



## APPLICATION FOR A SPECIAL USE PERMIT HEARING

This application *must be filed at least thirty (30) days before the meeting* of the Town of Granite Quarry Zoning Board of Adjustment (ZBA). The application must be submitted in person to the Town of Granite Quarry Planning Department, 143 N. Salisbury Ave., Granite Quarry, North Carolina.

You will be notified by mail of the date, time, and location of the meeting.

Applications are placed on the agenda according to the acceptance date. A SUP application fee is required to be paid when submitting the SUP application form. Make checks payable to the Town of Granite Quarry.

**FEE AMOUNT:**

**Residential/Commercial \$500.00**

For information regarding instructions for filing a SUP application and the documents that must be included – please review attached form entitled “**INSTRUCTIONS FOR FILING A SPECIAL USE PERMIT APPLICATION**”

**APPLICATION FOR A SPECIAL USE PERMIT**

Property Location: \_\_\_\_\_  
 Property Zoned: \_\_\_\_\_ Map # \_\_\_\_\_ Parcel # \_\_\_\_\_ Lot Size: \_\_\_\_\_  
 Property Owner: \_\_\_\_\_  
 Property Owner Mailing Address: \_\_\_\_\_  
 Property Owner Phone Number: \_\_\_\_\_  
 Applicant: \_\_\_\_\_  
 Applicant Mailing Address: \_\_\_\_\_  
 Applicant Phone Number: \_\_\_\_\_

**TO THE TOWN OF GRANITE QUARRY ZONING BOARD OF ADJUSTMENT:**

I, \_\_\_\_\_, hereby petition the Zoning Board of Adjustment (ZBA) for a SUP from the on the parcel of land as described above.

**Describe the use requested on the above referenced property:**

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**SPECIAL USE PERMIT PROCEDURES**

(TOWN OF GRANITE QUARRY UNIFIED DEVELOPMENT ORDINANCE – MARCH 2, 2009)

The Unified Development Ordinance establishes what uses are allowed by simple administrative permit and what uses are allowed by a SUP in each zoning district. The purpose of having some uses “special” is to ensure that they would be compatible with surrounding development and in keeping with the purposes of the general zoning district in which they are located. Those uses are shown as ‘special’ in the permitted uses.

Permitted uses shall be subject to the following requirements and review process:

- A. An application shall be filed with the Planner and shall be accompanied by a site-specific plan meeting.
- B. SUP’s may be granted by the ZBA with restricting clauses, such as the length of time for which the SUP is valid.

Such SUP’s may be granted upon finding from the ZBA that the following conditions exist:

1. The use is listed among the special uses in the district for which the application is made;
2. The use shall, in all other respects, conform to the applicable regulations of the district in which it is located;
3. The use will not materially endanger the public health, safety or welfare if located where proposed and developed according to the plan as proposed;
4. The use will not substantially injure the value of adjoining property, or is a public necessity;
5. The use will be in harmony with the area in which it is to be located; and
6. Adequate utilities, access roads, drainage, sanitation or other necessary facilities have been, or are being provided.

- C. In approving an application for a SUP, the ZBA may attach fair and reasonable conditions to the approval. The applicant will have a reasonable opportunity to consider and respond to any additional requirements prior to approval or denial by the ZBA. In no instance shall any of these conditions be less restrictive than the requirements of this Ordinance.
- D. The applicant has the burden of producing competent, material, and substantial evidence to establish the facts and conditions. If any person submits evidence allegedly contrary to any of the facts or conditions, the burden of proof for overcoming such evidence shall rest with the applicant.
- E. If an application for a Special Use Permit is approved by the ZBA, the owner of the property shall have the ability to develop the use in accordance with the stipulations contained in the Special Use Permit or develop any other use listed as a "permitted use" for the general zoning district in which it is located. Any Special Use Permit so authorized shall be perpetually binding to the property included in such permit unless subsequently changed or amended by the ZBA.
- F. Unless the ZBA issues a SUP which either is specifically exempt from any time constraints or has some other specified time period for implementation, the applicant must secure a valid building permit within a one (1) year period from date of issuance of the SUP. In addition, if the project for which a SUP was issued is not complete and a valid building permit is not in place at the end of said one (1) year period, the Planner shall notify the applicant of either such finding, and within 60 days of said notification, the ZBA may rescind the SUP.
- G. Minor changes in the detail of the approved site will not alter the basic relationship of the proposed development to adjacent property; will not increase the gross floor area of any non-residential use by more than 10 percent; and will not decrease the off-street parking ratio or reduce the yards provided at the periphery of the site by greater than five (5) feet may be made with the approval of the Planner on a one-time basis only.

Further changes to the development may only be made by the ZBA by amending the SUP. Any request to materially change the SUP once it has been issued shall be reviewed in entirety through the approval process.

- H. If a request for SUP is denied by the ZBA, a similar application for the same property or any portion thereof shall not be filed until the expiration of a one (1) year period from the date of the most recent denial by the ZBA. This waiting period shall not be applicable where the application for a SUP is substantially different from the original application. The term "substantially different" as herein applied shall mean:
  - 1. The proposed principal use is different than the use contained in the original application; or
  - 2. The gross floor area or number of units of the proposed development is more than 50 percent smaller than contained in the original application.

