Town of Kenly Planning & Zoning
Rezoning/Special Use Application
207 W. Second St.
Kenly, NC 27542
919-284-2116
www.townofkenly.com

Rezoning Petition

Application & Plan Submittal

1. In order to process the application, the following items must be submitted to the Kenly Planning & Zoning Department. (410 S. College Ave. Kenly, NC 27542)
2. The rezoning fee, completed petition and/or application signed by all property owners and/or agent.
3. A zoning parcel map is required if not rezoning the entire parcel.
4. A site plan is required if requesting a rezoning to a special use district.

Submittal Deadline The last business day of each month by 4:00pm.

Review Process

Each completed petition/application will be heard before the Planning Board. The Planning Board will hold a public hearing, review the petition/application, and make a recommendation to be forwarded to the Kenly Town Council. The Kenly Town Council shall review the petition/application at the following scheduled Town Council meeting after the Planning Board. Again, adjacent property owners are notified, public notices are published, and the Kenly Town Council will hold a public hearing & make a decision on the petition/application.

Special Use District

No special use permit rezoning shall be heard by the Planning Board or Kenly Town Council unless **each** of the following "finding of the fact" are addressed by the applicant.

1. The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health safety, and general welfare.
2. The use of the development complies with all the required use and intensity of the Kenly UDC, and other ordinances and resolutions, and state and federal regulations.

3. The use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity.
4. The use or development conforms with the general plans for the physical development of the town's planning jurisdiction as embodied in the Kenly UDC, or other development policies adopted by the Kenly Town Council.

NOTE: The burned of proof and "fact finding" rests with the applicant.

The Kenly Town Council's decision may be appealed by anyone to Superior Court within (30) thirty days of the decision. Decision will be made nature of certiorari.

SPECIAL USE – UNDERSTAING STATEMENT

The following information MUST be reviewed when submitting a SUP application or a SUP modification. By signing the "Certification SUP" block the applicant/owner certifies the clear understanding of the following.

1. I understand if approved, I MUST meet ALL the conditions of the SUP or the SUP shall become void, and all related activities must discontinue until all corrective actions have been completed, or a new SUP is approved by the Kenly Town Council.
2. I have discussed the application with Planning Staff and have provided truthful and accurate information within the application.
3. I understand that if requesting partial tract zoning or when necessary, I MUST provide a SURVEY representing the boundaries of the zoning lot and other necessary content for approval.
4. I have met the requirements of the Kenly UDC by providing a sketch plan illustrating the location, size and major design elements of the development of this site.
5. I understand that if approved, I will be required to meet the landscaping, buffering, and fencing requirements of the Kenly UCD (if applicable) and the requirements and street improvements required by the town (if applicable).
6. I understand that if approved I MUST submit a detailed site plan for review and approval.
7. If approved, I understand I MUST obtain a commercial land use permit from the Kenly Planning Department based off the approved site plan.
8. I understand that I will be notified in writing of the Kenly Planning Board's recommendation.
9. I am aware that if the Kenly Town Council deny my request, that no application can be accepted for the same use affecting the same property for (12) months from the proposed SUP request.

10. I am aware that the right to appeal to Superior Court must be exercised within (30) thirty days of the Kenly Town Council's decision date.
11. I am aware that is the use, construction, or activity authorized by the Kenly Town Council's approval of an application for the SUP or modification of the SUP is not started within (24) twenty four months of the date of the approval or within such further stipulated in the approval, the approval shall expire and the town's permit issued pursuant to the approval shall be void.

SITE PLAN REQUIREMENTS

All site plans must be drawn to scale by a registered land surveyor or certified engineer unless it can be drawn by the application in a detailed legible manner (to scale) approved by the Planning Department Staff. The site plan must include the following.

1. MUST be drawn to scale and the actual scale used shown on the site plan.
2. Lot lines, all setbacks and the length of lines shown. A survey of the property boundaries may be used.
3. Location of the driveway.
4. Location of the parking areas with each parking space shown to scale. (If applicable)
5. Show location of outdoor lighting and type of materials and height.
6. Locations of all buffers. (Landscaping)
7. Show all fences, existing and proposed.
8. Type of material for all parking/driveways must be shown on the plan.
9. Locations of all access easements, drainage easements, utility easements, riparian buffers or streams.
10. Locations of existing structures (that will remain), all proposed structures, including all accessory structures.
11. Location of well, septic, lines etc. Contact JCEH at 919-989-5180. (If applicable)
12. Distance from the road right of way and any existing structures (to remain) or proposed structures.
13. Driveway culvert sizes. (If applicable)
14. Parcel number, subdivision name and lot number, name and signature of site plan drawer, date, graphic scale.
15. Site plan shall be oriented to NORTH.
16. Other items may be required by the Kenly Planning Department that is deemed necessary by the Kenly Planning Staff or Kenly Town Council.

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REZONING PETITION

APPLICANT INFORMATION

Name of Applicant/Petitioner: _____

Mailing Address of Applicant: _____

Telephone: _____ Email: _____

PROPERTY INFORMATION

Owner('s) Name: _____

Mailing Address of Owner('s): _____

_____

Telephone: _____ **Email:** _____

Site Address: _____

Parcel ID: _____ **State Road #:** _____

Township: _____ **Deed:** _____ **Page:** _____

ZONING INFORMATION

Current Zoning: _____ Requested Zoning District: _____

Acres Being Rezoned: _____ Total Acres in Parcel: _____

USE INFORMATION

List Requested Uses: _____

_____

_____

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SUBMITTAL FEES & REQUIREMENTS

PLANNING & ZONING (In addition to any applicable Johnston County Departmental fees)

- Rezoning Application $300.00
- Request for Ordinance Amendment $300.00
- Request for Variance application $300.00
- Appeal from Administrative Interpretation $300.00 (Refund Given if Appeal Successful)
- Sign permits $25.00 per sign
- Special use/conditional use permit application $300.00
- Single Family & Two Family Zoning Permit (including all accessory structures) $50.00
- Commercial & Multi Family Zoning Permit $100.00 Re-advertising a continued Public * Hearing at request of applicant $200.00
- Special use permit application $300.00
- Subdivision Application Minor subdivision $50.00 + $5.00 per lot Major subdivision $200.00 + $5.00 per lot
- Special Zoning Permits Temporary / Special Events $100.00 Fireworks Sales $75.00
- Engineering Review Each hour or fraction thereof $150.00

Note: Non-Profit organizations are exempt from the fee schedule if the proper documentation confirming non-profit status is provided to the inspector.

- **For site plans/SUP site plans: (3) 18x14" folded copies and (10) 11x17" folded copies of the preliminary plat.**

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CERTIFICATION OF APPLICANT AND/OR PEROPTY OWNER

I CERTIFY ON THIS DATE _____ THAT ALL THE INFORMATION PRESENTED IN THE PETITON/APPLICATION IS ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF. FURTHER, I UNDERSTAND THAT SHOULD THIS PETITION/APPLICATION BE APPROVED BY THE KENLY TOWN COUNCIL, NO SITE ACTIVITY CAN TAKE PLACE UNTIL A SITE PLAN AND/OR ANY OTHER LAND DEVELOPMENT PERMITS ARE ISSUED. ADDITIONALLY, I ALLOW THE TOWN STAFF ACCESS TO THE PETION PROPERTY WHILE CONDUCTING REVIEW OF THS PETITION.

OWNERS('S) SIGANTURE _____ **DATE** _____

APPLICANT SIGNATURE _____ **DATE** _____

Staff Use Only:

Submittal Date: _____ Fee: _____ Check/Cash: _____

Received By: _____

PLEASE KEEP A COPY FOR YOUR RECORD

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REZONING PETITION & SPECIAL USE APPLICATION

(Each of the "findings of facts" must be adequately addressed concerning the proposed special use or rezoning petition)

JUSTIFICATION STATEMENT FOR SPECIAL USES (FOR SPECIAL USE DISTRICTS)

1. Explain how the use/development is located, designed, and proposed to be operated so as to maintain/promote the public health, safety, and general welfare of the Town of Kenly:

_____
_____
_____
_____
_____

2. Explain how the development complies with all required and intensity regulations of the Kenly UDC, other ordinances and resolutions, and state and federal regulations.

_____
_____
_____
_____
_____

3. Explain how the use/development is located, designed, and proposed to be operated so as to maintain/enhance the value of the contiguous property, or that the use/development is a public necessity.

_____
_____
_____
_____
_____

4. Explain how the use/development conforms with the general plans for the physical development of the Town's Planning jurisdiction as embodied in the Kenly UDC, Town's strategic plan, or other development policies adopted by the Kenly Town Council.

_____
_____
_____
_____

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CERTIFICATION OF APPLICATN AND/OR PROPERTY OWNER

I CERTIFY ON THIS DATE _____ THAT ALL OF THESE "FINDINGS OF FACT" ARE ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF. I HAVE READ AND UNDERSTAND THE "STATEMENT OF UNDERSTANDING" ON PAGE 2. FURTHER, I UNDERSTAND THAT SHOULD THIS PETITION/APPLICATION BE APPROVED I MUST RECORD A SPECIAL USE PERMIT AND OPERATE THE USE AS PERMITTED BY THE TOWN OF KENLY.

OWNERS('S) SIGANTURE _____ **DATE** _____

APPLICANT SIGNATURE _____ **DATE** _____

Staff Use Only:

Submittal Date: _____ Fee: _____ Check/Cash: _____

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Submittal Deadline - Meeting Schedule 2021

SUBMITTAL DEADLINE	PLANNING BOARD MEETING	TOWN COUNCIL MEETING
Friday, January 29, 2021	Tuesday, February 23, 2021	Monday, March 08, 2021
Friday, February 26, 2021	Tuesday, March 30, 2021	Monday, April 12, 2021
Wednesday, March 31, 2021	Tuesday, April 27, 2021	Monday, May 10, 2021
Friday, April 30, 2021	Tuesday, May 25, 2021	Monday, June 14, 2021
Monday, May 31, 2021	Tuesday, June 29, 2021	Monday, July 12, 2021
Wednesday, June 30, 2021	Tuesday, July 27, 2021	Monday, August 09, 2021
Friday, July 30, 2021	Tuesday, August 31, 2021	Monday, September 13, 2021
Tuesday, August 31, 2021	Tuesday, September 28, 2021	Monday, October 11, 2021
Thursday, September 30, 2021	Tuesday, October 26, 2021	Monday, November 08, 2021
Tuesday, October 26, 2021	Tuesday, November 30, 2021	Monday, December 13, 2021
Tuesday, November 30, 2021	Tuesday, December 28, 2021	Monday, January 10, 2022
Friday, December 31, 2021	Tuesday, January 25, 2022	Monday, February 14, 2022
DEADLINE TIME IS 4:00PM	MEETING TIME IS 6:00PM	MEETING TIME IS 7:00PM

TRC (Technical Review Committee) Meets on the Planning Board date at 10:00 (If needed).
Planning Director, Town Manager, Utilities Director.

Eff. January 11, 2021