

Pender County Planning and Community Development



805 S. Walker Street
PO Box 1519
Burgaw, NC 28425

Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

Variance Submission

Applications will be considered for the Board of Adjustment hearing and reviewed by Staff only when deemed complete. The application will be regarded as incomplete until the following items are received by the Planning and Community Development Staff.

1. _____ **Signed Application**
2. _____ **Payment**
\$250 (online payment preferred, invoice generated upon receipt of application)
3. _____ **Narrative**
A narrative shall be submitted to include the specific Ordinance Section for the requested variance.
4. _____ **Digital Submission**
For all documents submitted in paper copy, provide a digital version. These may be emailed or uploaded to a share folder. **Physical media such as CD or USB drives will not be accepted.**
5. _____ **List of Property Owners Within 500'**
A numbered list of names and addresses, **including the applicant, the owner, and owners** of all properties located within 500-feet of the perimeter of the project bounds of the property under consideration as obtained from the county tax listings and tax abstract. Instructions to obtain list of addresses available on Pender County's website on the Planning and Community Development page.
6. _____ **500' Buffer Property Envelopes**
The applicant shall provide a set of business envelopes **addressed to the applicant, the owner, and each of the owners** of all properties located within 500-feet of the perimeter of the project bounds and accompanied with first class postage adhered. Do not include return address or company branding on envelopes.

I certify that all information presented in this application is accurate to the best of my knowledge.

Signature of Applicant _____

Date _____

Printed Name _____

Variance Process



**Submit Completed Application
and Site Plan to Administrator**



Board of Adjustment Meeting



Decision Rendered by Board

Pender County Planning and Community Development

Planning Division

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VARIANCE APPLICATION

Applicability

- A. The Board of Adjustment may vary certain requirements of this Ordinance, in harmony with the general purpose of these regulations, where special conditions applicable to the property in question would make the strict enforcement of the regulations impractical or result in a hardship in making reasonable use of the property.
- B. The Board of Adjustment may waive certain requirements when authorized to do so by provisions adopted as a part of this Ordinance.
- C. No variance shall be permitted that would have the effect of allowing a use not permitted in the use table in Section 5.2.3.
- D. No variance shall be permitted that would allow a project to exceed the maximum density as to number of dwelling units to the acre in a Zoning District. This maximum density shall be inclusive of any density bonus allowance or additional units in a planned unit development.
- E. The need for the variance cannot be a result of the owner's own actions and cannot be for strictly economic reasons. The Board of Adjustment may grant variances in the following special circumstances, as indicated elsewhere in this Ordinance.

Findings

In granting any variance, the Board of Adjustment shall make the following findings:

- A. That special or unique circumstances or conditions or practical difficulties exist which apply to the land, buildings or uses involved which are not generally applicable to other land, buildings, structures, or uses in the same zoning districts;
 - 1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property;
 - 2. The hardship results from conditions that are peculiar to the property, such as location, size, and topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the 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 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.
- B. In making the findings above, the Board of Adjustment may give special weight to the number and percentage of nearby properties that share characteristics for which the variance is requested by the applicant. The Board of Adjustment may grant a variance to expand an existing structure, including the expansion of a nonconforming structure if the findings listed above can be made.

APPLICATION FOR VARIANCE

SECTION 1: APPLICANT INFORMATION			
Applicant's Name:		Owner's Name:	
Applicant's Address:		Owner's Address:	
City, State, & Zip		City, State, & Zip	
Phone Number:		Phone Number:	
Email Address:		Email Address:	
Legal relationship of applicant to landowner:			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):		Total property acreage:	
Zoning Classification:		Variance Size:	
Variance Location & Address		Township:	
		Water Provider	
Describe Variance:		Waste Water Provider:	
		NAICS (if applicable):	
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	
Applicant's Name Printed		Date:	
Owner's Signature		Date:	
Owner's Name Printed		Date:	