



TOWN OF PEMBROKE SPECIAL USE PERMIT APPLICATION

Background: For certain uses within the Town of Pembroke, a Special Use Permit is required to be issued. This application and the items described herein are required to be submitted in order for this to be a valid application. This application and any attachments or supporting documentation or evidence submitted with it shall undergo quasi-judicial review from the Town Council and they shall determine if they are able to issue the Special Use Permit based on what is required by the North Carolina General Statutes and the Town of Pembroke UDO. Applications will only be accepted from the owners or lessees of property, or their agents, or persons who have contracted to purchase property contingent upon their ability to obtain required permits for development from the Town of Pembroke.

Pre-Application Meeting: Applicants are not required to, but are highly encouraged to, have a pre-application meeting with the Town of Pembroke to discuss the requirements of this application and the Special Use Permit requirements listed in the Town of Pembroke UDO.

Application Requirements:

- Submission: Application must be submitted at least three weeks prior to the regular monthly Town Council meeting at which it is to be heard.
- Site Specific Development Plan Requirements (encouraged to be done by a NC Licensed Surveyor or Engineer):
 - Approximate boundaries of the site
 - Significant topographical and other natural features effecting development of the site
 - Location of proposed buildings, structures, and other improvements
 - Approximate dimensions including the height of the proposed buildings and other structures
 - Approximate location of all existing and proposed infrastructure on the site, including water, sewer, roads, and pedestrian walkways
 - All other applicable site plan requirements found in **Article 13: Site Development Plans & Design Requirements or Section 12-18(A)**.
 - Any other requirements identified within the UDO for the specific proposed use
- Evidence: As this application is subject to quasi-judicial review, it is the duty of the applicant to produce factual evidence for the Town Council to review in order to make their decision. The applicant's failure to provide substantial and factual evidence puts them at risk of the Town Council denying this application and Special Use Permit request due to the Council not being able to make factual determinations based upon the four findings of fact. Examples of evidence that the applicant is encouraged to include with this application include, but are not limited to, the following (as the Town Council ultimately has the ability to determine what is factual evidence):
 - Value opinion reports from NC Licensed Appraiser
 - Traffic Engineer
 - Professional Engineer
 - Land Use professional or lawyer
 - Subject experts of the proposed special use

**Special Use Permit Application**

Date Received: _____

Application #: _____

PROPERTY OWNER INFORMATION:

Property Owner: _____

Address: _____

Phone: _____

Email: _____

APPLICANT INFORMATION:

Applicant (if different from owner): _____

Address: _____

Phone: _____

Email: _____

PROPERTY INFORMATION:

Tax Parcel #: _____ Acres: _____

Property Address: _____

Current Zoning District: _____

Utilities (water & sewer availability): _____

PROPOSED SPECIAL USE:

Use: _____

Proposed Conditions: _____

Hours of Operations: _____ Number of Employees: _____

Detailed Description and Nature of Uses & Proposed Operation: _____

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Name(s) & address(es) of all adjacent property owners to the property(ies) proposed for Special Use Permit:

Name**Address**

Findings of Fact: As stated in the Evidence section of the Application Requirements, the applicant has a responsibility to produce evidence for the Town Council to review. The Town Council is required to vote on each finding of fact listed below and is well within their rights to deny the Special Use Permit request if they feel that they lack evidence needed to make the decision. Evidence must be competent, material, and substantial.

The applicant shall provide complete sentence responses to each one of these findings as well as evidence as applicable to support their statements. "Yes" or "No" responses will not be accepted, and applications will be returned that contain such responses.

- (1) The use will not materially endanger the public health, safety, or general welfare if located where proposed and developed according to the plan as submitted and approved.
- (2) The use meets all required conditions and specifications.
- (3) The use will not adversely affect the use or any physical attribute of adjoining or abutting property, or that the use is a public necessity.
- (4) 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. The special use shall demonstrate conformance to the Land Use Plan or other plan in effect at the time and address impacts of the project.

**Special Use Permit Application**

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APPLICATION CONSENT:

Owner Consent: I, _____ (Owner Name), do hereby give my consent to _____ (Applicant Name) to apply for a Special Use Permit for my piece of real property located in the Town of Pembroke identified by tax parcel number _____.

Applicant Consent: I, _____ (Applicant Name), have the consent of the property owner, _____ (Owner Name), identified in this application and am fully authorized to act on the owner's behalf in applying for this permit. I agree that this permit, if approved, is issued on the presentation made herein and may be revoked because of material departure made herein or violations of conditions placed upon the Special Use Permit approval. It is further agreed and acknowledged that if this Special Use Permit is approved, the property identified in this application will be bound perpetually to the uses and conditions approved by the Town Council. It is also understood that further site plans for development may need to be submitted to the Town of Pembroke for review post Special Use Permit approval.

APPLICATION SUBMITTAL SIGNATURES:

I hereby consent to all requirements, language and conditions listed within the text of this application as well as any additional applicable requirements within the Town of Pembroke Unified Development Ordinance. I consent to allowing the Town of Pembroke to advertise for the proposed Special Use consistent with the manner described in NCGS 160D-406, which may include access to the property subject to the special use permit at a reasonable hour.

Person Representing Application:Signature of Property Owner(s):

Signature: _____

Signature: _____

Printed Name: _____

Printed Name: _____

Date: _____

Date: _____

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, Notary Public,

do hereby certify that _____

personally appeared before me this day and
acknowledged the due execution of the foregoing
instrument. Witness my hand and official seal this
____ day of _____, 20 ____.

(Official Seal)

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, Notary Public,

do hereby certify that _____

personally appeared before me this day and
acknowledged the due execution of the foregoing
instrument. Witness my hand and official seal this
____ day of _____, 20 ____.

(Official Seal)

Notary Public

My Commission Expires: _____

Notary Public

My Commission Expires: _____

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TO BE COMPLETED BY TOWN OF PEMBROKE:

Pre-application meeting? If so, what date was the meeting and what were the results?

Date this application will be heard by the Town Council: _____

Public Hearing Notification Dates:

Newspaper Publication Date: _____

Date Notice Mailed: _____

Date Property Posted with Required Signage: _____

Town of Pembroke Staff Signature: _____

(Staff member who accepted and reviewed this application and deemed it to be complete)