



Zoning Ordinance Alternative Design Application

D & D Services
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Morganton, NC 28655
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Fee: \$1000.00

Fees are subject to change without notice

All pages must be completely filled out before application is accepted. For assistance filling out this application, contact Development & Design Services.

To the Planning & Zoning Commission and City Council of Morganton:

I, _____ hereby make an application to seek an Alternative Design to the requirements of Article 4 of the City of Morganton Morganton Zoning Ordinance as herein requested. (Specifically describe the section of the ordinance for which an Alternative Design is requested. If the applicant seeks an Alternative Design to more than one section of the ordinance, please list each section separately and fully describe why the project cannot meet the specific design standards due to unique site circumstances and how the Alternative Design proposal will maintain and/or enhance the original intent of the ordinance. Failure to provide an Alternative Design to the specific requirements of the Ordinance will result in denial of the Alternative Design request.)

PLEASE USE AN ATTACHEMENT IF NECESSARY

Applicant information

Name: _____ **City/State/Zip:** _____

Mailing Address: _____ **Email:** _____

Phone: _____

Alternate phone: _____ *Email addresses are only used by this office for correspondence with the applicant if needed.*

Consultant information

Name: _____

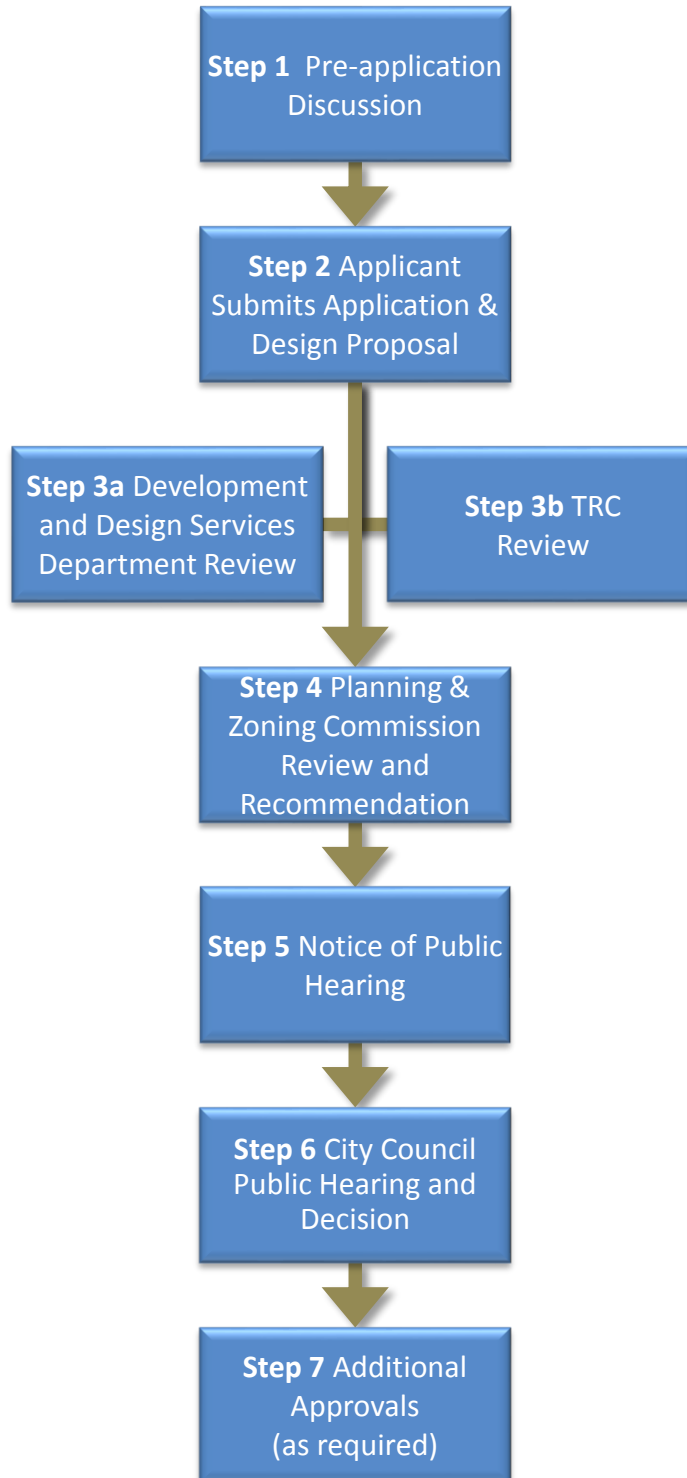
Address: _____

Phone: _____

Email: _____

2.2.7 Alternative Design Proposals

The City Council may approve alternative design proposals that differ from the requirements of Article 4 of this Ordinance in regards to landscaping, parking, infrastructure or building design due to unique site circumstances or creative design proposals, provided that the intent of this Ordinance is met. The steps in the boxes below correspond with a detailed description of each step of the process on the following pages.



Step 1. Pre-Application Discussion (required)

To minimize costs, avoid misunderstanding or misinterpretation, and ensure compliance with the requirements of this Ordinance, pre-application consultation between the applicant and the Zoning Administrator concerning the Alternative Design Proposal application is required. The Zoning Administrator shall review the request and discuss it with the applicant.

Step 2. Applicant Submits Application and Design Proposal

(A) The applicant shall submit the application, fee and the Site Plan that provides the following information:

- (1)** Title
- (2)** Original submittal date and revision dates
- (3)** Vicinity map
- (4)** North arrow
- (5)** Scale {no smaller than one inch equals 50 feet (1"=50')}
- (6)** Lot lines with bearings and distances
- (7)** Zoning district and applicable overlay districts
- (8)** Adjacent property owner names, parcel numbers and zoning
- (9)** Total acreage
- (10)** Acreage in right-of-way
- (11)** Density per acre (for multi-family residential)
- (12)** Parking
- (13)** Existing and proposed impervious area in total area and as a percentage of the site
- (14)** Building setbacks in table format and building envelopes show on lots
- (15)** Existing Features Plan (for development sites of greater than one (1) acre) showing property boundaries; existing structures; topographical contour lines, a minimum of five (5) foot intervals, the location of severely constraining elements such as steep slopes (over 20 percent), wetlands, watercourses, perennial streams, intermittent streams and 100-year floodplains and all rights-of-way and easements; and the

location of significant features such as woodlands, tree lines, open fields or meadows, scenic views into or out from the property, watershed divides and drainage ways, fences or stone walls, rock outcrops and existing structures, streets, tracks and trails.

- (16) NCDOT driveway approval (if applicable)
 - (17) Grading Plan for construction (if applicable)
 - (18) Soil and Erosion Control Plan (if applicable)
 - (19) NCDENR Soil and Erosion Control approval (if applicable)
 - (20) Watershed/Stormwater Plan (if applicable)
 - (21) Landscaping Plan
 - (22) Utility Plan
 - (23) Lighting Plan (if applicable)
 - (24) Building Elevations showing:
 - (a) Exterior wall material
 - (b) Roof materials
 - (c) Dimensions including building height, width and roof slope
 - (d) Front façade window dimensions including sill height, window height, window width and window area.
- (B) On the application, the applicant shall state how the design proposal differs from the requirements of [Article 4](#) and how the alternative design will substantially achieve the same intent as the requirements of [Article 4](#).
- (C) The following submittal requirements may be altered by the Zoning Administrator as applicable:
- (1) Five (5) full-size paper copies for review and revisions
 - (2) One (1) digital copy in PDF format or comparable format

Step 3A and B. Development and Design Services Department/Technical Review Committee Review

- (A) The Zoning Administrator, Development and Design Services Department and Technical Review Committee shall review the Alternative Design Proposal in accordance with the requirements of this Ordinance and any other applicable local, state, or federal requirements.
- (B) The Technical Review Committee may provide comments to the Zoning Administrator regarding the proposed development. The Zoning Administrator shall include these comments in its report to the Planning & Zoning Commission and City Council.

Step 4. Notice of Planning and Zoning Commission Review

- (A) Notice of the review by the Planning & Zoning Commission shall be published in a newspaper of general circulation in the City at least seven (7) days prior to the date of the review, shall give notice of the alternative design being considered and shall generally identify any property under consideration.
- (B) The owners of all parcels of land adjacent thereto as shown on the tax records for Burke County shall be mailed a notice of the hearing and of the proposed alternative design by First Class Mail at the last addresses shown for such owners on the County Tax Abstracts at least seven (7) days prior to the review.
- (C) Further, signs shall be posted on or near such property notifying the public of time, date and location of the review. The person or persons mailing written notices or posting the property shall certify to the Planning & Zoning Commission that fact and such certificate shall be deemed conclusive in the absence of fraud and the notice of such review sufficient.

Step 5. Planning & Zoning Commission Review and Recommendation

- (A) The Zoning Administrator shall present any properly completed application for Alternative Design Proposals to the Planning & Zoning Commission at a regularly scheduled meeting.
- (B) The Planning & Zoning Commission shall review the proposal and recommend approval, approval with conditions or denial of the proposal by simple majority vote of those present and voting. The Planning & Zoning Commission shall include with its recommendation a written statement regarding the consistency of the request with the Comprehensive Plan and other adopted City plans and policies and the surrounding area.

Step 6. Notice of Public Hearing

- (A) A notice shall be published in a newspaper having general circulation in the City at least once not less than 10 days nor more than 25 days prior to the date established for the public hearing.
- (B) A notice of the public hearing shall also be sent by first class mail by the Zoning Administrator to the affected property owner and to all adjacent property owners.
- (C) The City shall conspicuously post a notice of public hearing at the subject property at least 10 days prior to the public hearing. The notice shall be removed only after the public hearing has been held.

Step 7. City Council Public Hearing and Decision

- (A) The Zoning Administrator shall transmit to the City Council a record of action taken on the Alternative Design Proposal by the Planning & Zoning Commission.
- (B) The City Council shall conduct a public hearing and include with its decision a written statement regarding the consistency of the request with the Comprehensive Plan and other adopted City plans and policies and the surrounding area.
- (C) Approval of an Alternative Design Proposal shall require a simple majority of City Council members present.

Step 8. Additional Approvals (as required)

Following the approval of an Alternative Design proposal by the City Council, the applicant may need to obtain additional approvals which may include Zoning Permit and Building Permit approval before any work may begin.