

Zoning Board of Adjustment Application

# SUP- 00311

Application for (office use only)

SPECIAL USE PERMIT

Town of Highlands, North Carolina

Name of Applicant CARLA E FRAZ BENEAS Phone 526-7553

Applicant's Mailing Address P.O. Box 1567

Owner of Property REBECCA CLARY Phone 706-343-6149

Location of Property 472 CAROLINA WAY

Parcel # 1443 847 Zoning District B3 Size of Property 60x100

Please attach to this application 20 copies of the following documents:

- 1) Site Plan - Drawn to a scale of at least one (1) inch to forty (40) feet. The site plan shall be neatly drawn and indicate north point, name and address of person who prepared the plan, date of the original drawing, and an accurate record of any later revisions. Label the following:
  - a) Property lines of the parcel
  - b) Owner of neighboring properties
  - c) Adjacent streets (designated as public or private)
  - d) Existing and/or proposed structures
  - e) Show proper setbacks from rights-of-way (25 feet) and property lines (10 feet)
  - f) Parking: Number of spaces and layout, along with driveways entering property
  - g) Utilities: Sewage, Water, Etc.
  - h) Natural Features: Storm water drainage areas, wooded areas, streams, ponds, marshes
- 2) Elevations and a Floor Plan
- 3) Building/Structure:
  - a) Dimensions of the building
  - b) Gross floor space
  - c) Number of seats
- 4) Any other applicable information
- 5) Narrative: Detailed description of the proposed use, together with any other pertinent information which the applicant feels would be helpful to the Zoning Board in considering the application.
- 6) Signs:
  - a) Size & Type (check requirements for your zoning district)
  - b) Material (weatherproof)
  - c) Lighting (no internally lighted signs allowed)

- d) Location of any signs proposed to be erected in conjunction with the use (check requirements for your zoning district)
- 7) Construction Schedule
  - a) Date for Commencing Project & Date for Completion of Project.

In granting a Special Use Permit, the Zoning Board is required to make the following general findings of fact:

- 1) The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved;
- 2) The use meets all required conditions and specifications (NOTE: Certain Special Uses, identified in Sections 502 through 509, require conditions and specifications more stringent than other uses in the district);
- 3) The use will not substantially injure the value of adjoining or abutting property or, in the alternative; the use is a public necessity;
- 4) The location and character of the use, as developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the Town and its environs.

The Town of Highlands Appearance Commission may review the application, if applicable, per Section 903.5.

The Zoning Board may, in issuing a Special Use Permit, designate additional conditions and requirements in connection with the application to ensure that the use will be "harmonious with the area in which it is proposed to be located and with the spirit of this article." These conditions are not only binding upon the original applicant, but also run with the land and are binding upon the applicant's heirs, successors, or assigns.

I CERTIFY THAT ALL OF THE INFORMATION PRESENTED IN THIS APPLICATION IS ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF; AND I HEREBY REQUEST THAT A DULY ADVERTIZED PUBLIC HEARING BE HELD AT THE TOWN HALL, HIGHLANDS, NC, BY THE ZONING BOARD OF ADJUSTMENT, ON THE FOLLOWING DATE AND TIME, FOR THE PURPOSE OF PRESENTING EVIDENCE AND ARGUMENTS IN SUPPORT OF THIS APPLICATION.

DATE OF HEARING APRIL 13<sup>TH</sup> 2011 TIME 5:30 PM

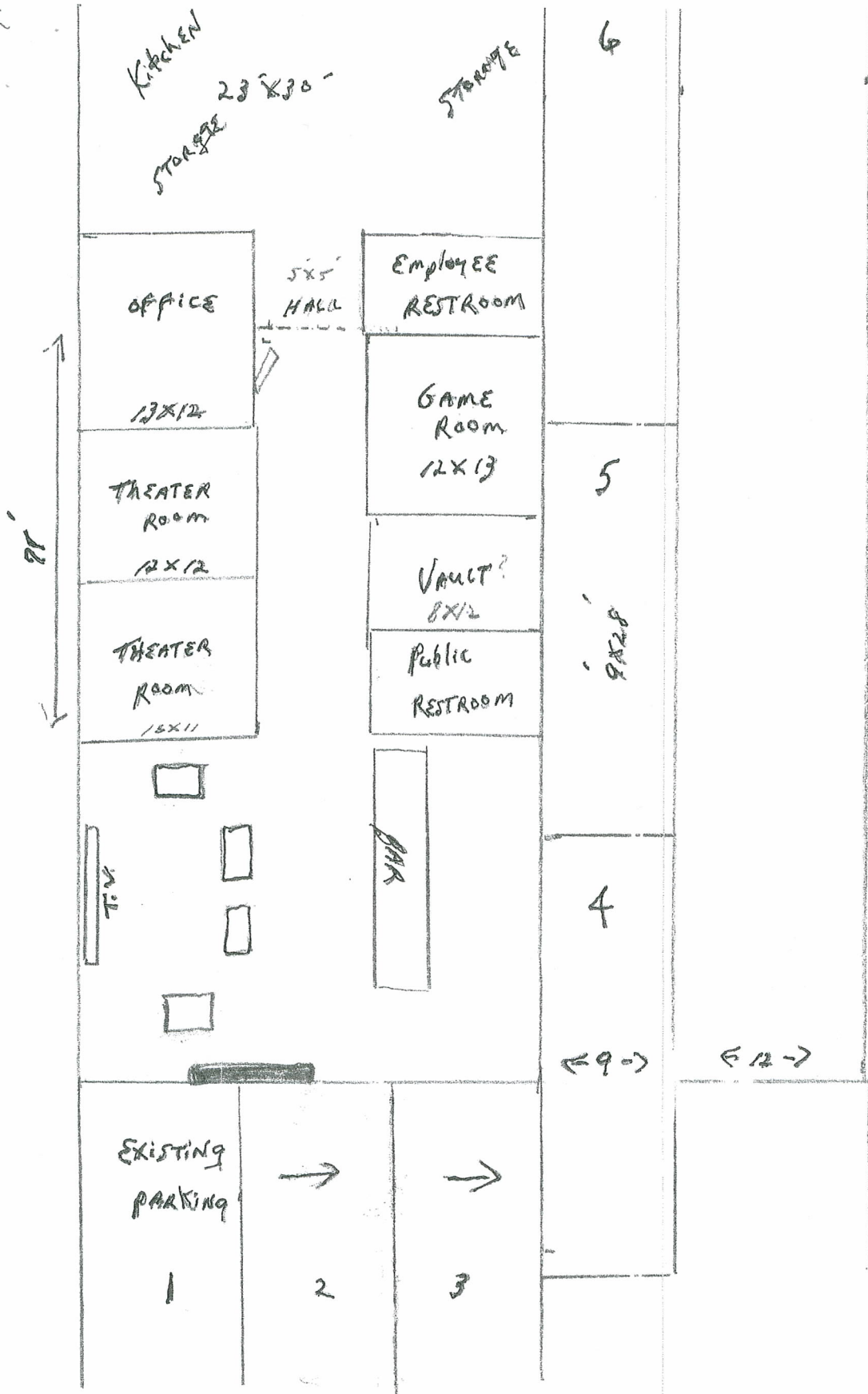
SIGNATURE OF APPLICANT  DATE APR 13 - 11

APPLICATION DEADLINE IS POSTED IN THE LOBBY OF THE TOWN HALL.

PLEASE ATTACH APPLICATION FEE OF \$100.00

Revised 11.28.07

N 64 ↗



Building 2130 59 ft

REBECCA CLARY (OWNER)

Scale 1" = 10'

← CAROLINA WAY →

March 17, 2011

TO: Highlands Zoning Board

FROM: Fred and Carla Bowers

Application for Special Use Permit for parcel # 1143-847 on Carolina Way

The primary focus will be entertainment, including in-door theaters.

We will also offer private rooms for our patrons to view sporting events.

Also we will offer a full service bar, adhering to all town laws, NC ABC Laws, and Macon County health codes. There will be no food prepared on the premises.