

# Special Use Permit Application Package



## Bermuda Run, North Carolina

## Special Use Permit Application Process

### When is a Special Use Permit Application needed?

A special use permit is the authorization of a particular land use that is permitted in a zoning law subject to specific requirements that are imposed to assure that the proposed use is in harmony with the immediate neighborhood and will not adversely affect surrounding properties. A home office in a single-family residential neighborhood is an example. Another example would be a place of worship within a residential district. The legislature could conclude that religious institutions are harmonious uses in residential districts, but that conditions may need to be imposed on them to ensure that the size, layout, parking, and lighting do not adversely affect the residential neighborhood.

If a use is not permitted by right of the zoning district it is currently in, then the Board of Adjustment may allow the use contingent of certain conditions being met.

The **Bermuda Run Board of Adjustment**, in order to grant a permit, must find that:

1. The use as proposed **will not** adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use;
2. The use as proposed **will not** be detrimental to the public welfare or injurious to property or public improvements in the neighborhood of the proposed use;
3. The use meets all required conditions and specifications; and,
4. The use **will not** substantially injure the value of adjoining or abutting property.

### Steps for a Special Use Permit Application

- 1) Schedule a pre-application meeting with the Town Planner no later than 10 days prior to their desired submission deadline (Not mandatory, but highly recommended).
- 2) Submit the completed application along with all necessary documentation and fees 21 days prior to the hearing in which you desire the Bermuda Run Board of Adjustment to hear the case.
- 3) Town Planner reviews and considers the application for Special Use Permit.
- 4) Application is submitted to the Bermuda Run Board of Adjustment for review and consideration. Board of Adjustment typically meets the second Wednesday of the month at 7:00pm. Hearings take place at the Bermuda Run Town Hall located at 120 Kinderton Boulevard, Suite 100.

### Fees required

The fee for Special Use Permit is currently \$300.00. All checks must be paid to the order of the Town of Bermuda Run.



## Bermuda Run Special Use Permit Application



SUP No. # \_\_\_\_\_

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

### A. Request Type

- Special Use Permit
  Special Use Permit Amendment (SUP #)

Note: All applicants are strongly encouraged to have a Pre-Application Conference with the Town Planner.

### B. Applicant/Owner Representative Information

#### Applicant

Name:	
Address:	
Phone (w):	
Fax:	
Email:	

#### Property Owner (if different)

Name:	
Address:	
Phone (w):	
Fax:	
Email:	

Will an attorney, engineer, or realtor represent the applicant and/or property owner in this matter?

Professional Affiliation:	
Name:	
Address:	
Phone (w)	
Fax:	
Email:	

**C. Request Information**

1. **Present Zoning Classification(s):** \_\_\_\_\_

2. **Describe the existing use of this property:**  
\_\_\_\_\_  
\_\_\_\_\_

3. **Describe the requested Special Use Permit uses/activities:**  
\_\_\_\_\_  
\_\_\_\_\_

**Note:** The applicant/owner must complete the attached Special Use Permit Checklist. The Davie County Development Services staff will prepare a formal permit with the concurrence of the applicant/owner.

**D. Property Identification, Location and Site Information**

1. **Tax Map(s) Tax Block(s) Tax Lot(s) Tax Map(s) Tax Block(s) Tax Lot(s)**  
\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_  
\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_

**A copy of the most recent record deed(s) and tax map identifying the above noted tax lots must accompany this application, or the application will be considered incomplete and will be returned.**

- 2.  This Special Use Permit request includes entire parcel and/or recorded platted lots.
- 3.  This Special Use Permit request includes a portion(s) of an existing parcel(s). A written legal description along with a map identifying that portion of the parcel(s) is attached.

E. **Geographic location & address of site:** \_\_\_\_\_  
\_\_\_\_\_

F. **Total acreage (square footage if less than one acre) of the subject property:**  
\_\_\_\_\_

G. **Square footage of building an/or portion of a building of the Special Use Permit request:**  
\_\_\_\_\_

(A site plan identifying the building(s) or portion of the building in which the uses will be located is required to be attached.)

## **H. Supplemental Information**

1. **The Special Use Permit must meet applicable requirements of the Town of Bermuda Run Development Ordinance and the Board of Adjustment must make findings in order for the request to be approved.**
2. Bermuda Run does not produce a verbatim transcript of the hearing proceedings. If a verbatim transcript is required, the applicant or party requesting said transcript shall be responsible for arranging, producing and payment of all expenses for the production of said transcript. The applicant shall in no manner be responsible for providing Bermuda Run a verbatim transcript of public hearings. Signing this application indicates the applicant's understanding and acceptance of this policy.
3. Application Withdrawal:
  - a) This application may only be withdrawn by written request from the applicant or property owner. If such request is received prior to submission of the public hearing notice to the newspaper, filing fees may be refunded. Filing fees **will not** be refunded after submission of the public hearing notice to the hearing.
  - b) After submission of the public hearing notice to the newspaper, an application may only be withdrawn by action of the Board of Adjustment at the public hearing.
4. No more than one (1) proposal for a major amendment to a Special Use Permit shall be considered within one (1) year after the date of the original authorization of such a permit.
5. If for any reason any condition imposed pursuant to these regulations is found to be illegal or invalid, such Special Use Permit shall be null and void and of no effect.
6. An approved Special Use Permit shall be void as authorized by the Board of Adjustment unless the use of the property has begun and/or a footing inspection has passed. Refer to the appropriate ordinance.
7. If any Special Use is discontinued for a period or replaced by a use otherwise permitted in the zoning district, it shall be deemed abandoned and the Special Use Permit shall be null and void and of no effect. Refer to the appropriate ordinance.

**All of the items required by this application must be turned in to the Town of Bermuda Run, FULLY COMPLETED, by 5:00 p.m. of the prescribed deadline. Incomplete applications will not be accepted. Applications submitted after the deadline will be held until the next deadline for processing.**

**I. Signatures**

When the applicant is someone other than the current property owner, the signatures of both the current property owner and the applicant shall be provided unless a power of attorney authorization is in effect. If power of attorney is in effect, a properly executed copy is required to be submitted with this application.

**Signature of Property Owner(s)**

**I/We the undersigned, do hereby certify that all information given above is true, complete and accurate to the best of my/our knowledge, and do hereby request the County of Davie Board of Adjustment to take action as sought by this application.**

_____	_____	____/____/____
(Owner Print Name)	(Owner Signature)	(Date)
_____	_____	____/____/____
(Owner Print Name)	(Owner Signature)	(Date)
_____	_____	____/____/____
(Owner Print Name)	(Owner Signature)	(Date)
_____	_____	____/____/____
(Applicant Print Name)	(Applicant Signature)	(Date)
_____	_____	____/____/____
(Representative Print Name)	(Representative Signature)	(Date)

**Note:** If there are additional property owners, applicants or representatives, please attach an additional signature sheet with their names and signatures.

Corporations, Partnerships or other similar entities please include notarized Official Corporate Certification authorizing representative to sign on behalf of the corporation.

**Office Use Only**

Board of Adjustment Hearing Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Board of Adjustment Action:  Approval  Denial

Comments: \_\_\_\_\_

Fee Paid:  Yes  No Amount Paid: \$\_\_\_\_\_.

Received By: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
(Staff Signature) (Date)



## Special Use Permit Application Checklist

When a Special Use Permit Application is submitted, several things are needed in addition to the application itself. Please review the list and make sure every item is accounted for in order to have your request handled expeditiously. If an item is unaccounted for, it may slow down the process or your request or cease it altogether.

### Notes:

- All documents and maps submitted as required by the application process become property of Bermuda Run.
- All application fees are non-refundable.
- The Town Planner may waive required information if they certify in writing as unnecessary to determine compliance with applicable standards and requirements.
- The Special Use Permit (SUP) Number given should be referenced on all related correspondence subsequent to application acceptance.

For each item below, check (✓) if provided, write “N/A” if the feature does not exist or is not proposed, and write “W” if a waiver from the requirement is justified because it is unnecessary in the particular case to determine compliance with applicable regulations or to address the required conclusions.				Staff use only
✓, n/a, or w		Application Requirement	UDO	✓, X, or W
	1	Completed Special Use Permit Application		
	2	All necessary signatures are present on both copies of the applications		
	3	10 Preliminary Site Plan copies attached and folded		
	a	All property lines with dimensions including North Arrow		
	b	Adjoining street with right-of-way and paving widths		
	c	The location of all structures; the use of all land		
	d	Comprehensive site plan if the application is for commercial, industrial, or multi-family development.		
	e	Topographic contours (at intervals of not more than 10 feet)		
	f	Surface Waters, FEMA 100-year floodway and floodway fringe boundaries, flood hazard soils, all streams and/or rivers		
	g	Inset Map showing site’s location relative to County’s cities and major roads		
	h	Title block showing name and address of site owner(s), name of plan designer, parcel identification numbers, date map prepared (and revised), bar scale, north arrow, and title “Existing Conditions Map”.		
	4	Documentation containing facts which will be used to support the petition, including but not limited to deed restrictions, letter of sufficiency regarding public water and sewer, proposed homeowners association documents, and appropriate county and state approvals.		
	5	Copy of Deed for the Property		
	6	An Attachment containing a synopsis or overview of the project, including information relevant to use, density, lot, layout, housing type, planned amenities, and similar information.		
	7	Offer to Purchase Agreement ( <i>financials can be omitted or blacked out</i> )		
	8	Written Consent from current owner to have Special Use Permit applied for by prospective owner (if applicable)		
	9	Attachment of any Special Conditions applicant wishes to propose as a part of the application process		

	10	Current owner and Applicant's information are both present ( <i>name, phone, address</i> )		
	11	Stamp ( <i>signed and dated</i> ) by Professional Engineer, Architect, or landscape Architect on all plats		
	12	Check paid to the order of Davie County ( <i>Fee for processing</i> )		
	13	Attached Level 2 Site Plan	<a href="#">4-1.11.3</a>	
	(1)	<b>Graphic Materials</b>	<a href="#">4-1.11.3 (H)</a>	
	a	Includes inset Map showing site's location relative to County's cities and major roads		
	b	Includes title block showing name and address of applicant(s), name of the development, all property lines with dimensions including North Arrow, a legend, and a bar scale.		
	(2)	<b>Conditions on Site</b>		
	A	<b>Natural, historic, and open space features</b>		
	1.	Includes natural cover (wood, pastureland, etc); streams, ponds or rivers; historic sites; fragile environmental areas.		
	2.	Includes the approximate location of significant trees (those eight inches or greater in caliper when measured six inches above grade).		
	3.	Includes contour lines shown as dotted lines at no more than five (5) foot intervals (this may be modified by the Development Service staff depending upon topography).		
	4.	Includes the location, size, and dimensions of all recreational areas and areas intended to remain as permanent open space, clearly indicating whether such open space areas are intended to be offered for dedication to the public.		
	B	<b>Man-made features</b>		
	1.	Includes all parking and loading areas.		
	2.	Includes all public and private streets and alleys, including planned points of ingress and egress.		
	3.	Includes all stormwater structures and conveyances, including all engineered stormwater control structures required to meet state mandated water supply watershed protection regulations.		
	4.	Includes all utilities, including water, sewer, electric, power, and telephone.		
	5.	Includes the location and dimensions of all structures, including freestanding signs.		
	6.	Includes all dimensions and layout of parking and loading areas.		
	7.	Includes a lighting plan.		
	8.	Includes all sidewalks, trails, and pedestrian paths.		
	9.	Includes the location and dimensions of all landscaping, berms, fences, walls, screening, and buffering.		
	C	<b>Legal Features</b>		
	1.	Includes the zoning of the property and adjacent properties, including zoning district lines. ( <i>Note: some uses may require identification of zoning district designations as much as 1,000 feet from the proposed development site. Please consult section 8-3.8 of the Mocksville Town Ordinance entitled Additional Conditions, regarding the proposed use, or contact the zoning administrator for more information.</i> )		
	2.	Includes all property lines.		
	3.	Includes all project phase lines.		
	4.	Includes all street right-of-ways.		
	5.	Includes all utility easements (including water, sewer, electric, power, stormwater, and telephone).		
	6.	Includes all lot dimensions.		

**Special Conditions Listed**

The following are special conditions agreed upon by the Board of Adjustment and the Applicant/Owner. The Special Use Permit's acceptance is contingent upon these conditions being met. If they are not, the permit shall be revoked and the use will no longer be allowed.

1. \_\_\_\_\_  
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