

Pine Knoll Shores Zoning Board of Adjustment

Application for a Variance

Month _____ Day _____ Year _____

TO THE PINE KNOLL SHORES BOARD OF ADJUSTMENT:

I, _____, hereby petition the Board of Adjustment for a VARIANCE from the literal interpretation given to me by the Zoning Enforcement Officer, I am prohibited from using the parcel of land described in the attached form (General Application Form) in a manner shown by the plot plan attached to that form. I request a variance from the following provisions of the ordinance (cite paragraph numbers):

So that the above-mentioned property can be used in a manner indicated by the plot plan attached to the General Application Form or, if the plot plan does not adequately reveal the nature of the variance, as more fully described herein: (If a variance is requested for a limited time only, specify duration requested.)

Factors Relevant to the Issuance of a Variance

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. By local ordinance, the Board of Adjustment is required to reach nine conclusions before it may issue a variance. In the spaces provided below, indicate the facts that you intend to show and the arguments that you intend to make to convince the Board that it can properly reach these conclusions:

a. 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.

b. 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 the general public, may not be the basis for granting a variance.

c. 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.

d. 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.

e. The variance will not constitute any change in the zone shown on the zoning map.

f. The variance will not impair an adequate supply of light and air to adjacent property.

g. The variance will not materially increase the public danger of fire and safety.

h. The variance will not materially diminish or impair established property values within the surrounding area.

i. The variance will not in any other respect impair the public health, safety, morals and general welfare.

I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information, and belief.
