



## **SPECIAL USE PERMIT PROCESS**

The Cary Zoning Board of Adjustment will hear this request and make findings based on the evidence and testimony received at the Public Hearing or otherwise appearing in the record of the case.

### **Filing Deadline:**

- Prior to submitting an application, the applicant must attend a pre-application conference with Town of Cary Planning Development Committee.
- For cases with an associated site plan or reuse redevelopment plan, the application shall be submitted with the site plan application. The Public Hearing will be scheduled once the site plan has completed its first review and staff has determined that it meets Town of Cary Development Standards.

### **Submittal Process:**

Submit this application to the Development Customer Service Center.

- A filing fee of \$600 (\$4,500 for Telecommunication Towers) shall be paid to the Town of Cary upon submittal of this application.
- The questions included in the Statement of Justification below are to be answered in full by the applicant in order for the application to be deemed complete, and shall explain how the proposed special use will meet the general Approval Criteria of Section 3.8.3 of the Town of Cary Land Development Ordinance.
- Prior to the public hearing, and once initial review comments from staff have been addressed the applicant shall provide staff with a digital copy of the site plan and building elevations.

The applicant may submit any other documentation or exhibits (such as a subdivision plat, survey map, etc.) which the applicant feels the Board will need in order to render a decision based on all necessary and pertinent information.

When deciding applications for Special Uses, the Board must follow quasi-judicial procedures. This means that, among other things, the Board must conduct a hearing to gather evidence in order to establish sufficient facts to apply the ordinance. Also, the applicant shall not engage in *ex parte* communication with members of the Zoning Board of Adjustment. The applicant must appear in person at the hearing to give evidence. Anyone wishing to speak at the public hearing must be sworn in by the Board Clerk prior to presenting evidence.

For office use only:

Method of Payment: CASH \_\_\_\_ CHECK \_\_\_\_ CREDIT CARD \_\_\_\_ Amount: \$ \_\_\_\_\_ P&Z HTE# \_\_\_\_\_

## SPECIAL USE PERMIT APPLICATION

**SPECIAL USE FEES:**

**\$600.00** Uses other than telecommunication tower

**\$4,500.00** Telecommunication tower

Date: \_\_\_\_\_

Special Use No: \_\_\_\_\_

Site Address: \_\_\_\_\_

Related Site Plan: Yes/No	Site Plan #:
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**PURPOSE OF REQUEST:** (Explain what kind of use is requested)

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Subdivision: \_\_\_\_\_ Lot #: \_\_\_\_\_

PIN # \_\_\_\_\_ Real ID# \_\_\_\_\_

**APPLICANT:** \_\_\_\_\_

Phone #: \_\_\_\_\_

Address: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**OWNER:** \_\_\_\_\_

Phone #: \_\_\_\_\_

Address: \_\_\_\_\_

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**STATEMENT OF JUSTIFICATION**

Provide testimony as to how the proposed special use will meet the following general Approval Criteria of Section 3.8.3 of the Land Development Ordinance: *(attach additional pages if needed)*

1. The proposed use of development of the land will generally conform to the Comprehensive Plan and other official plans adopted by the Town of Cary. Explain:
  
2. The proposed use or development of the land will not materially endanger the public health or safety. Explain:
  
3. The proposed use is reasonably necessary for the public health or general welfare, such as enhancing the successful operation of the surrounding area in its basic community functions or by providing an essential service to the community or region. Explain:
  
4. The proposed use or development of the land will not substantially injure the value of adjoining or abutting property. Explain:
  
5. The proposed use or development of the land will be in harmony with the scale, bulk, coverage, density, and character of the area or neighborhood in which it is located. Explain:
  
6. The proposed use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar facilities. Explain:
  
7. The proposed use will not cause undue traffic congestion or create a traffic hazard.

*Please provide any information you feel will be necessary or helpful for the Zoning Board of Adjustment in rendering their decision. Certain Special Use Permits (expansion of an existing nonconformity, specific uses in the Town Center Overlay District, etc.) require other, more specific findings in addition to those listed above.*

**NOW COMES \_\_\_\_\_, Applicant, being first duly sworn, and deposes and says as follows: the contents of this application and all attached documents are true to my knowledge, except as to those matters stated on information and belief, and as to those matters I believe them to be true.**

**This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.**

\_\_\_\_\_

**Print Applicant Name:** \_\_\_\_\_

**Sworn to and subscribed before me  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_**

\_\_\_\_\_  
**Notary Public**

**SEAL:**

**My Commission Expires:** \_\_\_\_\_