

TOWN OF WEBSTER

ESTABLISHED 1859

Honorable Nick Breedlove, Mayor

Tracy Rodes, Vice-Mayor

Board Members: Janice Blanton, Billie Bryson, Allan Grant, Danell Moses

APPLICATION FOR ZONING TEXT OR MAP AMENDMENT

Submit this completed application and all supporting documentation that may be helpful in the review process. In order to ensure that the proposed text amendment or map amendment complies with the Town of Webster's regulations, we recommend that the applicant review the Town of Webster Zoning Ordinance prior to application submittal. The request for a Zoning text or Zoning Map amendment may only be initiated by the Town Board of Commissioners, the Town Planning Board, Planning Staff, the owner of property in the Town of Webster or a citizen of the Town of Webster.

All responses in this application must be legible and filled out completely. Illegible and/or incomplete applications will be returned to the applicant. The application fee for a text amendment or map amendment is set forth in the Town of Webster's fee schedule, is non-refundable and must be submitted with the completed application. For map amendment requests, a current survey prepared and sealed by an NC Registered Surveyor will be required if the request is to rezone a portion of an existing parcel. Applications are not accepted via facsimile or email. Please submit application, fees and supporting documentation to the Town of Webster, P.O. Box 1, Webster, NC 28788 via U.S. Mail or hand deliver to Town Hall at 1411 A Webster Road, Sylva, NC 28779.

Application deadlines are 30 days prior to the Town of Webster's Planning Board next scheduled meeting. The applicant will be notified of scheduled hearing dates and times. The average text or map amendment petition timeline is 45 days from date of application to Town Hall. Depending on the complexity of the request, it is not unusual for a petition to take up to 6 months to be considered before the Town Board of Commissioners. Hearing schedules are not guaranteed and subject to change.

**PLEASE COMPLETE ALL SECTIONS OF THE APPLICATION;
INCOMPLETE APPLICATIONS WILL BE RETURNED TO THE APPLICANT;
INDICATE "NOT APPLICABLE" OR "N/A" WHERE APPROPRIATE**

Contact Information:

Applicant/Agent: _____

(This person will be the contact person and will receive all mailings)

Address: _____

Phone: _____ Fax: _____

Email: _____

Property Owner(s): _____

(If the owner is different than the applicant)

Address: _____

Phone: _____ Fax: _____

Email: _____

Property Information:

Property Location/Address(es): _____

Tax Parcel Identification Number(s): _____

Current Use of Property(ies): _____

Acreage to be Rezoned: _____

Deed Book: _____ Page: _____ Lot / Tract Size: _____ (acres)

Property Street Frontage / Width: _____ Property Depth: _____

Flood Plain: _____ FIRM Panel: _____

Zoning Information:

Current Zoning District(s): _____

Requested Zoning District(s): _____

Purpose of Zoning Change *(optional)*: _____

APPLICATION REQUIREMENTS:

All written materials and photographs must be a minimum of 8½"x11" paper; maps, surveys and plans must be submitted on a minimum 11"x17" paper. For the first level of review with the Town of Webster Planning Board, the applicant must supply one (1) original and ten (10) copies of the completed application, supporting documents, photographs and materials. For Clerk advertisement and Board of Commissioners consideration, the Town may request additional documents as necessary. Please plan to attend all meetings and be prepared to answer questions or present information as necessary to the Planning Board or Town Board of Commissioners. Failure to attend may result in a delay or denial of your application.

- 1. Legal description and property survey:** For a Major map amendment or if the applicant is seeking to subdivide a property in order to amend the zoning designation of the subdivided tract, attach a complete legal description (metes and bounds) of the tract for which the rezoning is requested. Provide an existing survey of the property, with a scale indicating dimensions. If the applicant is seeking a text amendment or a rezoning request for an existing parcel, please attach a tax map with PIN number(s) of the property(ies) affected.
- 2. Requested zoning change and use:** Indicate the current zoning classification and the proposed zoning classification being requested.
- 3. Adjacent property zoning and land use:** Provide the current zoning and land use for the parcels immediately adjacent to the subject property (include all directions – north, south, east and west). Do not include right-of-way when considering adjacent uses.
- 4. Land use and future development:** Describe how land use and future development conditions have changed that make the existing zoning designation unsuitable; include detail as to why a rezoning would be compatible with the character of the area.
- 5. Public need:** Indicate the perceived need for the additional land to be zoned to the requested classification stated above.
- 6. Community impact:** Describe the impact the proposed rezoning would generate on the adjacent properties and the surrounding neighborhoods/communities/businesses. Include in your discussion: transportation, utilities, storm water management, fire, public safety, open space, topography, density, property access and economic development. Provide in detail why or why not (and if so, how) the proposed rezoning will affect the surrounding properties.
- 7. Infrastructure demand:** Describe the impact the proposed rezoning would have on public services, facilities and infrastructure (e.g. schools, parks, recreational services, roads, senior services, etc.). Provide in detail estimated demand for existing and/or new services based upon build-out and population projections.
- 8. Zoning Ordinance and Comprehensive Plan compliance:** Explain how the proposed rezoning or development will be in compliance with Town's Land Use Plan and/or Comprehensive Plan.

Notification:

All property and business owners within 100 feet of the property being considered for a text or map amendment must be mailed an Adjacent Property Owner Notification a minimum 10 days prior to the Town of Webster Planning Board and Town Board of Commissioners meetings. The applicant is responsible for supplying a list of the names and mailing address for these properties and businesses affected by the possible text or map amendment change. In addition, the applicant must supply two (2) set of stamped, addressed #10 envelopes for each property and business owner within a 100' radius. The return address should read:

Town of Webster
P.O. Box 1
Webster, NC 28788

SPOT ZONING

SPOT ZONING DEFINED:

“A zoning ordinance, or amendment, which singles out and reclassifies a relatively small tract owned by a single person and surrounded by a much larger area uniformly zoned, so as to impose upon the smaller tract greater restrictions than those imposed upon the larger area, or so as to relieve the small tract from restrictions to which the rest of the area is subjected, is called spot zoning.”

How to determine whether a particular rezoning is spot zoning when a relatively small tract of land is:

- Zoned differently from the surrounding area
- Not taking into account the larger community context
- Not in accordance with the comprehensive plan

Factors to Consider:

1. Size of Rezoning Area

The smaller the area/tract the more likely the rezoning can be considered a spot zoning. The size of the tract must be looked at in context for the larger area.

2. Compatibility with the Plan

How consistent is the rezoning with the Land Use Plan(s). Relationship of the Town's Land use policies and objectives. Is the land suitable for the following:

- Development (e.g., topography, soil types, wetland locations, and flood areas)
- Availability of Services (e.g., water, sewer, roads)
- Existing and Needed Land Uses.

3. Benefits & Detriments

Look at who will benefit and be harmed (if anyone) from the result of the rezoning (e.g. owner, adjacent owners & community at large).

4. Relationships of Uses

The relationship of the proposed uses versus the current uses on adjacent land.

Authorization:

Note: If the person requesting of The Town of Webster to take action on a particular piece of property is not the owner of the property, or under contract to purchase, then the actual owner of the land must complete this form with his/her signature notarized. If the property owner is the applicant please complete the section below and sign as indicated.

Faxed, Scanned, or Copied images of the original document will not be accepted.

I, _____(Land owner name) am the owner of the property located in the Town of Webster Zoning Jurisdiction at:

Street address:_____ Property PIN:_____

I hereby authorize _____(owner or applicant's name) to appear with my consent before the Town of Webster Planning Board and Board of Commissioners in order to request a rezoning for the above noted location. I authorize the Town of Webster to advertise and the applicant to present this matter in my name as the owner of the property. I hereby authorize the Town Officials to enter my property to conduct relevant site inspections as deemed necessary to process the application. All information submitted and required as part of the approval process shall become public records. I, as the land owner, hereby CERTIFY THAT THE INFORMATION CONTAINED HERIN IS TRUE TO THE BEST OF MY KNOWLEDGE; AND BY ACCEPTING THIS REZONING, if approved, shall in every respect conform to the terms of this application and to provisions of the Statutes and Ordinances regulating development in the Town of Webster. Any VIOLATION of the terms above stated and/or Town Ordinances or Regulations will result in civil penalties. If there are any questions, you may contact me at:

Street Address:_____

City / State / Zip Code:_____

Phone Number:_____

Email Address:_____

Owners Signature:_____

Sworn to and subscribed before me, this the _____ day of _____, 20_____

Notary Public

Seal

My commission expires:_____