

**VARIANCE  
APPLICATION**  
**Fee: \$268.00**



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Applicant: \_\_\_\_\_ Owner: \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_ Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_ Email: \_\_\_\_\_

Legal relationship of applicant to property: \_\_\_\_\_

Purpose of application: \_\_\_\_\_

\_\_\_\_\_

Property location: \_\_\_\_\_

Tax Map \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Lot Size \_\_\_\_\_ Total square feet \_\_\_\_\_ Zoning District \_\_\_\_\_

No. of Buildings Existing \_\_\_\_\_ Gross Floor Area Existing \_\_\_\_\_

No. of Buildings Proposed \_\_\_\_\_ Gross Floor Area of Proposed Buildings \_\_\_\_\_

Total Square Footage of Land to be Disturbed \_\_\_\_\_

Estimated Cost of Project \$ \_\_\_\_\_

- **List all required site plans, specifications and documents included as exhibits to this application.**
- **Thirteen (13) copies of the site plan must be submitted with application.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# APPLICATION FOR A VARIANCE

## TO THE CITY OF NEW BERN BOARD OF ADJUSTMENT:

I, \_\_\_\_\_, hereby petition the Board of Adjustment for a **VARIANCE** from the literal provisions of the Land Use Ordinance because, under the interpretation given to me by the Zoning Administrator, I am prohibited from using the parcel of land described in the General application form (attached) 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, 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. Under the state enabling act, the Board is required to reach three conclusions before it may issue a variance:

- a. That there are unnecessary hardships;
- b. That the variance is in harmony with the general purposes and intent of the ordinance and preserves its spirit;
- c. That in granting the variance, the public safety and welfare have been assured and substantial justice has been done.

In the spaces provided, 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 three required conclusions (use additional paper if necessary). An affirmative vote of at least 4/5 of the Board's membership on each of the three required conclusions is mandatory for approval of a variance application.

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, 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.

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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.

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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.

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I certify that all the information presented by me in this application is accurate to the best of my knowledge, information and belief. I authorize the City of Greenville to place a sign on the property in question for the purpose of alerting

I certify that all the information presented by me in this application is accurate to the best of my knowledge, information and belief. I authorize the City of New Bern to place a sign on the property in question for the purpose of alerting the general public of my request.

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Print Name	Signature of Applicant	Date
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Print Name	Signature of Applicant	Date
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## OWNERS AUTHORIZATION

**NOTE:** If the person who is requesting the Board of Adjustment to take action on a particular piece of property is not the owner of the property and does not have a binding option to purchase the property, then the actual owner(s) of the land must complete this form. If the person who is requesting the Board of Adjustment to take action on a particular piece of property is the owner of the property or has a binding option to purchase the property, please disregard this form. **Attach a copy of the option to purchase if the applicant has a binding option to purchase the property.**

I /We \_\_\_\_\_ am /are the owner(s) of the property located at  
\_\_\_\_\_.

I /We hereby authorize \_\_\_\_\_

to appear by consent before the City of New Bern Board of Adjustment in order to ask for a variance to  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

at this location. I /We understand that the variance, if granted, is permanent and runs with the land. I /We authorize the City of New Bern to advertise and present this matter in my /our name as the owner of the property.

If there are any questions, you may contact \_\_\_\_\_ at my address,

\_\_\_\_\_

By email \_\_\_\_\_

or by telephone at (\_\_\_\_\_) \_\_\_\_\_ or (\_\_\_\_\_) \_\_\_\_\_.

Respectfully yours,

_____	_____	_____
Print Name	Signature of Applicant	Date

_____	_____	_____
Print Name	Signature of Applicant	Date

Sworn to and subscribed before me, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: