



NEW HANOVER COUNTY PLANNING DEPARTMENT

CONDITIONAL USE ZONING DISTRICT

230 Government Center Drive
Suite 150
Wilmington, NC 28403
910-798-7165 phone
910-798-7053 fax
www.nhc.gov.com

Name of Petitioner	Staff Use Only: Application Number
Address	City, State, Zip
Email Address	Telephone Number of Petitioner
Name of Property Owner (if different than Petitioner)	Telephone Number of Owner (if different than Petitioner)
Address of Property Owner (if different than Petitioner)	City, State, Zip
Email Address (if different than Petitioner)	Property Address
Existing Zoning	Proposed Zoning and Use
Area of Property Square Feet/Acres	Parcel ID Number
Existing Use of Property	Land Classification (See Land Use Plan)

SUBMISSION REQUIREMENTS

Petitions must be reviewed by the Planning Department for completeness prior to acceptance. For Petitions involving five (5) acres or less a fee of **\$400.00** will be charged; for those of more than five (5) acres a fee of **\$600.00** will be charged. This fee, payable to New Hanover County, **MUST** accompany this petition.

The following supplemental information is required:

1. Copy of the New Hanover County Tax Map, which delineates the property requested for rezoning.
2. Legal description (by meets and bounds) of property requested for rezoning; or a,
3. Copy of the subdivision plat, which delineates the property, requested for rezoning (if applicable).
4. **Site Plan- For Plans larger than 11" x 17", please provide one (1) 11x17 reduced site plan; and thirteen (13) copies of the site plan for the Planning Board meeting. You will be asked for additional copies if your proposal moves forward to the County Commissioners.**
5. Authority for Appointment of Agent form (if applicable) (The owner or an attorney must handle the case).
6. Requirements of Article VII
7. Applicant answers to the questions on this application.
8. Signed site plan check list.

REVIEW PROCEDURES

Petitions for conditional change of zoning are first referred to the New Hanover County Planning Board and then acted upon by the New Hanover County Board of Commissioners.

Complete petitions and all supplementary information must be accepted by the Planning Department **twenty (20) working days** before the Planning Board meeting to allow adequate time for processing and advertisement as required by the North Carolina General Statutes.

Planning Board meetings are held at **5:30PM** in the Commissioner's Assembly Room in the Old County Courthouse, at Third and Princess Streets, Wilmington, North Carolina, on the first Thursday of each month.

**WHAT YOU MUST ESTABLISH
FOR A SPECIAL USE PERMIT**

Authority to grant a Special Use Permit is contained in the Zoning Ordinance, pursuant to section 71. The Zoning Ordinance imposes the following General Requirements on the use requested by the applicant. Under each requirement, the applicant should explain, with reference to attached plans, where applicable, how the proposed use satisfies these requirements: (Attach additional pages if necessary)

General Requirement #1

The Board must find “that the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.”

General Requirement #2

The Board must find “that the use meets all required conditions and specifications” of the Zoning Ordinance.

General Requirement #3

The Board must find “that the use will not substantially injure the value of adjoining or abutting property or that the use is a public necessity.”

General Requirement #4

The Board must find “that the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development for New Hanover County.”

SITE PLAN CHECKLIST (section 59.7-3 (2))

Check each item to confirm that is included.

- Tract boundaries and total area, plus location of adjoining land parcels and roadways.
- Existing zoning of the tract and neighboring parcels and proposed tract zoning.
- Proposed use of land, structures and other improvements. For residential uses, this shall include number, height and type of units and site plan outlining area to be occupied by each structure and/or subdivided lot boundaries. For non-residential uses, this shall include approximate square footage and height of each structure, an outline of the area it will occupy and the specific purpose for which it will be used.
- Development schedule including proposed phasing.
- Traffic and Parking Plan to include a statement of impact concerning local traffic near the tract, proposed right-of-way dedication, plans for access to and from the tract, location, width and right-of-way for internal streets and location, arrangement and access provision for parking areas.
- All existing and proposed easements, reservations, required setbacks, rights-of-way, buffering and signage.
- The one hundred (100) year floodplain line, if applicable
- Location and sizing of trees required to be protected under Section 67 of the Zoning Ordinance.
- Any additional conditions and requirements, which represent greater restrictions on development and use of the tract than the corresponding General Use District regulations, which are the minimum requirements in the Conditional Use District, or other limitations on land which may be regulated by State law or Local Ordinance.
- Any other information that will facilitate review of the proposed change (See Article VII).

In signing this petition, I understand that the existing zoning map is presumed to be correct and that I have the burden of proving why a change is in the public interest. I further understand the singling out of one parcel of land for special zoning treatment unrelated to County policies and the surrounding neighborhood would probably be illegal. I certify that this application is complete and that all information presented in this application is accurate to the best of my knowledge, information, and belief.

Signature of Petitioner and/or Property Owner

Print Name