated with cross sections, design details, and dimensions.
- (11) Location and design of existing and proposed storm water systems, sanitary waste disposal systems, water mains and appurtenances and methods of refuse disposal and storage.
- (12) Landscaping and buffering plan showing what will remain and what will be planted, indicating names of plants, trees and dimensions, approximate time of planting, and maintenance plans.
- (13) Lighting details indicating type of standards, location, radius of light, and intensity in foot candles.
- (14) Location, dimensions, and details of signs.
- (15) North arrow.
- (16) Public access shall be provided in accordance with the recommendations of the Town's Land Use Plan and Access Plan and public parking as exists within the Town now.
- (17) A rendering or drawing of the proposed building shall be provided showing all

sides of the proposed structure.

NOTICE TO ADJOINING PROPERTY OWNERS

The Town of Wrightsville Beach will notify adjoining property owners of presentation of this application to the Planning Board and Board of Aldermen. Adjoining property is all property contiguous and across the street from the subject property. **Please submit with your application two sets of plain letter sized envelopes, stamped (not metered), unsealed and addressed to the adjacent property owners as shown on the New Hanover County tax listing and bearing the return address of the Town of Wrightsville Beach.** Attach a list of the adjoining property owners to this application.

FEE

**The processing fee for a Conditional Use Permit application is \$400.** A check payable to the Town of Wrightsville Beach must accompany this application.

SIGNATURE

This signature accompanies the application, fee, statement of standards and site plan which comprise the Conditional Use Permit Application to the Town of Wrightsville Beach.

**\*\*I understand that the fee for this application is non-refundable.\*\*** \_\_\_\_\_ (Initial)

**\*\*I furthermore certify that I am authorized to grant and do in fact grant permission to Planning Staff and his/her agents to enter on the aforementioned lands in connection with evaluating information related to this permit application.\*\*** \_\_\_\_\_ (Initial)

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Representative/Agent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date of Submission to Town

Amendments to the original application have been initialed and dated where they appear. This application supercedes the original application as signed and dated above.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Representative/Agent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date of Re-Submission to Town

**Town of Wrightsville Beach**

**AUTHORITY FOR APPOINTMENT OF AGENT**

The undersigned owner, \_\_\_\_\_, does hereby appoint \_\_\_\_\_ as his, her, or its exclusive agent for the purpose of petitioning the Town of Wrightsville Beach for approval of a Conditional Use Permit, as applicable to the property having the address of \_\_\_\_\_ and described in the attached petition.

The owner does hereby covenant and agree with the Town of Wrightsville Beach that said agent has the authority to do the following acts for and on behalf of the owner:

- (1) To submit a proper petition and the required supplemental materials; and
- (2) To appear at public meetings to give representation and commitments on behalf of the owner; and
- (3) To accept conditions or recommendations made for the issuance of the Conditional Use Permit on the owner's property; and
- (4) To act on the owner's behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of any petition.

This agency agreement shall continue in effect until final disposition of the petition submitted in conjunction with this appointment.

Date: \_\_\_\_\_

Agent's Name, Address & Telephone:

\* Owner

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\* If the owner is an individual, the owner (or all owners if there is more than one) must sign the authorization. If a corporation, print the name of the corporation and have signed by an authorized officer. If a partnership, print the name of the partnership and have signed by an authorized partner.