



**APPLICATION FOR A VARIANCE FROM
THE BEAUFORT ZONING REGULATIONS**

Instructions: Please complete the form below and include all required attachments, including the **\$200.00 application fee** and return to Town Hall, 215 Pollock Street, PO Box 390, Beaufort, NC, 28516. Incomplete applications will not be processed. Please contact Town Hall at (252) 728-2141 with any questions.

APPLICANT INFORMATION

Applicant Name: _____

Applicant Address: _____

Phone Number: _____ Email: _____

Property Owner Name: _____

Address of Property Owner: _____

Phone Number: _____ Email: _____

PROPERTY INFORMATION

Property Address: _____

15 Digit PIN: _____ Lot/Block Number: _____

Size of Property (in square feet or acres): _____

Current Zoning: _____ Is the property in the Historic District? _____

Current Use of Property:

Residential

Vacant

Commercial

Other: _____

Applicant Signature

Date: _____

Property Owner Signature (if different than above)

Date: _____

A fee of \$200 to the Town of Beaufort must accompany this application.

OFFICE USE ONLY

Revised 6/07

Received by: _____

Reviewed for Completeness By: _____

Date: _____

Date Deemed Complete and Accepted: _____

REQUIRED ATTACHMENTS FOR A VARIANCE TO THE BEAUFORT ZONING REGULATIONS

Please provide the following as attachments to the variance request form:

1. A statement explaining the following:
 - The specific requirements of the Town of Beaufort that the applicant is asking to be varied (for example: the number of required parking spaces, any yard setbacks, height of a structure etc.) Please reference the exact chapter and section of the zoning code in question.
 - The EXACT amount of variance that is being requested. For example, the placement of a structure 5 feet within a setback area, a reduction of parking spaces by 7, or an increase in the amount of permitted signage by 16 square feet etc.
 - The reason for requesting the variance, including an explanation of why the variance should be considered based on the criteria outlined in Section 18. 4(b) of the zoning code and any other relevant Sections of the code that may specifically pertain to the project (see attached excerpts of the code).

2. A site plan of the property to scale which includes:
 - North Arrow
 - All property lines and accurate property line dimensions
 - Adjacent streets and names
 - Location of all easements (if applicable)
 - Location of all existing structures (if applicable)
 - Proposed location of new or expanded structures
 - Current and proposed building setback from all property lines
 - All parking areas, landscaping, and any other requirements of the zoning regulations.

3. A TYPED list all property owners (with addresses) within 100 feet of the boundary lines of all properties requesting the variance (notification of adjacent property owners by the Town is required by North Carolina law).

4. Any additional materials such as photographs of the surrounding properties, elevations of proposed structures or information that the applicant would like to present to the Board of Adjustment relevant to the requested variance.

APPLICATIONS ARE DUE 14 DAYS BEFORE A REGULAR BOARD OF ADJUSTMENT MEETING

Beaufort Zoning Code Section 18

Sec. 18.4. Powers of the board of adjustment.

(b) *Variances.* A variance may be granted to authorize upon appeal in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions of this ordinance will result in undue hardship, and so that the spirit of this ordinance shall be observed and substantial justice done. In considering all proposed variances to this ordinance, the board shall, before making any finding in a specified case, first determine that the proposed variances will not constitute any change in the district boundaries shown on the zoning map, and will not impair any adequate supply of light and air to adjacent property, or materially increase the public danger of fire and safety, or adversely affect the use or physical attributes of property within the surrounding area, or in any other respect impair the public health, safety, and general welfare.

In granting a variance, the board may impose thereto such conditions regarding the location, character, and other features of the proposed building, structure or use as it may deem advisable in furtherance of the purposes of this ordinance.

Before a variance is granted, it shall be shown that special circumstances are attached to the property which do not generally apply to other property in the neighborhood. A variance may be granted only when the practical difficulty of undue hardship complained of is due to the particular characteristics of the property and not to the general conditions of the neighborhood which may reflect an undue stringency of the ordinance itself. A hardship peculiar to the applicant as distinguished from others affected by the general rule must be shown.

The board may grant a variance in the dimensional yard requirements of this ordinance only where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property which was a lot of record as of the effective date of this ordinance, or where due to the topographical conditions of a piece of property the strict application of the said dimensional requirements of this ordinance would result in practical difficulties or undue hardship of such nature as described in the preceding paragraph.

The fact that property may be utilized more profitably will not be considered as justification for granting a variance by the board.