

# **CONDITIONAL ZONING DISTRICT APPLICATION**

Planning and Zoning Department

30 South Main Street, P.O. Box 338, Weaverville, NC 28787

(828) 484-7013--- fax (828) 645-4776 --- tgupton@weavervillenc.org

**\$350.00 Application Fee**



**Conditional Zoning Districts address situations in which a particular use, properly planned, may be appropriate for a specific site but, the existing zoning district of the site has insufficient standards to mitigate the site-specific impact on the surrounding area.**

**Uses which may be considered for a Conditional Zoning District shall be established on a case-by-case basis at the request of the property owner. Conditional Zoning Districts are not intended for securing early or speculative reclassification of a property.**

**A Conditional Zoning District shall be defined as a zoning district in which the development and use of the property included in the district are subject to predetermined ordinance standards, regulations, and conditions imposed as part of the legislative decision creating the district and applying it to the particular property. If the use of an approved Conditional Zoning District ever changes, a new proposed use and plan must be submitted for review by the Town Council.**

**\*In the R-1 district, the only lots eligible for rezoning to a conditional use are lots which are contiguous to and are only accessed via Weaver Boulevard, Main Street, or Merrimon Avenue.**

**A fee of \$350.00 shall be paid to the Town of Weaverville for each Conditional Zoning District or rezoning request. During review of the request, all additional costs incurred by the Town above the initial fee of \$350.00 shall be the responsibility of the applicant.**

OWNER/APPLICANT NAME:

APPLICATION DATE:

BRIEFLY DESCRIBE THE PROJECT:

PHONE NUMBER:

PROPERTY ADDRESS:

PIN:

DEED BOOK/PAGE:

LOT AREA (acres):

ZONING DISTRICT:

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**A petition for a Conditional Zoning District must include a site plan and supporting information that specifies the intended uses for property. A complete site plan will include the following:**

Title block containing:	
	Name of owner & applicant
	Property address
	Buncombe County PIN
	Date or dates survey was conducted or plan prepared
	Scale of the drawing in feet per inch
	Deed book and page reference of the deed
	Zoning designation of property
Sketch vicinity map depicting the relationship between the proposed subdivision and the surrounding area	
North Arrow and orientation	
Lot area in acres and square feet	
Existing topography of the site and within 300 feet of the site boundary in four (4) foot contours	
Delineation of areas within the floodplain.	
Names of owners of adjoining properties, Buncombe County PIN, and zoning designation	
Minimum building setback lines applicable to the lot, including drainage or utility easements	
Proposed number and location of signs	
Exact dimensions, location, height, and exterior features of proposed buildings and structures	
Scale of all buildings relative to adjoining properties, including sight lines	
Utility easements	
Existing and proposed sanitary sewer system layout and a letter of commitment	
Existing and proposed water distribution system layout and a letter of commitment	
Existing and proposed stormwater system layout. Include copy of application for Buncombe County stormwater permit	
Plans for individual water supply and sewerage/septic disposal system, if any	
A statement as to whether or not natural gas, telephone, electric, and cable lines are to be installed, and whether they will be above or below ground	
Exact dimension and location of all traffic, parking, and circulation plans showing the proposed location and arrangement of parking spaces.	
Existing and proposed roads, driveways, ingress/egress, easements, and rights-of-way both private and public. Include NCDOT driveway permit, if required.	
Existing and proposed encroachments into setbacks, rights-of-way, and/or easements, if any	
Location of significant trees on the property	
Proposed phasing, if any, and expected completion date of the project.	

**Upon reviewing the application, site plan, and supporting documents, the Planning and Zoning Board will issue statement of reasonableness of the proposed Conditional Zoning District.**

**Before a public hearing may be held by the Town Council, the petitioner must file in the Office of the Town Clerk, a written report of at least one community meeting held by the petitioner. The report shall include a list of those persons and organization notified of the meeting detailing the method and date of contact' the date, time, and location of the meeting; a roster of persons in attendance, a summary of issues discussed, and a description of any changes to the petition as a result of the meeting. In the event the petitioner has not held at least one meeting, the petitioner shall file a report documenting efforts that were made and the reasons such a meeting was not held.**

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**At the discretion of the Town Council, it may be required of the property owner to guarantee performance or completion of conditions included in the Conditional Zoning Plan. Such guarantee may take the form of: (1) a surety performance bond made by a company licensed and authorized in North Carolina, (2) a bond of a developer with an assignment to the Town of a certificate of deposit, (3) a bond of developer secured by an official bank check drawn in favor of the Town and deposited with the Town Clerk, (4) cash or an irrevocable letter of credit, (5) a bank escrow account whereby the developer deposits cash, a note, or a bond with a federally insured financial institution into an account payable to the Town. The amount of the guarantee shall be determined by Town Council.**