SPECIAL USE PERMIT APPLICATION

Complete this application in compliance with Article IV of the Unified Development Ordinance. In order to ensure that the proposed use complies with City regulations, we recommend the applicant review the City of Elizabeth City’s Unified Development Ordinance; the Ordinance may be accessed at http://www.cityofec.com. Additional information regarding the Board of Adjustment may be obtained in the Elizabeth City Making Quasi-judicial Decisions brochure.

The Special Use Permit application fee is $500.00. This fee does not include the cost of zoning permit, sign permit, permit recordation, parcel subdivision, or recombination. All fees are non-refundable and non-transferrable once the application has been processed. Applications will not be processed unless fees have been paid in full.

All application petition responses must be typed in black ink. All responses must be legible and filled out completely. Illegible and/or incomplete applications will be returned to the applicant. Applications are not accepted via facsimile or email. Submit application, supporting documents, and fees to the City of Elizabeth City Planning Department via delivery or U.S. Mail. A current survey prepared and sealed by a Registered Surveyor must be attached at the time of application. A copy of the Site Plan Checklist begins on Page 8 of the application.

The Special Use Permit petition is a three-tier review process involving evaluation and recommendation, first by the Technical Review Committee (TRC), and then Planning Commission. Final decision is made by the Board of (Zoning) Adjustment. The first submittal application deadline is the first Friday of the month. Regular Planning Commission hearings are held the first Tuesday of each month. Your revised TRC-approved petition and plan must be submitted 21 days prior to the Planning Commission hearing date. Regular Board of Adjustment hearings are held the third Tuesday of each month; submittal deadline for the Board is 25 working days prior to the hearing. You will be notified of your scheduled hearing dates and times.

The average permit petition timeline is usually 120 days from date of application to Board public hearing and decision. However, hearing schedules are not guaranteed and subject to change.
The Board of Adjustment shall approve, modify, or deny the Application for Special Use Permit following the public hearing. In granting a Special Use Permit, the Board shall make findings of fact that the applicable regulations of the zoning and/or overlay districts in which it is located are fulfilled. With due regard to the nature and state of all adjacent structures and uses, the zoning designation and official plans for future development, the Board shall also make findings of fact that the following provisions are fulfilled:

1. The requested use will not impair the integrity or character of the surrounding area.
2. The requested use will not be detrimental to the public health, morals, or welfare.
3. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been made or are being provided.
4. 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.
5. That the special use shall, in all other respects, conform to the applicable regulations of the Unified Development Ordinance in the zoning district in which it is located, except as such regulations may, in each instance, be modified by the Board of Adjustment.

PLEASE COMPLETE ALL SECTIONS OF THE APPLICATION
INCOMPLETE APPLICATIONS WILL BE RETURNED TO APPLICANT
INDICATE ‘NOT APPLICABLE’ OR ‘N/A’ WHERE APPROPRIATE

SECTION A – APPLICANT INFORMATION

Landowner’s Name: __________________________________________________________________________
Street Address: ______________________________________________________________________________
City/State/Zip Code: ___________________________________________________________________________
Phone Number: ______________________Email Address:___________________________________________

Applicant (if different from owner): _______________________________________________________________________________________________________________________
Street Address: ______________________________________________________________________________
City/State/Zip Code: ___________________________________________________________________________
Phone Number: ______________________Email Address:___________________________________________
Applicant’s Signature:________________________________________________________________________

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SECTION B – PROPERTY INFORMATION

1. Property Address: ________________________________________________________________

2. Parcel ID No. (12-digits): ___________________________________________________________

3. Tax Map Number:_________________ Block: _______________ Lot: ________________________

4. Deed Book _______________ Page _____________

5. Location: This property is located on the _______________________________ (direction) side of
   ________________________________ (street)        SR#___________________

6. Zoning Classification (Existing)_______________________________________________________

7. Overlay District ___________________________________________________________________

8. Lot/Tract Size _________________________ (acres)

9. Street Frontage/Width ______________________ (feet)    Depth _____________________ (feet)

10. Flood Plain ______________________ Panel ____________________

SECTION C – NOTIFICATION

All property owners within 100 feet of the property being considered for Special Use Permit must be
mailed an Adjacent Property Owner Notification prior to the Planning Commission and Board of
Zoning Adjustment meetings. The applicant is responsible for supplying a list of the names and
mailing address for these property owners, including the name and address for the president of the
Property Owners/Homeowners Association. In addition, the applicant must supply two (2) sets of
stamped, addressed #10 envelopes for each of the property owners within the 100 feet radius. The
return address should read:

    City of Elizabeth City
    Planning Division
    PO Box 347
    Elizabeth City, NC  27909

A current list of property owners and their addresses may be obtained from the Pasquotank County
Tax Department.
SECTION D – APPLICATION REQUIREMENTS

All written materials and photographs must be a minimum of 8½” x 11” paper; maps, surveys, and plans must be legible and be a maximum of size 24”x36”. For the first level of review, the applicant must supply one (1) original and thirty (30) copies. Following the initial TRC review, the Zoning Administrator will notify the applicant of the deadline to submit the eleven (11) copies of the updated application for Planning Commission consideration; and similarly of the deadline for the fourteen (14) copies for Board of Adjustment consideration. A boundary survey and site plan depicting the proposed layout of the property MUST be attached at the time of application. Please plan to attend all meetings to present evidence as to the congruity of your proposal; failure to attend will result in a delay or denial of your application.

1. **Requested Use:** Attach a written description of the requested special use, include examples of the items sold and/or services offered. Please reference the appropriate Ordinance article and subsection, addressing each of the required development standards associated with the special use.

2. **Primary & Secondary Structures:** Specify what existing structures are on the property; include dimensions and uses.

3. **Setback Requirements:** Specify the actual and minimum required (per the Ordinance) distances (in linear feet) for the following:
   a. Front property line
   b. Side property line
   c. Corner sideline
   d. Rear property line

4. **Site Information:** Provide detailed information of the site, including a scaled drawing of the site showing structures, landscaping and parking in relation to the property lines. Indicate dimensions.

5. **Public Convenience and Welfare:** Provide detailed responses to the following questions:
   a. Why are you requesting this land-use?
   b. Why is this land-use essential or desirable to you?
   c. Why is this land-use essential or desirable to the citizens of Elizabeth City?

6. **On-site and surrounding land uses:** Provide detailed responses to the following questions:
   a. What is on the property now?
   b. What land uses are on the surrounding properties and in the general vicinity?
   c. How will the land use you are requesting affect the surrounding properties, residents and businesses in the area? Describe in detail why it will or will not affect the surrounding area.
7. **Utilities, Access Roads, Drainage, Etc.**: Provide detailed responses to the following questions:
   a. Will you use:
      1. public water or private well
      2. public sewer or private septic tank
      3. public roads or private roads
   b. Describe the driveway (width and surface) that you will be using to enter and exit the property.
   c. Describe the drainage of this property.
   d. Refuse Disposal will be Private dumpster or public curbside (90 gal. container)

8. **Traffic**: Provide detailed responses to the following questions:
   a. Describe the traffic conditions and sight distances on the State & City Roads that serves this property.
   b. What is the approximate distance between your driveway and the next nearest driveway or intersection?
   c. How many parking spaces will be provided?

9. **Board Considerations for Findings of Fact**: Include responses to the following to indicate how the proposed use:
   a. will not impair or injure the integrity, value or character of adjoining or abutting properties, but be in harmony with the surrounding area;
   b. will not remove or endanger public health, safety, morals, or welfare;
   c. will have access to adequate utilities, access roads, drainage, sanitation and/or other necessary facilities;
   d. will have adequate ingress and egress, designed so as to minimize traffic congestion in the public streets; and
   e. in all other respects, conform to the applicable regulations of the Unified Development Ordinance in the zoning district in which it is located, except as such regulations may, in each instance, be modified by the Board of Adjustment.

10. **Conditions**: Provide detailed responses to the following questions:
    a. State any conditions that you would be willing to consider as part of the approved Special Use Permit.
    b. Additional Comments.
I, ____________________________________________ (LANDOWNER’S NAME) am the owner of the property located in the Elizabeth City planning jurisdiction at:

Street Address: _________________________________________________________

I hereby authorize _______________________________________________________ (OWNER OR APPLICANT’S NAME) to appear with my consent before the City of Elizabeth City Technical Review Committee, Planning Commission and the Board of Adjustment in order to request a Special Use Permit at the above noted location. I understand this structure is not to be occupied until a CERTIFICATE OF OCCUPANCY is issued. This Permit expires 24 months (2 years) after the date the Permit is granted by the City of Elizabeth City Board of Zoning Adjustment. I further understand that the Permit, if granted, shall be vested and runs with the land. As the owner of the property I authorize the City of Elizabeth City to advertise and the applicant to present this matter in my name. I hereby authorize City Officials to enter my property to conduct relevant site inspections as deemed necessary to process the application. All information submitted and required as part of the approval process shall become public records. I, as the land owner, hereby CERTIFY THAT THE INFORMATION CONTAINED HERIN IS TRUE TO THE BEST OF MY KNOWLEDGE; AND BY ACCEPTING THIS permit, if approved shall in every respect conform to the terms of this application and to the provisions of the Statutes and Ordinances regulating development in City of Elizabeth City. Any VIOLATION of the terms above stated and/or City Code regulations will result in civil penalties. If there are any questions, you may contact me at:

Street Address: _________________________________________________________

City/State/Zip Code: _______________________________________________________

Phone Number: ___________________________________________________________ 

Email Address: ______________________________________________________________

Owner’s Signature: _________________________________________________________

Sworn to and subscribed before me, this the _____ day of ____________, 20_____.

__________________________________________
Notary Public

My commission expires: ______________________

[SEAL]
PROCEDURAL STEPS
FOR SPECIAL USE PERMIT PETITION REVIEW & PUBLIC HEARING

1. Applicant files a complete application, following the instructions listed above, along with the requisite fee.

2. The Zoning Administrator, in conjunction with the TRC, reviews and makes recommendations regarding the application.

3. The applicant submits final plan revisions and/or corrections to the Planning Department no later than 21 days prior to the next Regular Meeting of the Planning Commission.

4. Revisions are reviewed by the Zoning Administrator for TRC compliance. If approved the Planning Director schedules a review hearing.

5. Adjoining property owners will be notified and a sign will be posted on the property by the Planning Department.

6. The Planning Commission hears the proposed change taking into consideration the expressed opinions of the petitioner, affected property-owners, interested citizens, and the Zoning Administrator. The Planning Commission then makes recommendation to the Board of Adjustment concerning the proposed change.

7. If petition amendment is required, the applicant must submit revisions and Commission-requested comments no later than 25 days prior to the next Regular Meeting of the Board.

8. The Secretary will advertise and provide public notice of a Public Hearing.

9. At the designated date and time, the Board will hold a Public Hearing. Unless otherwise noted, at the time of public hearing, the Board will receive the TRC, Planning Commission and Zoning Administrator recommendations and render their decision concerning the proposed petition request.

10. The Zoning Administrator will provide the applicant and/or property owner with official notification of the decision and any conditions attached thereto.

11. If approved, the applicant records the Permit with the Pasquotank County Register of deeds within 10 days of decision. If the petition has been denied, the applicant or any party to the case may file an appeal.

**SUBMITTAL**
(21 Days)*
Applicant files petition request and fee with the Zoning Administrator by the First Friday Technical Review Committee (TRC) deadline

**REVIEW**
(30 Days)*
The Zoning Administrator and TRC review the petition for Code and Ordinance compliance; Comments and revision requirements are forwarded to the applicant

**CALL FOR PUBLIC HEARING**
(25 Days)*
Secretary advertises for a public hearing at least 10 days prior to hearing

**PUBLIC HEARING, REVIEW AND DECISION**
The Board holds a public hearing; deliberates merits of petition request, Ordinance regulations, Plan recommendations and Public response; renders decision on petition

**DENIAL**
- Simple majority vote required
- Reasons for denial provided in writing
- Appeal may be taken to Superior Court by a party to the case within 30 days of decision

**APPROVAL**
- Four-fifths vote required
- Conditions and supplemental requirements may be attached to permit approval

**RECORDATION**
Applicant records Permit with the Pasquotank County Register of Deeds

*Actual number of days may vary due to Observed Holidays and schedule changes.
SITE PLAN CHECKLIST

APPLICATION FORM
The following information must be provided in or accompany the Application Form:

- Applicant name, mailing address and phone number
- Property owner, mailing address, and phone number
- Site designer, mailing address, and phone number
- Signatures of applicant and owner (if different)
- Location of site, tax map, block, and lot numbers
- Site zoning, site acreage & disturbed acreage
- Requested use and/or conditions described
- Filing fee
- Copies of all permits and authorizations (e.g. Stormwater, Erosion & Sediment Control, Driveway, Encroachment, Environmental Health, etc.)
- Attached a completed Load Letter, indicating the total connected load/voltage requirements, with three (3) sets of prints
- Include description of any existing easements, property restrictions, drainage or topographic problems
- Attach project design calculations for sanitary sewage and storm drainage
- Submit a recordable document of all easements that:
  - defines the grantor and grantee of the easement
  - identifies proposed use(s) of the easement
  - identifies rights granted to the grantee for use of the easement specifically related to construction and maintenance
  - specifies the responsibilities of the grantee and restrictions on the use of the property by the grantor

SITE PLAN DEVELOPMENT
The following informational data must be provided on the Site Plan:

- Vicinity Map
  - North Arrow
  - Site and streets identified
- Title Block
  - Development name and address
  - Property owner and mailing address
  - Seal of designer and/or map preparer
  - Graphic scale, North arrow and date of plan
- Site Data Block
  - Site and surrounding zone
  - Site area and disturbed area
  - Impervious surface area
  - Number of lots and lot sizes
  - Existing use and proposed use
  - Parking spaces required and provided
  - Landscape requirements
NOTE: Plans must be prepared and sealed by N.C. Licensed Landscape Architect, Architect, Engineer, or Surveyor.

PROPERTY FEATURES
The following **existing and proposed features** must be included on Site Plan:

- Property boundaries with labeled metes and bounds
- Adjacent intersecting boundaries
- Floodway, floodplain and water elements
- Drainage way and drainage facilities
- Site structures and improvements
- Right-of-ways, roadways, and drives
- Easements, Utilities (type, location & size)
- Existing vegetation and natural features
- Zoning of all adjacent properties
- Existing overlay zoning district(s)
- North arrow and scale provided
- Lot layout indicated with dimensions, acreage and square footage
- Storage areas, indicating type, location, setbacks and screening
- Right-of-ways, public/private streets, driveways; indicating location material and dimensions
- Sidewalks and walkways; indicating location, materials, dimensions, setbacks, curbing/wheel stops
- Parking locations and layout; indicating materials, dimensions, setbacks, curbing/wheel stops
- Landscape plan; indicating, planting pattern, type of vegetation, species planted and quantities of each plant used
- Handicapped access on site, detailed with parking locations and layout
- Refuse collection area(s): indicate location, size, screening, pad and setbacks
- Utility layouts/connections (type, location, and size)
- Easements: indicate type and locations (easements for utilities must be twenty (20) feet wide)
- Proposed structures and improvements: indicate setback size, height, access, elevations and relationships to other buildings
- Site lighting, signage, fencing, walls and amenities located and detailed
- Topography at two foot contour intervals with spot elevations
- Natural features and existing vegetation altered and left undisturbed (15% of total site area should be left undisturbed)
- Public/private recreational areas and facilities located and detailed
- Truck loading/unloading areas located with dimensions
- Driveway width between 24’ and 26’, unless project meets requirements for special commercial driveway
- Dimensions of driveway approach and location of adjacent and opposite drives
- Sight distance triangle
- Number of drives and spaces of multiple drives
- Distance from nearest intersection streets
- Detail or reference to drive standard (NCDOT)
- Driveway angle (60° maximum)
- Driveway grade (minimum 2.08%; maximum 10.4%)
- Curb radii
- Less than 50% of total frontage (driveways)
- Signs and pavement marking for one-way drives
- All unused drives noted to be closed
- Depressed curb for Handicapped ramp
- Median divider meets all dimensional requirements (NCDOT)
- Property lines distinctly and accurately represented, all bearing and distances shown with an accuracy of closure not less than one (1) in two thousand five hundred (2,500) and in accordance with the Standards of Practice in North Carolina. Sufficient data to determine readily and reproduce on the ground every straight or curved boundary line, street line, lot line, right-of-way line, easement, building line setback line, or other facility or improvement
- Name and Deed book reference of adjoining property owners
- Adequate ingress and egress for each parking space
- Traffic barriers (wheel stops) three feet from public sidewalks and ROW
- Handicapped signs
- Minimum four (4’) foot sidewalk for the disabled
- Smooth hard surface for the disabled
- Internal traffic pattern
- Details of internal traffic signs which must conform to the Manual of Uniform Traffic Control Devices
- Proposed and existing grades
- Less than one-acre discharge through driveway
- Provide details for catch basins and drop inlets
- Proposed and existing pipe sizes, grades, and direction of flow
- Location and dimensions of proposed and existing ditches and creeks; direction of flow and cross-sections
- Details or references to applicable MSDD standards
- Ditches requiring 48” pipe or less shown to be piped
- Easements on all off-site and common use detention basins and note stating that maintenance will be performed by property owners (this statement must be on the final plat and site plan)
- Impervious surfaces over 20,000 sq. ft. require stormwater management
- Base flood elevation for site
- Peak 100-year surface elevation for sites adjacent to streams and/or ditches not included on FEMA flood hazard maps and not required to be piped
  - Drainage calculations
  - Pre development outflow
  - Post development inflow
  - Post development outflow
  - Flood routing
  - Accounting of uncontrolled runoff
  - Outflow velocity
  - Minimum orifice size 4”
- Drainage area plan network: inlets, culverts, swales, ditches, natural watercourses, detention basins, etc. (top elevation, invert elevations, size and slope)
- Pavement section detail for public streets; make reference to NCDOT standards and linear footage of streets
- Estimate of traffic impacts analysis
- Finished floor elevations
- Detention ponds, a fence with self-latching gates, shall be constructed around the entire perimeter of any wet detention pond
Acceptance and approval of this plan is condition upon compliance with federal and state water quality laws, regulations, and rules.

Construction sequence schedule

Location and size of water line meter

Location and size of sewer line clean-out

Existing and proposed public and private water and sewer easements

Private water systems and services isolated with backflow prevention

Location of existing and proposed fire hydrants

Location of Fire Department connection

Fire flow calculations for each building

Construction type

Occupancy use

Indicate whether or not the building is sprinkled

Shade 20’ fire lane; verify adequacy of all turns using 40’ bus template; indicate pavement cross-section (8” ABC, 2” H, 2” 1-2)

Location and size of proposed signs (a separate sign permit is required prior to installation of signs)

Utility locator service number

Vegetation must be installed to landscaping plan specifications and a notarized letter has to be sent to the Planning Director stating that the vegetation has been installed prior to the on-site project inspection report

All erosion control measures shall be constructed in accordance with the NC Erosion and Sediment Control Planning and Design manual and the Elizabeth City Stormwater Management Plan manual

Contractor shall inspect and maintain, as need, all erosion control devices on a weekly basis and after each major storm event; failure to keep erosion control devices in good working order may result in issuance of a stop work order

Temporary sediment controls: location and dimensions of dissipaters, ditch linings, armoring, retaining walls, etc. (rip-rap dissipaters should be specified on plans by dimensions rather than tonnage)

Clearly identify all limits of disturbance

Borrow, Spoil and Stockpile areas should be located or specified

Specifications: seedbed preparation, soil amendments, seeding, etc.

Seed or otherwise provide ground cover devices or structures sufficient to restrain erosion for all slopes within 15 working days of completing any phase of grading

Maximum slope on basins of 2:1

Detention facilities are not allowed within the existing or proposed right-of-way

Soils information (type, characteristics, etc.)

Name of receiving watercourse or river basin and wetland limits

Maintain buffers along watercourses in accordance with CAMA rules and regulations

Approval of this plan is not an authorization to grade adjacent properties; when field conditions warrant off-site grading, permission must be obtained from the affected property owners

Design calculations

Temporary devices: storage capacity and Q10 capacity

Ditches, swales and channels: Q10 velocity and capacity

Storm drains outlets: Q10 discharge velocity

Dissipaters: Q10 velocities

Culvert and inlets: Q10 capacity