



Buncombe County Government
Application for a variance from the Buncombe County Zoning Ordinance

Planning and Development
www.buncombecounty.org

46 Valley Street
Asheville, NC 28801
Telephone (828) 250-4830
Fax (828) 250-6086

Please complete all sections of the application.

A. CONTACT INFORMATION

Petitioner's Name

Owner's Name (if different from Petitioner)

Mailing Address

Mailing Address

Town/city, state and zip

Town/city, state and zip

Telephone

Telephone

Email Address

Email Address

B. APPLICATION FOR VARIANCE

Application is hereby made to the Board of Adjustment of Buncombe County for a VARIANCE from the literal provisions of the Buncombe County Zoning Ordinance, because, under the interpretation given to me by the Zoning Administrator, I am prohibited from using the parcel of land located at the following tax parcel identification number(s)

PIN(s): _____

and **address(es):** _____

in a manner shown by the three **(3) copies of a development plan**, which are attached to this form. The **development plan** I have submitted includes the following information (some requirements of the development plan may be waived by the Buncombe County Zoning Administrator):

- survey of the property(s) proposed for a variance
 - proposed setbacks of structure
 - proposed height of structure
 - A copy of the development plan reduced to 8 1/2" by 11" or 11"x 17".
 - A digital version of the development plans (in pdf format)
 - proposed maximum disturbed and impervious area (if applying for a variance in regards to disturbed or impervious surface within the BDM zoning district)
- acreage of tract(s)
 - proposed location of structure

I request a variance from the following provisions of the ordinance:

Section number: _____

Section title: _____

Subsection letters and/or number: _____

Subsection title(s): _____

So that the above-mentioned property can be used in a manner indicated by the development plan attached to this form, or if the Plot Plan does not adequately reveal the nature of the variance, as more fully described herein (*if applying for a variance in dimensional requirements, state the revised setbacks or height restriction desired below*):

C. FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE:

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. In the spaces provided below, indicate the *factors you contend to show* and the *arguments that you intend to make* to convince the Board that it can properly grant the variance as provided for in §78-621. Powers and Duties. (4) Variances of the Buncombe County Zoning Ordinance (if necessary please provide the information on a separate sheet of paper).

- (a) Indicate how there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the article:

- (b) Indicate how, if the applicant or property owner complies with the provisions of the article, the property owner seeking the variance can secure no reasonable return from, or make no reasonable use of his property:

- (c) Indicate how special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings involved and which are not applicable to other lands, structures, or buildings located in the same zoning district:

- (d) Indicate how those special conditions and circumstances are not a result of the action of the applicant:

- (e) Indicate how the proposed variance is in harmony with the general purpose and intent of this article and preserves its spirit:

- (f) Indicate how the variance is the minimum necessary to afford relief:

(g) Indicate how public safety and welfare will be assured and substantial justice will be done:

D. CERTIFICATION AND SIGNATURE

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

Signature of Petitioner

Month Day Year

Withdrawal of an application after notice has been made will result in forfeiture of any application fees associated with said application.

<p>OFFICE USE ONLY:</p> <p>Date recieved: _____</p> <p>Case number: _____</p> <p>Scheduled Board of Adjustment Hearing: _____</p>
