

TOWN OF OCEAN ISLE BEACH



oceanisle
B E A C H

VARIANCE
APPLICATION PACKET

VARIANCE PROCESS

COMPLETE APPLICATION: The applicant must submit the following items by 4:00 P.M. on the submittal date listed on the Variance Application Schedule (attached).

1. Two copies (one with original, notarized signatures) of the Application for Variance.
2. A plot plan or site plan.
3. The Variance Application Fee (\$250.00).

REVIEW FOR SUFFICIENCY: Planning staff checks application for sufficiency. Incomplete applications will be returned to the applicant (typically within the week the application is submitted). Sufficiently complete applications are forwarded to the Planning Director, or his designee.

PUBLIC HEARING NOTIFICATION: Two notices will be published in the newspaper once a week for two successive weeks no less than 10 days but not more than 25 days prior to the public hearing. A notice will also be posted at the land subject to the application at least 10 days prior to the public hearing.

PUBLIC HEARING/BOARD OF ADJUSTMENTS: The Board of Adjustments will consider the application, relevant support materials, Staff Report and public testimony given at the public hearing. After the public hearing the Board of Adjustments will vote to approve, approve with conditions or disapprove the variance. The Board of Adjustments meets at 9:00 A.M. in the Betty S. Williamson Meeting Hall on the date indicated on the Variance Application Schedule (typically the fourth Tuesday of each month).

VARIANCE APPLICATION

TOWN OF OCEAN ISLE BEACH

STATE OF NORTH CAROLINA

CASE NO. _____

DATE _____

Completed Application and fee must be submitted by 4:00 p.m. on the submittal date listed on the attached Variance Application Schedule

Applicant: _____ Address: _____ _____ City State Zip Telephone: _____ Fax: _____ E-mail: _____	Owner: _____ Address: _____ _____ City State Zip Telephone: _____ Fax: _____ E-mail: _____
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Legal relationship of applicant to property owner:

Property location:

Street address or intersection

Parcel Identification # _____

Lot size: _____

Square feet: _____

Zoning classification: _____

VARIANCE APPLICATION

Attach a plot plan or site plan to illustrate this request.

If the title to the above mentioned property is not in the name of the petitioner, attach a notarized letter from the owner signifying his approval.

Application must be accompanied by a map drawn to scale not exceeding 11" x 17", showing the exact location of property with respect to existing streets, number and size lots, type building on such lots, and other important features within and contiguous to the property.

VARIANCE APPLICATION

TO THE OCEAN ISLE BEACH BOARD OF ADJUSTMENT:

I, _____, hereby petition the Ocean Isle Beach Board of Adjustment for a VARIANCE from the literal provisions of the Ocean Isle Beach Zoning Ordinance because, under the interpretation given to me by the Zoning Enforcement Officer, I am prohibited from using the parcel of land described in this application in a manner shown by the plot/site plan attached to this form. I request a variance from the following provisions of the Town's Ordinance (cite the paragraph numbers):

so that the above-mentioned property can be used in a manner indicated by the plot/site plan attached to this form or if the plot/site 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 Ocean Isle Beach Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the State enabling act, the Board is required to reach four conclusions as a prerequisite to the issuance of a variance:

1. *That unnecessary hardships would result from strict application of the ordinance.*
2. *That the hardship results from conditions that are peculiar to the property, such as location, size or topography.*
3. *That the hardship did not result from actions taken by the applicant or the property owner.*
4. *That the requested variance is consistent with the spirit, purpose, and intent of ordinance, such that public safety is secured, and substantial justice is achieved.*

VARIANCE APPLICATION

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 four required conclusions.

- (1) There are unnecessary hardships in the way of carrying out the strict letter of the ordinance.

Staff Comment:

- (2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. (Note: Hardships common to an entire neighborhood resulting from overly restrictive zoning regulations should be referred to the Town Planning Board. Also, unique personal or family hardships are irrelevant since a variance, if granted, runs with the land.)

Staff Comment:

- (3) The hardship did not result from actions taken by the applicant or the property owner.

VARIANCE APPLICATION

Staff Comment:

- (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. (State facts and arguments to show that the variance requested represents the least possible deviation from the letter of the ordinance that will allow a reasonable use of the land and that the use of the property, if the variance is granted, will not substantially detract from the character of the neighborhood.)

Staff Comment:

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

Signature of Petitioner or Designated Representative

Date

VARIANCE APPLICATION SCHEDULE

Submittal Date	Review for completeness	Staff reviews application and comments if needed	Board of Adjustment Meeting
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January 30, 2017	Jan. 30-Feb. 1, 2017	Jan. 30-Feb. 1, 2017	February 28, 2017
February 27, 2017	Feb. 27-March 1, 2017	Feb. 27-March 1, 2017	March 28, 2017
March 27, 2017	March 27-29, 2017	March 27-29, 2017	April 25, 2017
April 24, 2017	April 24-26, 2017	April 24-26, 2017	May 23, 2017
May 24, 2017	May 24-26, 2017	May 24-26, 2017	June 27, 2017
June 26, 2017	June 26-28, 2017	June 26-28, 2017	July 25, 2017
July 24, 2017	July 24-26, 2017	July 24-26, 2017	August 22, 2017
August 28, 2017	August 28-30, 2017	August 28-30, 2017	September 26, 2017
September 25, 2017	September 25-27, 2017	September 25-27, 2017	October 24, 2017
October 30, 2017	Oct. 30-Nov. 1, 2017	Oct. 30-Nov. 1, 2017	November 28, 2017
November 21, 2017	November 21-23, 2017	November 21-23, 2017	December 20, 2017*
December 20, 2017	December 20-22, 2017	December 20-22, 2017	January 23, 2018

*Date Changed Due to Holiday