



City of Whiteville Variance Application Guidelines

1. A complete application for variance must be received by the Planning Director by the 15th of the prior month in which the case will be heard before the Board of Adjustment.
2. All applications must be submitted with:
 - A. A non-refundable application fee per City of Whiteville Fee Schedule. (\$350)
 - B. A plat of survey or other map showing the location and dimensions of the subject property.
3. The Board of Adjustment meetings are normally held the 1st Monday of the month at 12:30 am at City Hall as needed.
4. Attendance of the applicant or his/her Representative at the Board of Adjustment public hearing is required.

**CITY OF WHITEVILLE
APPLICATION FOR A VARIANCE**

Case Number:	Fee: \$350
Name:	Date:
Address:	Phone #:

TO THE CITY OF WHITEVILLE BOARD OF ADJUSTMENT:

I, _____, hereby petition the Board of Adjustment for a VARIANCE from the literal provisions of the Whiteville City Zoning Ordinance because, under the interpretation given to me by the Zoning Administrator, I am prohibited from using the parcel of land located at _____.
I request a variance from the following provisions of the ordinance (cite paragraph numbers):

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 conclusions based on the four criteria below. 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 required conclusions.

WHEN UNNECESSARY HARDSHIPS WOULD RESULT FROM CARRYING OUT THE STRICT LETTER OF A ZONING ORDINANCE, THE BOARD OF ADJUSTMENT SHALL VARY ANY OF THE PROVISIONS OF THE ORDINANCE UPON A SHOWING OF ALL 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.

Applicant's Comments: _____

Staff Comments: _____

(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.

Applicant's Comments: _____

Staff Comments: _____

(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 self-created hardship.

Applicant's Comments: _____

Staff Comments: _____

(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.

Applicant's Comments: _____

Staff Comments: _____

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

Applicant's Signature:	Date:
Zoning Administrator's Signature:	Date:

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 Whiteville City Council, Whiteville Zoning Board of Adjustment, and/or Whiteville 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 Permit | <input type="checkbox"/> Zoning Variance |
| <input type="checkbox"/> Text Amendment | |

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

County, North Carolina

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document:

Name(s) of principal(s)

Date: _____

(seal)

Official Signature of Notary Public

Notary's printed or typed name

My commission expires: _____