

## REQUEST:

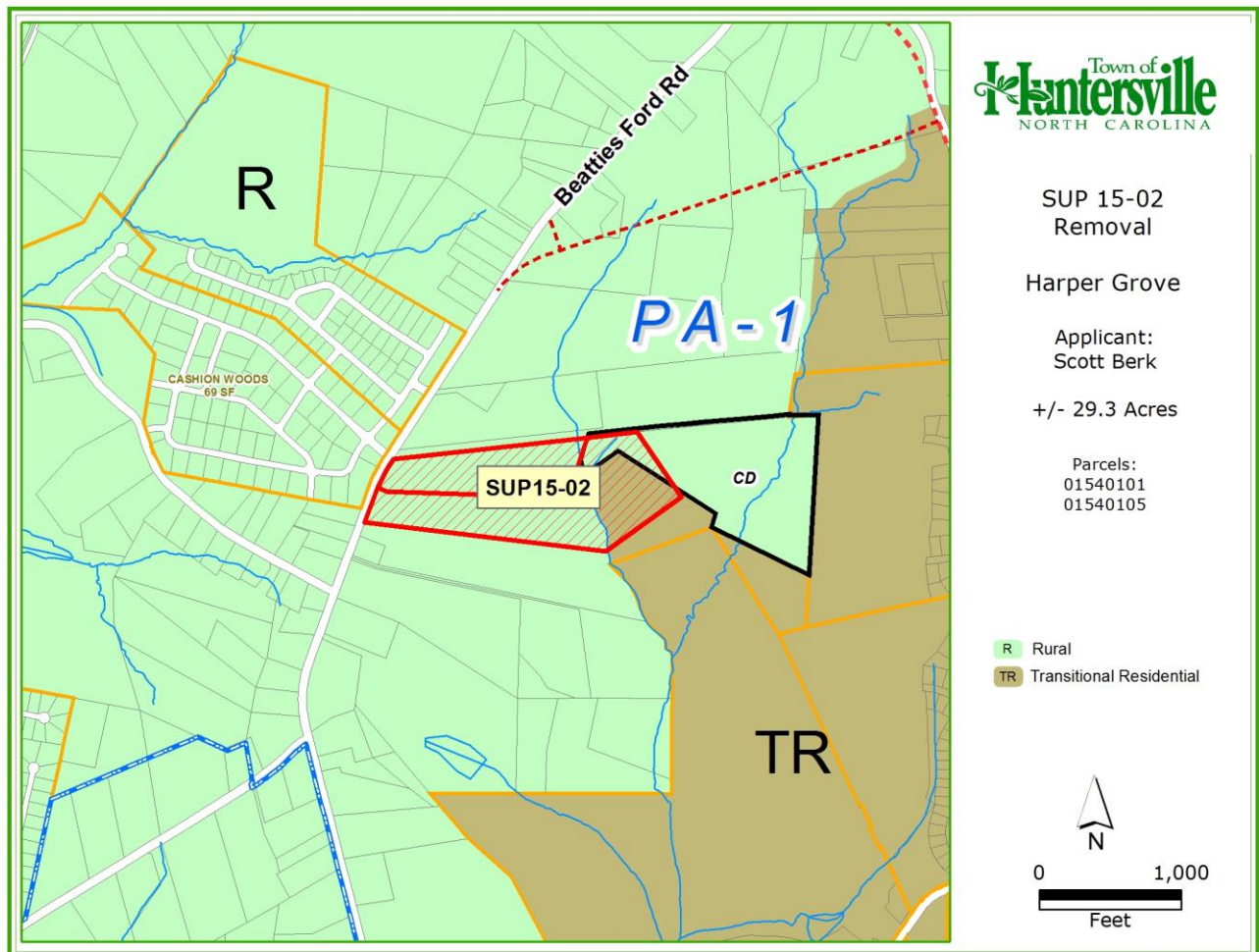
### Removal of an approved Special Use Permit to Establish a Banquet Facility in the Rural (R) Zoning District – SUP15-02 REMOVAL

#### PART 1: DESCRIPTION

Petition #SUP15-02 REMOVAL is a request by the property owners, Nathan Sipp and Scott Berk, to remove a Special Use Permit to develop a banquet facility (Harper Grove) in the Rural (R) zoning district.

On July 20, 2015, the Huntersville Town Board approved a Special Use Permit to allow a banquet facility at 14532 and 14520 Beatties Ford Road (Parcel IDs #01540101 and 01540105). Since the 2015 Special Use Permit approval, the developer has decided they will no develop a banquet facility. Therefore, in accordance with Article 11.4.10(i)(1) of the Town's Zoning Ordinance the property owners are requesting to amend (in this case remove) the 2015 Special Use Permit.

#### PART 2: LOCATION



**PART 3: PLANNING STAFF RECOMMENDATION**

Staff finds this Special Use Permit amendment request:

- Does not adversely affect adjacent property owners or the general welfare of the community.
- All legal notification requirements have been met.
- Removing the 2015 Special Use Permit would allow the property to be developed in accordance with the underlying zoning, Rural (R) and Transitional Residential (TR) zoning district requirements.

Therefore, staff recommends approval of Petition #SUP15-02 REMOVAL.

**PART 4: PLANNING BOARD**

The Planning Board heard this request on May 23, 2017. There were no comments made by the public during the Planning Board meeting and staff answered Planning Board member's questions regarding use of the land if the Special Use Permit was removed.

Planning Board recommends approval (8-0) of the Special Use Permit Removal based on the following findings of fact:

- All legal notification requirements have been met.
- The request is consistent with the Town of Huntersville 2030 Community Plan
- The request is reasonable and does not pose any injurious effects on adjoining properties.

**PART 5: PUBLIC HEARING**

The Public Hearing will be held on June 5, 2017.

**PART 6: ATTACHMENTS**

- A: Application
- B: 2015 Special Use Permit
- C: 2015 Approve Special Use Permit Site Plan
- D: 2015 Approve Special Use Permit Building Elevations

**PART 7: DECISION STATEMENT**

**In favor of the Special Use Permit:**

In considering the Special Use Permit SUP15-02 REMOVAL, we, the Town Board, find that the request meets all required conditions and specifications, is reasonable and does not pose an injurious effect on adjoining properties, and finds that the character of the neighborhood or health, safety and general welfare of the community will be secured. This decision is supported by the following findings of fact:

- 1.)
- 2.)

Add additional statements as necessary.

**Against Special Use Permit:**

In considering the Special Use Permit SUP15-02 REMOVAL, we, the Town Board, find that the request does not meet the required conditions and specifications.

(List which conditions are not being met)

- 1)
- 2)

Add additional statements as necessary.

In addition, the use poses an injurious effect on adjoining properties and the Town Board finds that the request is not in character of the neighborhood and there will be negative effects on the health, safety and general welfare of the surrounding community based on the following findings:

- 1)
- 2)

Add additional statements as necessary.