

APPLICATION FOR A CONDITIONAL USE PERMIT

TO THE BANNER ELK BOARD OF ADJUSTMENT:

I, _____, hereby petition the Board of Adjustment to issue a conditional use in the name of _____ for the use of the property located at _____ and more particularly described on the attached recorded plat or survey, and consisting of _____ acres of land. *(Note: An application will not be considered without a copy of a recorded plat or survey showing the metes and bounds, location, acreage of the parcel of land, and the scale to which the plat or survey is drawn for which the conditional use is requested.)*

I am the current owner of the above described property or the authorized agent of the current record owners shown by the attached letter of authorization. *(An agent will not be allowed to appear and present any evidence or argument in support of the application in the absence of a written letter of authorization signed by the current record owner of the property.)*

I UNDERSTAND THAT THE BURDEN IS UPON ME, THE APPLICANT, TO PRODUCE COMPETENT, MATERIAL AND SUBSTANTIAL EVIDENCE WHICH TENDS TO ESTABLISH THE EXISTENCE OF FACTS, STANDARDS AND CONDITIONS WHICH THE ORDINANCE REQUIRES UNDER SECTION 1109(2) OF ARTICLE XI AND UNDER SECTION _____ OF THE ZONING ORDINANCE, FOR THE ISSUANCE OF THE CONDITIONAL USE REQUESTED HEREIN. IN THAT REGARD, I OFFER THE FOLLOWING FOR CONSIDERATION BY THE BOARD:

1. The property is zoned _____ as evidenced by the current zoning map of the Town of Banner Elk as of the date of this application and has a tax identification number as: _____.

2. The Board is empowered under Section 1109(2) of Article XI of the Zoning Ordinance to grant a conditional use for the **use of the property** more fully described as follows:

_____, pursuant to the Section _____ of the Zoning Ordinance.

3. SELECT ONE

_____ This request involves the construction of or the modification of structures, and/or improvements. The formal plans for the construction of the proposed structures or modifications to existing structures and/or improvements are attached hereto and incorporated herein by reference. I understand that except where such plans are modified by the Board of Adjustment at the hearing on this petition, that I am bound by the representation contained in the plans submitted with the application and that the actual construction must conform to the plans submitted.

_____ This request does not involve the construction or the modification of structures and/or improvements on the property and as such no plans are submitted with this application. This existing structures and improvements shall remain in the condition in which they exist as of the date of this application.

(Note: If the application involves the construction or modification of structures and/or improvements and plans are not submitted with the application, the application will be deemed incomplete and no hearing will be scheduled on the application.)

4. I represent that the application and the plans as submitted meet the conditions and safeguards of Section 1109(2) of Article XI in that:

A. The property and the proposed structures have **proper ingress and egress** with respect to the following: *automobile and pedestrian safety, convenience, traffic flow and control, and access in case of fire or catastrophe* in that: _____

B. There is **proper off street parking and loading areas** with regard to the following: *automobile and pedestrian safety, convenience, traffic flow and control, and access in case of fire or catastrophe* in that: _____

C. There is or will be **proper refuse and service areas** with regard to each of the following: *automobile and pedestrian safety; convenience; traffic flow and control; access in case of fire or catastrophe; and the economic, noise, glare or odor effect of the conditional use on adjoining properties generally in the district in which it is to be located* in that: _____

D. There is or will be **proper utilities** (water, sewer, and storm water drainage systems) with reference to *location, availability and compatibility* in that :

E. There will be **proper screening and buffering** of the following type, dimensions, and character: _____

F. The nature, location and size of the **sign** applied for is as follows:

G. The **sign(s)** and the exterior lighting will comply with the requirements of Section 1109(2)(b)(6), *specifically with reference to glare, traffic safety, economic effect, and compatability and harmony with properties in that district* in that: _____

H. The required or proposed yards and other open spaces are as follows:

I. The proposal is in general compatibility with adjacent property and other property in that District in that: _____

I certify that all of the information presented by the undersigned in this application is accurate to the best of my knowledge, information and belief.

Date: _____

Signature of Applicant

Address

Phone Number

FEE: A fee of seventy-five (\$75.00) dollars shall be paid to the Town of Banner Elk, NC for each application for a conditional use to cover the necessary administrative and advertising costs.

Amount Paid _____ Received by _____ Date _____