



Buncombe County Planning & Development
Application for a Variance
from the Buncombe County Zoning Ordinance

Application Fee: \$250 *plus* \$25 per additional lot *plus*
\$200 per each additional 25 acres

Please complete all sections of the application.

Attendance at the Board of Adjustment meeting to review this application is mandatory.

A. Property Information

PIN(s): _____

Address(es): _____

Project Name: _____

Acreage: _____

B. Application for Variance

I request a variance/variances from the following provisions of the Ordinance:

Section number(s): _____ Section title(s): _____

Subsection letter(s) and/or number(s): _____ 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 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 limitations desired below*):

C. Applicant Contact Information

D. Owner Contact Information (If different)

Company/Corporate Name (*if applicable*)

Applicant's Name

Mailing Address

City, State, and Zip Code

(_____) _____

Telephone

Email

Owner's Name

Mailing Address

City, State, and Zip Code

(_____) _____

Telephone

Email

OFFICE USE ONLY:

Date received: _____ Case number: _____

Scheduled BOA Hearing: _____

E. SITE-SPECIFIC DEVELOPMENT PLAN SUBMITTAL

In order for the variance application to be considered complete, a site-specific development plan drawn to a known scale, and which clearly demonstrates the variance(s) being applied for, is required. The site plan should include, as applicable, all existing and proposed structures, proposed setbacks, proposed structure height, proposed lot sizes, proposed impervious and disturbed areas, etc.

- The development plan shall be submitted in the following formats:**
- One full sized copy of the development plan to scale and dated.
 - 14 copies of the development plan reduced to either 11"x 17" or 8.5"x 11".
 - A digital version of the development plan in pdf format.

F. VARIANCE BURDEN OF PROOF

In the spaces provided below, indicate **the facts you intend to demonstrate** and **the arguments that you intend to make** to demonstrate to the Board that it can properly grant the variance as provided for in §78-621(4) *Powers and Duties, Variances*. The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance.

Please indicate how the proposed project meets the below requirements. If additional space is required, please provide the information on a separate sheet of paper.

1. Indicate how an 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.

2. Indicate how 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. Indicate how 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. Indicate how 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.

G. CERTIFICATION

- I hereby certify that all of the information presented by me on this application is accurate to the best of my knowledge, information and belief.
- I acknowledge that withdrawal of this application after notice has been made will result in forfeiture of any application fees associated with said application.
- I acknowledge that attendance at the Board of Adjustment meeting is mandatory for the review of this application.

Signature of Petitioner

Month Day Year