



Variance Request Application

Planning & Zoning Office
104 Dobbs Street/P.O. Box 45,
Hertford, NC 27944
Phone: 252-426-2027

OFFICIAL USE ONLY	
Date Received: _____	Fees received: _____
Date completed: _____	Confirmed by: _____
Subject Property Tax Map No(s): _____	

Case No. ZVA/NZV- _____ - _____	

Applicant's Information

Property Owner(s) Name(s): _____ _____	Applicant (if different than owner) Name: _____ _____
Address: _____ _____	Address: _____ _____
Phone Number(s): _____	Phone number(s): _____
Email: _____ _____	Email: _____ _____

LEGAL RELATIONSHIP OF APPLICANT TO OWNER: _____

Description of Property

Address for which a Variance is requested: _____

Tax Parcel Map No(s): _____

Location: This property is located on the (circle one) N S E W side of _____ Road,
approximately _____ feet (circle one) N S E W of _____ Road.

Size of Property: _____ acres. Lot width: _____ feet. Lot depth: _____ feet.

Current Zoning, including overlays: _____ Flood Zone: _____ Road Frontage: _____

I/We, the undersigned, do hereby respectfully submit this application and request for the Board of Adjustment to consider a variance for the above property. The subject property is owned by _____
_____ as evidenced by deed recorded in Real Estate Book _____, Page _____ **OR** Will
File Number _____ in the Perquimans County registry.

Applicant Signature: _____ Property Owner Signature: _____
Date: _____ Date: _____

NOTE: APPLICATIONS WILL NOT BE ACCEPTED WITHOUT SIGNATURE OF PROPERTY OWNER



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I/WE HEREBY REQUEST A VARIANCE FROM SECTION _____ OF THE PERQUIMANS COUNTY ZONING ORDINANCE, SUBDIVISION REGULATIONS, OR MANUFACTURED HOME ORDINANCE.

In your own words, clearly indicate the problem(s) you will experience in complying with County development regulations.

(Attach additional pages if necessary.)

Pursuant to Section 327 of the Zoning Ordinance, Section 206 of the Subdivision Regulations, and Article 8 of the Manufactured Home 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 is outlined in Zoning Ordinance Section 331. Hearing Procedures on Appeals shall be followed.

I/We, _____ understand that, when unnecessary hardships would result from carrying out the exact rules of a Perquimans County Ordinance, the Board of Adjustment shall vary any of the provisions of the ordinance upon a showing of all of the following [per NCGS Ch. 160D-705(d) (1-4)].

In the spaces provided below, indicate the facts that you intend to prove and the arguments that you intend to make to convince the Board that it can properly reach these four conclusions. It will be your responsibility to present these facts under oath and provide relevant evidence.

- (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. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability. _____

(3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing the 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 changes in permitted *uses* may be authorized by variance.

Appropriate conditions and safeguards may be imposed on any variance, provided that the conditions are reasonably related to the variance and otherwise in conformity with the relevant 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 the relevant Ordinance and punishable under Zoning Ordinance Article IV "Enforcement" 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.

The Board of Adjustment may, so long as such action is in conformity with the terms of the relevant Ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination, and to that end shall have the powers of the Zoning Administrator from whom appeal was taken.



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1. 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 subject property. This includes any property owner who is adjacent to the subject property (to the side, rear or front) and across the street or railroad track.

Name

Address

a. _____

b. _____

c. _____

d. _____

e. _____

f. _____

g. _____

h. _____

i. _____

j. _____

k. _____

l. _____

m. _____

n. _____

o. _____

p. _____

Use an additional sheet of paper if necessary.



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Attach the following:

____ Completed Application

____ Proof of Ownership

____ Legal Description including site plan and/or existing survey

____ Owner's Authorization for Agent, if applicable

____ One set 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. Leave the upper left envelope corner blank. Planning Staff will place the Planning Office address return label there.

____ One self-addressed stamped envelope.

____ Filing Fee (See Current Planning/Zoning Fee Schedule, approved by County Commissioners)

____ Appropriate certification from Albemarle Regional Health Services regarding individual on-site septic tank system(s), or letter from sewer utility if appropriate

____ Any additional information needed by the Planner or other county officials:

Applications will not be scheduled for public meeting until complete.

I/We, the undersigned, do hereby respectfully make application and request to 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, unless the Zoning Administrator recommends review by the Technical Review Committee (TRC), in which case submittal must be at least 25 days prior to the TRC meeting.



Case No. _____ - _____ - _____

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/our consent before the Perquimans County Board of Adjustment 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:

- Rezoning Request Administrative Appeal
- Special Use Permit Conditional Zoning District
- Non-Zoning Variance Zoning Variance

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

BY:

Signature of Owner _____

Print Name _____

Telephone Number _____

Signature of Owner _____

Print Name _____

Telephone Number _____

Sworn to and subscribed before me, this the _____ day of _____, 20__.

Notary Public _____ County of _____

State of _____

My commission expires: _____