



## SPECIAL USE PERMIT APPLICATION

*A Conditional Use Permit application will follow the development review process as outlined in Section 4-4 of the Zoning Ordinance, adopted on January 4, 2010.*

**Date of Application:** \_\_\_\_\_  
**Applicant's Name:** \_\_\_\_\_  
**Applicant's Address:** \_\_\_\_\_  
**Applicant's Telephone:** \_\_\_\_\_  
**Applicant's E-mail:** \_\_\_\_\_

**Owner's Name:** \_\_\_\_\_  
**Owner's Address:** \_\_\_\_\_  
**Owner's Telephone:** \_\_\_\_\_

**Conditional Use Address:** \_\_\_\_\_  
**Name of Proposed Project:** \_\_\_\_\_

**PIN Number:** \_\_\_\_\_  
**Deed Book and Page:** \_\_\_\_\_

If the building is pre-existing, lot size, setbacks and current impervious coverage may remain unless the building is being renovated beyond 50% of the structures and/or of its value as listed with the Lenoir County Tax Office. Renovations exceeding 50% of the building and/or its value require conformance with all zoning regulations.

**New or Pre-Existing:** \_\_\_\_\_

**Zoning District:** \_\_\_\_\_  
**Minimum Lot Size:** \_\_\_\_\_  
**Corner Lot:** \_\_\_\_\_  
**Setbacks:** \_\_\_\_\_  
**Proposed Use:** \_\_\_\_\_

The Administrator/Planning Board will use the following answers to guide the evaluation of your proposed project:

**Is the proposed use listed as Special Use in Section 11-4?** \_\_\_\_\_ YES NO NA  
**Does the proposed use meet parking rules outlined in Article 15?** \_\_\_\_\_ YES NO NA  
**Does the proposed use meet the requirements of Article 16 Buffers?** \_\_\_\_\_ YES NO NA

Continued on next page.

Town of La Grange  
Planning and Inspections  
203 S. Center St./PO Box 368  
La Grange, NC 28551



252-566-3186  
252-566-2201 (Fax)  
WWW.LAGRANGENC.COM

**Required Attachments:**

- ▶ Provide a detailed description of the proposed use and label it “*Description of Proposed Use*”
- ▶ Explain in detail how conditions in article 4 will be met and label it “*Article 4 Conditions*”
- ▶ Attach a sketch plan or other site plan required by the Ordinance and label it “*Site Improvements*” (for Multi-Family Dwellings and PUD see Section 13-15 and Section 13-17)
- ▶ Attach any other applicable permits at the end of the application packet.

*I certify that the information provided in this Special Use Permit Application is true and accurate and if approved will be in conformance with the Town of La Grange Zoning Ordinance and any additional conditions imposed by the Town of La Grange Town Council. I acknowledge that failure to adhere to any of these conditions may result in the revocation of the Special Use Permit and any associated privilege license.*

\_\_\_\_\_  
Applicant (Owner or Agent)

\_\_\_\_\_  
Date

Amount Paid: \_\_\_\_\_

\_\_\_\_\_  
Date Paid



Dear Special Use Permit Applicant,

We appreciate your interest in development in the Town of La Grange. Some of our uses are considered to be special and have additional regulations. This process was designed in order to protect the character of the Town and properties adjacent to and nearby your proposed project. In an area with historically small lots and businesses neighboring residential areas, we make every effort possible to facilitate quality and sustainable development.

A Special Use Permit Application must be submitted 30 days prior to the Town Council meeting where you wish for it to be heard. This is to allow adequate time for staff review and have materials available for the Planning Board to review. **It is strongly encouraged to schedule a pre-application meeting before you wish to submit the proposed project.** Please be advised, a project may need to be amended after the initial Planning Board review, and resubmitted to the Planning Board before being scheduled for a public hearing. All fees must be paid when the application is submitted. For the most current fee schedule, please consult Town Hall or [www.lagrangenc.com](http://www.lagrangenc.com). A current schedule of meetings is posted here as well.

Once the Planning Board has considered the application, it will be placed on the Town Council Schedule. There are important procedures outlined in the state statutes that must be followed in order to facilitate this process. Under normal circumstances, once consideration is made by the Planning Board, it will be eligible for the Town Council meeting thereafter. Section 4-4 on Special Use Permit procedures has been attached for your review. Please familiarize yourself with the guidelines in this document.

Best Regards,

The Town of La Grange Planning Department

**IMPORTANT NOTES:**

- ▶ Please note if the SUP is granted, signage will require independent permits. Article 14 of the Zoning Ordinance outlines sign regulations.
- ▶ Please note, if the SUP is granted, applicable zoning and building permits will be required.
- ▶ A Special Use Permit may be revoked at any time if the conditions set forth by the Town Council of La Grange are not met.
- ▶ The Planning Department will summarize all comments from the Administrator, which will be entered into the evidence reviewed by the Planning Board and the Town Council during their review processes.
- ▶ The Planning Department will attach all pertinent ordinances for the Planning Board and Town Council to review.
- ▶ The Planning Department will attach a check-list of all conditions the Town Council must evaluate.
- ▶ The Planning Department will attach a list of applicable adjacent properties and proof of proper notification.
- ▶ Planning Department will attach proof of sign posting.



## Section 4-4 Conditional and Special Use Permits

The development and execution of this ordinance is based upon the division of the planning area into districts where the use of land and buildings and the bulk and location of buildings and structures in relation to the land are substantially uniform. It is recognized, however, that there are certain uses which, because of their unique characteristics, cannot be properly classified in any particular district or districts, without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for that use in that particular location. The provisions of this ordinance permit some uses to be established by right in the appropriate district while other uses require a permit from the Board of Adjustment or Town Council. Those which require a permit from the Board of Adjustment are termed “conditional uses,” while those which involve broader policy considerations require a permit from the Town Council and are termed “special uses.” Both conditional and special uses may be compatible with and desirable in the districts in which they are designated, but they may also have characteristics which could have detrimental effects on adjacent properties, or La Grange as a whole, therefore must be considered specifically and independently. Public hearings required by this section will be held in accordance with the requirements of the North Carolina General Statutes and shall be open to the public. The Administrator shall mail a letter of notice to the applicant as well as to the owners of all adjacent property within two-hundred (200) feet of the proposed site, not less than ten (10) days prior to the scheduled hearing. A deciding vote may be taken at the conclusion of the public hearing, but may be extended for a period of thirty-five (35) days after the date of the original hearing. When applying for a conditional or special use permit, the applicant shall provide all necessary applications and site plans at the time of submission. The site plans shall contain the following criteria:

- (A) Topography-Especially for uses requiring a well-drained site and adequate storm drainage.
- (B) Structures-Location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.
- (C) Circulation-Proposed points of access and egress and pattern of internal circulation.
- (D) Parking and Loading-Layout of parking spaces; location and arrangement of all proposed off-street parking, if required.
- (E) Buffering-Proposed provisions for fencing and other protective screening at the lot lines adjacent to abutting residential property (or fencing/screening for swimming pools at private clubs). Electrical substations shall be enclosed by a fence not less than 8 feet in height with three strands of barbed wire turned out at the top.

### **Special Use Permit**

The Town Council shall hear and decide special use permits. No vote greater than a majority vote is required. When deciding special use permits, the Town Council shall follow quasi-judicial procedures.

- (A) The procedure for obtaining a permit is as follows:
  - (1) A special use permit shall be required for any use listed as a special use in the Table of Permitted Uses.



- (2) Applications for a permit approval shall accompany the application for a zoning permit and shall be addressed to the Town Council and presented to the Administrator at least thirty (30) days prior to the scheduled Town Council meeting at which the permit is to be considered. Each application shall contain or be accompanied by a site plan and shall be forwarded to the Planning Board for consideration.
  - (3) The Planning Board shall review the application and shall present its recommendations to the Town Council prior to or at the public hearing held by that body in writing.
  - (4) The Town Council shall hold a public hearing prior to taking action on a special use permit.
  - (5) The Town Council shall issue a special use permit, if after a public hearing, the use:
    - (a) Is listed among the special uses in the district for which application is made;
    - (b) Is essential or desirable to the public convenience or welfare;
    - (c) Will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare;
    - (d) Will minimize any negative impacts on the transportation system, schools, recreational areas, and the natural resources of the community;
    - (e) Will be adequately served by utilities, access roads, drainage, sanitation, and/or other necessary facilities; and
    - (f) Will have ingress and egress designed to minimize traffic congestion in the public streets.
- (B) The Town Council may impose any conditions upon the permit that it deems necessary in order for the development to comply with the spirit and integrity of this ordinance and the Town of La Grange.
- (C) If the permit application for special use is approved, all conditions shall run with the land and shall be binding on the original applicant, heirs, successors and assigns.
- (D) Granting a special use permit does not exempt applicants from complying with other requirements of this ordinance. In any case where the conditions of a permit have not been or are not being met, the Administrator shall give the grantee notice of intention to revoke approval. Said notice shall be given at least 10 days prior to any action by the Town Board of Adjustment.
- (E) After the issuance of a special use permit, the applicant has six (6) months to exercise or consummate the conditional use. If the conditional use is not consummated during this period, the special use permit shall become null and void.
- (F) If an approved special use ceases to exist for a period of one hundred and eighty (180) days, the conditional use permit shall become null and void.
- (G) If the Town Council denies request for a conditional use permit, the reasons shall be entered in the minutes of the meeting at which the permit was denied.
- (H) If a petition for a special use permit is denied, a period of twelve (12) months must elapse before another petition for the same special use may be submitted.