



**BOARD OF ADJUSTMENT APPLICATION FOR CONDITIONAL USE PERMIT  
GASTON COUNTY, NORTH CAROLINA**

APPLICATION NO.: \_\_\_\_\_ DATE FILED: \_\_\_\_\_

The undersigned do hereby respectfully request the following be granted by support of the following facts herein shown:

\_\_\_\_\_  
Name of Applicant

\_\_\_\_\_  
Name of Owner

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Business Telephone / Home Telephone

\_\_\_\_\_  
Business Telephone / Home Telephone

BMP #: bk \_\_\_\_\_ mp \_\_\_\_\_ prcl \_\_\_\_\_

PID #: \_\_\_\_\_

Existing Use: \_\_\_\_\_

Proposed Use: \_\_\_\_\_

Property Size: \_\_\_\_\_

Existing Zoning: \_\_\_\_\_

Property Address / Location: \_\_\_\_\_

The following is requested:

CUP

CUP - temporary

Purpose: \_\_\_\_\_

**\*\*\*\*\*A site plan showing the dimensions of the parcel with all existing and proposed structures along with all setbacks (existing and proposed), must be submitted with the application.\*\*\* See Section 5.11.5**

Establishment of the burden of proof relevant to the issuance of a CUP:

- a. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan.
- b. The use meets all required conditions and specifications.
- c. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity.
- d. 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 and will be in general conformity with the adopted Land Use Plan and other plans for physical development of the County as adopted by the Board of Commissioners.

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

\_\_\_\_\_  
Signature(s) of Applicant(s)

\_\_\_\_\_  
Date

\_\_\_\_\_ Please initial that you understand a recording fee for the Gaston County Register of Deeds will be required upon approval.

The Hearing was held on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

This Conditional Use Permit is hereby \_\_\_granted as submitted, \_\_\_granted with conditions, \_\_\_denied.

\_\_\_\_\_  
Chairman, Board of Adjustment

\_\_\_\_\_  
Date

## CONDITIONAL USE PERMIT BURDEN OF PROOF

**5.11.5 B.1** The applicant has the burden of producing competent, material and substantial evidence tending to establish the facts and conditions that Subitems b and d below require. If any person submits competent, material, and substantial evidence allegedly contrary to any of the facts or conditions listed in Subitems a and c below, the burden of proof for overcoming such evidence shall rest with the applicant.

**5.11.5 B.2** The Board of Adjustment may only issue a conditional use permit if it has evaluated an application and found each of the following findings in the affirmative:

a. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan.

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b. The use meets all required conditions and specifications.

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c. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity.

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d. 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 and will be in general conformity with the adopted Land Use Plan and other plans for physical development of the County as adopted by the Board of Commissioners.

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**PROPOSED CONDITIONS BY THE APPLICANT:**

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