



CITY OF SHELBY SPECIAL EXCEPTION PERMIT APPLICATION

FILE NUMBER: _____ DATE OF APPLICATION: _____

APPLICANT'S NAME: _____

APPLICANT'S MAILING ADDRESS: _____

APPLICANT'S PHONE NUMBER: _____

APPLICANT'S FACSIMILE NUMBER: _____

APPLICANT'S RELATIONSHIP TO THE PROPERTY (Check the one that applies):

- Owner
- Legal Representative of the Owner (must attach Affidavit of owner's permission for this action)
- Developer (must attach Affidavit of owner's permission for this action)
- Other, specify (must attach Affidavit of owner's permission for this action)

EXISTING ZONING: _____

PROPERTY ADDRESS: _____

TAX ID NUMBER: _____ ACREAGE/ SQ. FT. _____

DEED BOOK AND PAGE NUMBER: _____

PROPOSED USE: _____

PROPOSED CONDITIONS: _____

Every application for a special exception permit shall be accompanied by a site/plot plan drawn to scale and sealed by a registered engineer, surveyor, architect, or landscape architect licensed to practice in the State of North Carolina.

A special exception permit approval requires the Zoning Board Of Adjustment to make certain findings of fact relative to the proposal. These are listed below. It shall be the responsibility of the applicant to ensure that the development as proposed meets these findings. The burden of submitting competent evidence that the findings have been met is the petitioner's responsibility. Additional information supporting the special exception permit application shall be the responsibility of the petitioner and not the responsibility of the City.

Findings Required:

- (1) *There is no increase in the total amount of lot area devoted to the nonconforming use;*
- (2) *The building footprint is not enlarged;*
- (3) *There is no greater nonconformity with respect to dimensional restrictions such as setback requirements height limitations, or density requirements or other requirements such as parking, loading and landscaping requirements;*
- (4) *The extension, enlargement or replacement of a nonconforming use shall not cause an increase in traffic; and*
- (5) *There is no significant adverse impact on surrounding properties or the public health or safety.*

Note: Due to the amount of detailed information needing to be submitted to the city, it is *requested* that early contact with the city Planning Department be accomplished to avoid unnecessary delays. Prior to submitting an application, the petitioner may submit to the Zoning Administrator a sketch plan of the proposed development showing the approximate location and dimensions of all existing structures and improvements. The Zoning Administrator shall review the sketch plan and advise the applicant as to its general compliance. The Zoning Board of Adjustment, however, will consider no application unless it has been submitted at least 25 days prior to the meeting at which it is to be reviewed.

Upon acceptance of the site plan/preliminary plat by planning staff, the petitioner shall provide two (2) copies of the site plan (not to exceed 24" X 36"), two (2) 8" 1/2" by 11" copies of the site plan and any additional information submitted for review by the Zoning Board of Adjustment. **Applicant must submit a list of current adjoining property owners within 100' of any portion of the property with mailing addresses. FILING FEE FOR THE APPLICATION IS \$200.**

I understand that the property involved in this request will be perpetually bound to the use(s) authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in the Unified Development Ordinance of the City of Shelby.

By signing, I hereby certify that all information that I have provided in this application is correct and complete to the best of my knowledge. I understand that providing false or incomplete information may be grounds for denial of my request or may result in future action by the Zoning Board of Adjustment to revoke the permit.

Applicant's Signature

Date

Revised 11-01

NOTE: The following items must be submitted and checked off in order for this application to be deemed complete. Incomplete applications will not be reviewed or processed.

Applicant	Staff	Article 8-2
		A. <i>Legal description of the property.</i>
		B. <i>An accurate diagram of the proposed rezoning showing:</i> <ol style="list-style-type: none"> 1. <i>All property lines with dimensions, distances of lot from the nearest intersection, and north arrow.</i> 2. <i>Adjoining streets with rights-of-way and pavement widths.</i> 3. <i>Existing locations of buildings on lot.</i> 4. <i>Zoning classification of all adjoining properties (adjoining properties shall be construed to mean and include properties on the opposite side of any street, stream, railroad, road or highway from the property)</i> 5. <i>The names and addresses of all adjoining property owners, as shown on the current records of the Cleveland County Tax Assessor's Office.</i>