



# NEW HANOVER COUNTY PLANNING & INSPECTIONS

230 Government Center Drive  
Suite 110  
Wilmington, NC 28403  
910-798-7165 phone  
910-798-7053 fax  
www.nhcgov.com

## Application for **VARIANCE**

Petitioner Information	Property Owner(s) <i>If different than Appellant</i>	Subject Property
<b>Name</b>	<b>Owner Name</b>	<b>Address</b>
<b>Company</b>	<b>Owner Name 2</b>	<b>Parcel ID</b>
<b>Address</b>	<b>Address</b>	<b>Area</b>
<b>City, State, Zip</b>	<b>City, State, Zip</b>	<b>Existing Zoning and Use</b>
<b>Phone</b>	<b>Phone</b>	<b>Summary of Variance Requested:</b>
<b>Email</b>	<b>Email</b>	
<b>Application Tracking Information (Staff Only)</b>		
<b>Case Number</b>	<b>Date/Time received:</b>	<b>Received by:</b>

### APPLICATION OVERVIEW

In order to assist petitioners through the process for requesting a variance, petitioners are highly encouraged to attend a pre-application conference prior to application submittal. Petitioners are requested to review the Section 122-1(2) of the Zoning Ordinance prior to submission, and advised to contact Planning Staff with any questions.

Requests for variances to any of the provisions of the Zoning Ordinance may be taken to the Board of Adjustment. The Board of Adjustment will hear and decide on the appeal in a quasi-judicial proceeding. The Board of Adjustment may grant a variance to provisions of the Ordinance upon showing of the following:

1. Unnecessary hardship would result from the strict application of the ordinance.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or general public, may not be the basis for granting a variance.
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

No change in permitted uses may be authorized by variance. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance. A concurring vote of four-fifths (4/5) of members of the Board is necessary to grant a variance.

Unless otherwise published or announced, Zoning Board of Adjustment meetings are held on the 4<sup>th</sup> Tuesday of each month at 5:30PM in the Lucie F. Harrell Conference Room at 230 Government Center Drive. All meeting dates and application deadlines are published on the New Hanover County Planning website.

**SUBMISSION REQUIREMENTS**

In order to assist petitioners through the process for filing a request for variance, petitioners are highly encouraged to attend a pre-application conference prior to application submittal. Applications for variances must be filed no later than 5:00PM on the adopted application deadline day.

In addition to this application, the following supplemental information and materials are required:

<b>Required Information</b>	<b>Applicant Initial</b>	<b>Staff Initial</b>
List of Adjacent Property Owners		
Authority for Appointment of Agent Form (if applicable)		
Fee - \$400		

**REQUEST FOR VARIANCE**

In the space below, please describe the request for the variance, including what section(s) and provision(s) from which the variance is being requested. Applicants are advised to demonstrate how the variance request is consistent with the four stipulations on Page 1. Please attach additional sheets if necessary.

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**By my signature below, I certify that this application is complete and that all of the information presented in this Notice is accurate to the best of my knowledge, information, and belief.**

\_\_\_\_\_  
**Signature of Appellant and/or Property Owner**

\_\_\_\_\_  
**Date**