

# PLANNING AND COMMUNITY DEVELOPMENT

Planning • Code enforcement • building inspections • Central permitting



## VARIANCE APPLICATION

Date \_\_\_\_\_

Application No. \_\_\_\_\_

Application Fee \_\_\_\_\_

### I. PROPERTY INFORMATION:

Record #: \_\_\_\_\_

Lot #: \_\_\_\_\_

Parcel ID #: \_\_\_\_\_

Zoning District: \_\_\_\_\_

Property Location/Address: \_\_\_\_\_

Describe Variance & Reason for Request:

\_\_\_\_\_  
\_\_\_\_\_

**II. A complete submission must be in the Planning and Community Development Department office 45 days prior to the scheduled Board of Adjustment public hearing date. All of the information listed below must be included for the submission to be considered complete:**

- Application Fee
- A self addressed business envelope for each adjacent property owner(s) and an additional envelope for the applicant/owner and their agent
- Fifteen scaled maps, no smaller than 8 ½" x 11" at a readable scale, clearly showing the following:
  - \_\_\_ Property Location
  - \_\_\_ Building Separation Distances
  - \_\_\_ Dimensions of Property
  - \_\_\_ Proposed Building Height\*
  - \_\_\_ Building Distances from Property Lines (front, side, rear)
  - \_\_\_ Location of well and septic system
  - \_\_\_ Additional Info Pertinent to the variance request (Pictures, Septic Tank Permits, etc)
  - \_\_\_ Existing Buildings
  - \_\_\_ Acreage
  - \_\_\_ Proposed Buildings

\*All Building Height Variance requests must supply elevation of property at curb and at an established building grade and must be provided by a Licensed Surveyor or Engineer.

- The applicant/owner must submit a detailed letter describing the request and stating why the request is being made and provide other information that is pertinent to the case.

### III. SIGNATURE OF OWNER & APPLICANT:

\_\_\_\_\_  
**Applicant**

\_\_\_\_\_  
**Owner**

**Additional Information:**

The Pender County Zoning Ordinance became effective on July 5, 1988 and regulated land use thereafter. The ordinance provides for a Board of Adjustment to grant variances from the strict application of the rules and regulations when hardship has been demonstrated.

The Board of Adjustment meets the third Wednesday of each month to hold hearings on request for variances and other appeals. The Board of Adjustment will advertise the hearing once in a local newspaper and will give notice to all adjacent property owners.

The filing of an application before the Board of Adjustment does not guarantee approval. The applicant must exercise every means possible to resolve the problem prior to filing an application with the Board of Adjustment.

According to NCGS §153A-345 and Section 6.4 B of the Pender County Zoning Ordinance, the Board of Adjustment consists of five members and two alternates. For a variance to be granted a four-fifth favorable vote is required and the following conditions must be found to exist:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography that are not applicable to other lands or structures in the same district.
2. Granting the variance requested will not confer upon the applicant any special privileges that are denied to other residents of the zoning district in which the property is located.
3. A literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other residents of the zoning district in which the property is located.
4. The requested variance will be in harmony with the purposes and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare.
5. The special circumstances are not the result of the actions of the applicant.
6. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.

**\*The applicant or an agent must attend all hearings and be prepared to present facts to support their request.**