



# Conditional Use Permit Review Process

## Contact Information

Currituck County  
Planning Department  
PO Box 70  
Currituck, NC 27929

Phone: 252.232.3055  
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Physical Address: 153 Courthouse Road  
Website: <http://www.co.currituck.nc.us/Planning.cfm>

## Step 1 Pre-application Meeting

The applicant must schedule a pre-submittal meeting with county staff to discuss the use, preliminary assessments regarding the proposed use and the adopted ordinance and plans, and process.

## Step 2 Application Submittal

The applicant must submit a complete application packet on or before the application submittal date. A complete application packet consists of the following:

- Completed Currituck County Conditional Use Permit Application.
- Application Fee (\$150).
- A narrative explaining the proposed use, description of any processes to be utilized, equipment used as part of the operation, proposed days/hours of operation, and any information which will be useful in considering this application.
- An accurate site plan of the property drawn to scale (1"=50') in a professional like manner, unless waived by the administrator. The site plan shall include the following:
  - General information including, but not limited to: vicinity sketch; north arrow; engineering scale ratio; acreage; title of the development; date of the plan; gross floor area of all buildings; name and address of owner/developer and person or firm preparing the plan; and zoning setback lines.
  - Location(s), dimension(s), and arrangement of all: vehicular entrances, exits, drives and fire lanes; automobile parking spaces, width of aisles and bays, angle of parking and number of spaces; truck unloading docks, ramps and spaces; refuse collection (dumpster) container space(s); building(s) with exterior dimensions; fences, walls, docks, ramps, pools, patios, and surface areas; water tap(s) denoting size(s) of line(s) or well area; sewer tap(s) denoting size(s) of lines or septic system location, including repair area; electrical service connection(s); existing and proposed fire hydrant; easements and rights-of-way; size(s) of all public utility lines (water, sewer and storm sewer) within all adjacent public rights-of-way and easements.
  - Drainage plan, including a drainage narrative with calculations, site surface drainage, pipe size, yard drains, catch basins, curb inlets, and topographic plan that indicates location and elevation changes above or below natural grade (shown in one foot intervals) within the past six months and contains the following certificate:

I, \_\_\_\_\_, owner/agent do hereby certify that I will develop the property in accordance with the approved plans which will be constructed or maintained so that surface waters from such development are not unreasonably collected and channeled onto lower adjacent properties at such locations or at such volumes as to cause substantial damage to such lower adjacent properties. In addition, the development will be constructed or maintained so that it will not unreasonably impede

the natural flow of water from higher or adjacent properties across such development, thereby unreasonably causing substantial damage to such higher adjacent properties.

Date: \_\_\_\_\_ Owner/Agent: \_\_\_\_\_

- Curb and gutter alignment, including street widening and storm drainage, if necessary.
- Bufferyard/Landscape plan, including the following information:
  - Existing and proposed buildings, drives, parking areas, exterior storage areas, dumpsters, stormwater detention areas (if applicable) and accessory structures;
  - All existing and proposed planting areas and vegetation that will be used to comply with the bufferyard requirements, including the species, height, caliper (for single stem trees only) and spacing of all vegetation;
  - Existing and proposed physical barriers to be used to comply with the bufferyard requirements;
  - All surrounding existing land uses; and,
  - Adjoining property lines and names and address of adjoining property owners.
- Site distance triangles of 10' x 70' shall be indicated at the intersection of all public right-of-way lines, and site distance triangles of 10' x 35' shall be indicated at the intersection of a right-of-way and driveway.
- Comparison of how the proposed development relates to the maritime forest guide, if applicable.
- The flood zone(s), including boundary lines and finished floor elevations, where applicable.
- A lighting plan compliant with the Currituck County Unified Development Ordinance.
- A copy of an executed NCDOT Street and Driveway Access Permit Application and Encroachment Agreement, if necessary.
- Any additional information as may be required by the reviewing agents.
- NCDENR, DWQ, stormwater permit application for projects with 10,000 square feet or more of built upon area proposed.
- NCDENR, Land Quality, Erosion and Sedimentation Control permit application for projects with one acre or more of land disturbance proposed.
- Number of Copies Submitted
  - 5 Copies of conceptual site plans
  - 5 Hard copies of ALL documents
  - 1 PDF digital copy (ex. Compact Disk – e-mail not acceptable) of all plans AND documents

NOTE: NCDENR PERMITS AND APPROVED PLANS ARE REQUIRED PRIOR TO BUILDING PERMIT APPLICATION OR COMMENCEMENT OF PROPOSED USE IF A BUILDING PERMIT IS NOT REQUIRED.

### Step 3 Technical Review Committee Review and Recommendation

The planning staff will submit the plan to the TRC and prepare a written report that will include any outstanding concerns with the proposed request or layout of the plan. After the TRC meeting, the planning staff will prepare the staff report and recommendation. A copy of the report will be provided to the applicant in advance of the Board of Adjustment meeting.

### Step 4 Adjoining Property Owner Notification

It is the planning staff's responsibility to mail a notice to all adjacent property owners within 200 feet of the subject property at least 10 days but not more than 25 days prior to the Board of Adjustment meeting date.

### Step 5 Board of Adjustment Meeting

The Planning staff will present the request to the Board of Adjustment. The applicant must attend the Board of Adjustment meeting to answer any questions the board or public may have about the proposed project. The Board of Adjustment shall conduct a quasi-judicial hearing that is subject to procedural rules set forth by the courts, including the requirement of a formal evidentiary hearing, and may require reasonable and appropriate conditions be attached to the approval of the application. Such conditions should relate to the relationship of the proposed use to surrounding property, proposed support facilities such as parking areas and driveways, pedestrian and vehicular circulation, screening and buffers, phasing of development, infrastructure improvements, and other matters that the board may find appropriate or the applicant may propose. The Board may approve or deny the permit, or the board may continue the hearing until a subsequent meeting.



# Conditional Use Permit Application

**OFFICIAL USE ONLY:**

Case Number: \_\_\_\_\_  
Date Filed: \_\_\_\_\_  
Gate Keeper: \_\_\_\_\_  
Amount Paid: \_\_\_\_\_

**Contact Information**

**APPLICANT:**

Name: \_\_\_\_\_

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

Telephone: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

**PROPERTY OWNER:**

Name: \_\_\_\_\_

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

Telephone: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: \_\_\_\_\_

**Property Information**

Physical Street Address: \_\_\_\_\_

Location: \_\_\_\_\_

Parcel Identification Number(s): \_\_\_\_\_

Total Parcel(s) Acreage: \_\_\_\_\_

Existing Land Use of Property: \_\_\_\_\_

**Request**

Proposed Use of the Property: \_\_\_\_\_

Total square footage of land disturbance activity: \_\_\_\_\_

Total lot coverage: \_\_\_\_\_

Total vehicular area: \_\_\_\_\_

Existing gross floor area: \_\_\_\_\_

Proposed gross floor area: \_\_\_\_\_

Purpose of Conditional Use Permit and Project Narrative: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The applicant shall provide a response to the each one of the following issues. The Board of Adjustment must provide specific findings of fact based on the evidence submitted. All findings shall be made in the affirmative for the Board of Adjustment to issue the conditional use permit.

A. The use will not materially endanger the public health or safety.

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B. The use will not substantially injure the value of adjoining or abutting property.

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C. The use will be in harmony with the particular neighborhood or area in which it is to be located (even though the proposed use and surrounding uses are generally permissible in the same district and therefore usually compatible).

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D. The use will be in general conformity with the Land Use Plan or other plan officially adopted by the board.

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E. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, and law enforcement.

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

Further, I hereby authorize county officials to enter my property for purposes of determining zoning compliance. All information submitted and required as part of this application process shall become public record.

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Applicant

# Conditional Use Permit

## Hearing Dates and Procedure for Continued Requests

Request: \_\_\_\_\_

Application Submittal Date: \_\_\_\_\_

Technical Review Committee Meeting Date: \_\_\_\_\_

Board of Adjustment Meeting Date: \_\_\_\_\_

### **Procedure for Delayed Request**

*Please initial each statement.*

\_\_\_ If you wish to continue your request to a later date, you must appear before the appropriate committee/board on the scheduled meeting date, state the reason for continuance, and the meeting date you wish the request to be heard.

\_\_\_ There is a \$100 processing fee for each delayed request. This must be paid prior the delayed meeting date.

\_\_\_ If you wish to delay your request at a Board of Adjustment meeting, you are responsible for re-advertising your request in a newspaper of general circulation in Currituck County for the approved date. The notice shall include the date, time, place, and nature of the application and shall be advertised at least 10 days, but not more than 25 days, prior to the hearing. You must provide the Planning Department with a copy of the newspaper in which that advertisement occurred and an affidavit of publication provided by the newspaper listing the advertisement and advertisement date(s) prior to the Board of Adjustment meeting.

\_\_\_ A request may only be continued by an applicant a total of two times during the entire review process. If the request is not acted upon by the appropriate committee/board at the second delayed meeting date because of the applicant's request for continuance, the application will be voided and returned to the applicant. A new submittal, including submittal fees, will be required to place the item on an agenda. The request will process as a new submittal as if it has not been reviewed by any committees/boards. *Note: In the event of an emergency, the administrator may process the continuance without it being counted toward the maximum number of two continuances allowed.*

I, \_\_\_\_\_, acknowledge the meeting dates listed above and that I or my authorized representative must be present at each meeting. If I wish to continue my request, I must follow the procedures listed above.

\_\_\_\_\_  
Property Owner/Authorized Agent

Staff will use the following checklist to determine the completeness of your application. Only complete applications will be accepted.

## Conditional Use Permit Submittal Checklist

Date Received: \_\_\_\_\_ TRC Date: \_\_\_\_\_ BOA Date: \_\_\_\_\_

Project Name: \_\_\_\_\_

Applicant/Property Owner: \_\_\_\_\_

### Applications

- \_\_\_ Complete Conditional Use Permit application
- \_\_\_ Hearing Dates and Procedure for Continued Requests form
- \_\_\_ NCDENR, DWQ stormwater permit application
- \_\_\_ NCDENR, Land Quality, Erosion and Sedimentation Control permit application
- \_\_\_ NCDOT Street and Driveway Access Permit Application and Encroachment Agreement

### Fee

- \_\_\_ Application Fee (\$150)

### Approvals/Forms

- \_\_\_ Narrative explaining the proposed use

### Plans

- \_\_\_ Accurate conceptual site plan drawn to scale (1" = 50')
- \_\_\_ Drainage Plan, including narrative
- \_\_\_ Bufferyard/Landscape Plan
- \_\_\_ Number of Copies Submitted
  - 5 Copies of plans
  - 5 Hard copies of ALL documents
  - 1 PDF digital copy (ex. Compact Disk – e-mail not acceptable) of all plans AND documents

### File

- \_\_\_ Add new case number

### Pre-application Meeting

- \_\_\_ Pre-application Meeting was held on \_\_\_\_\_ and the following people were present: \_\_\_\_\_

### Comments

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