



**Perquimans County, North Carolina  
Application for Zoning Variance  
Case No. ZVA-15-\_\_\_\_\_**

Planning & Zoning Office  
104 Dobbs Street, Hertford, NC 27944  
Phone 252-426-2027; Fax 252-426-1850

This section to be completed by County:  
Date filed: \_\_\_\_\_ Fees received: \_\_\_\_\_  
Date completed: \_\_\_\_\_ Confirmed by: \_\_\_\_\_  
\_\_\_\_\_  
Planning & Zoning Administrator or Designee

**Applicant's Information**

Name(s) of Property Owner(s): \_\_\_\_\_

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

City/State/Zip Code: \_\_\_\_\_

Phone Number(s): \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Applicant (if different from Owner): \_\_\_\_\_

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

City/State/Zip Code: \_\_\_\_\_

Phone Number(s): \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

\* \* \* \* \*

**Description of Property**

I (We), the undersigned, do hereby respectfully make application and request the Board of Adjustment to consider the following:

(1) The property for which a Variance is requested is located at \_\_\_\_\_, and is known as Township Number \_\_\_\_\_, Map/Development Number \_\_\_\_\_, Parcel Number \_\_\_\_\_, of the Perquimans County Tax Maps. Said property has a frontage of \_\_\_\_\_ feet and a depth of \_\_\_\_\_ feet. The property is zoned \_\_\_\_\_.

(2) The property for which a Variance is requested is owned by \_\_\_\_\_ as evidenced by deed recorded in Real Estate Book \_\_\_\_\_, Page \_\_\_\_\_ in the Perquimans County Register of Deeds or Will File Number \_\_\_\_\_ in the Perquimans County Clerk of Court.

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**Explanation of Request**

I (WE) HEREBY REQUEST A VARIANCE FROM SECTION \_\_\_\_\_ OF THE PERQUIMANS COUNTY ZONING ORDINANCE. More specifically, I (we) request to vary these requirements to allow development to occur which will exceed the minimum standards due to the following:

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Nature of Request: \_\_\_\_\_

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Reason for Request: \_\_\_\_\_

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Ordinance Section(s): \_\_\_\_\_

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(Attach additional pages if necessary.)

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Pursuant to Section 1605 of the Zoning Ordinance, every request for Variance shall be referred to the Board of Adjustment. The Board of Adjustment shall hold a public hearing. Notice of the public hearing shall be mailed to adjoining property owners in the envelopes provided by the applicant. Notice shall be made by posting the property concerned. The Board of County Commissioners shall receive written notice of the meeting and its subject matter from the Board of Adjustment. The process for public hearing outlined in Article XXIII, Hearing Procedures for Appeals and Applications shall be followed.

I (We), \_\_\_\_\_ understand that, when unnecessary hardships would result from carrying out the strict letter of the Perquimans County Zoning Ordinance, the Board of Adjustment shall vary any of the provisions of the ordinance upon a showing of any of the following:

- (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. \_\_\_\_\_

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(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. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(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.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(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.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Furthermore, it is understood that no change in permitted uses may be authorized by variance. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance and otherwise in conformity with this Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance and punishable under Article IV "Enforcement and Penalties" and the variance may be revoked.

In granting any Variance, the Board may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the Variance is granted, shall be deemed a violation of this Ordinance and punishable under Article IV "Enforcement and Penalties" and the Variance may be revoked.

The applicant, the Board of County Commissioners, and the Planning and Zoning Administrator shall be given written copies of the Board's decision and the reasons therefore.

Any request for Variance submitted in accordance with the provisions of this Article may be withdrawn at any time, but fees are nonrefundable.

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The following are all of the individuals, firms, or corporations owning properties involved in the variance request as well as the owners of all properties any portion of which is within one hundred fifty (150) feet of the property involved in the permit request. This includes any property owner who is adjacent to the lot on both sides, the rear, and the front (across the street).

<b>Name</b>	<b>Address</b>
a. _____	_____ _____
b. _____	_____ _____
c. _____	_____ _____
d. _____	_____ _____
e. _____	_____ _____
f. _____	_____ _____
g. _____	_____ _____
h. _____	_____ _____
i. _____	_____ _____
j. _____	_____ _____

Use an additional sheet of paper if necessary.

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Attach the following:

\_\_\_\_\_ Completed Application Form and related materials.

\_\_\_\_\_ Proof of Ownership.

\_\_\_\_\_ Legal Description.

\_\_\_\_\_ Owner's Authorization for Agent, if applicable.

\_\_\_\_\_ Two sets of stamped addressed envelopes of all adjacent property owners to whom notice of public hearing must be sent. Said notices will be sent by the Planning and Zoning Office in the envelopes provided by the Applicant.

\_\_\_\_\_ Two self addressed stamped envelopes.

\_\_\_\_\_ Filing Fee of \$300 made payable to Perquimans County.

\_\_\_\_\_ Appropriate certification from Albemarle Regional Health Services regarding individual on-site septic tank system(s).

\_\_\_\_\_ Any additional information needed by the Planner, Technical Review Committee or other County Officials:

\_\_\_\_\_  
\_\_\_\_\_

I (We), the undersigned, do hereby respectfully make application and request the Board of Adjustment to consider a Variance from the Perquimans County Zoning Ordinance as outlined in the preceding pages.

\_\_\_\_\_  
Signature of Owner or Authorized Applicant

\_\_\_\_\_  
Date

Note: This Application must be submitted to the Planning & Zoning Administrator no less than 25 days in advance of the Board of Adjustment meeting (currently the third Thursday of each month when needed), unless the Zoning Administrator recommends review by the Technical Review Committee (TRC), in which case the submittal date shall be at least 25 day prior to the TRC meeting (currently the last Monday of the month). **Applications will not be scheduled for public hearing until complete.**

\* \* \* \* \*

Person to receive correspondence on this case: \_\_\_\_\_

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

City/State/Zip Code: \_\_\_\_\_

Phone Number(s): \_\_\_\_\_ Fax: \_\_\_\_\_

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

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**Owner's Authorization for Agent**

NOTE: IF THE APPLICANT REQUESTING DEVELOPMENT APPROVALS OR PERMITS FOR A PARTICULAR PIECE OF PROPERTY IS NOT THE ACTUAL OWNER OF THE PROPERTY, THE ACTUAL OWNER MUST COMPLETE THIS FORM. IF THE PERSON WHO IS REQUESTING THE APPLICATION IS THE OWNER, PLEASE DISREGARD THIS FORM.

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

I (We) HEREBY AUTHORIZE \_\_\_\_\_ TO ACT ON MY/OUR BEHALF to appear with my consent before the Perquimans County Board of Commissioners and Planning Board in order to request approval(s) for development and/or use of those lands described within the attached application, and as described in the attached deed or other such proof of ownership as may be required, or other action pursuant to one or more of the following:

- |  |   |
|--|---|
| <input type="checkbox"/> Rezoning Request                  | <input type="checkbox"/> Administrative Appeal  |
| <input type="checkbox"/> Conditional Use District Rezoning | <input type="checkbox"/> Conditional Use Permit |
| <input type="checkbox"/> Zoning Variance                   | <input type="checkbox"/> Non-Zoning Variance    |

I authorize you to advertise and present this matter in my name as the owner of the property. If there are any questions, you may contact me at address \_\_\_\_\_ or by telephone at \_\_\_\_\_.

BY: \_\_\_\_\_

Signature of Owner

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Telephone Number

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

Notary Public \_\_\_\_\_ County of \_\_\_\_\_

State of \_\_\_\_\_

My commission expires: \_\_\_\_\_

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**PLANNING AND ZONING ADMINISTRATOR:**

1. Application received on: \_\_\_\_\_

2. Application complete on: \_\_\_\_\_

\_\_\_\_\_  
Planning and Zoning Administrator

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**BOARD OF ADJUSTMENT ACTION:**

1. Application received from the Planning and Zoning Administrator on \_\_\_\_\_.

2. Legal notice was directed to be given that a public hearing would be held on \_\_\_\_\_.

3. Decision: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Chairman, Board of Adjustment

\_\_\_\_\_  
Date