



## VARIANCE APPLICATION

Town of Montreat Planning and Zoning  
1210 Montreat Road, Black Mountain, NC 28711 | (828) 669-8002

**REQUIRED FEE: \$350.00 (CASH OR CHECK)**

### APPLICANT INFORMATION

APPLICANT NAME: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

EMAIL: \_\_\_\_\_

### PROPERTY INFORMATION

ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PIN# : \_\_\_\_\_ TOTAL ACREAGE: \_\_\_\_\_ FLOODPLAIN: YES NO

ZONING: R-1 R-2 R-3 I I/R WL OTHER: \_\_\_\_\_ OVERLAY ZONING: RPO TCO CD N/A

PROPERTY OWNER: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

### PROPOSED LAND USE

TYPE OF LAND USE: Residential Non-Residential Other

DESCRIPTION OF PROPOSED DEVELOPMENT: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### VARIANCE REQUEST

MONTREAT ZONING ORDINANCE SECTION: \_\_\_\_\_

DESCRIPTION OF REQUESTED VARIANCE: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### FINDINGS OF FACT

**THE TOWN OF MONTREAT'S BOARD OF ADJUSTMENT WILL RENDER A DECISION ON THIS APPLICATION AT A PUBLIC HEARING. IN APPROVING THE REQUEST, THE BOARD OF ADJUSTMENT WILL EXAMINE THE APPLICATION AND MUST FIND THAT THE FOLLOWING SIX ELEMENTS ARE SATISFIED IN THE PROPOSAL:**

***MZO 310.42(A)*** 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.

***MZO 310.42(B)*** 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.

**MZO 310.42(C)** *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.*

**MZO 310.42(D)** *The Variance is consistent with the spirit, purpose and intent of the Ordinance such that public safety is secured and substantial justice is achieved.*

**MZO 310.42(E)** *The Variance requested is the minimum Variance that will make possible the requested Use of the land, Building or Structure.*

**MZO 310.42(F)** *The Variance is not a request to permit a Use of land, Building or Structure which is not permitted in the applicable Zoning District.*

**ATTACHMENTS**

**THIS APPLICATION MUST BE ACCOMPANIED BY THE FOLLOWING ATTACHMENTS:**

1. A copy of the deed for the property which is the subject of the application for a Variance, a copy of the plat showing such property if one exists, and any contract to purchase or other relevant documents.
2. A response to the six findings listed above and found in the Montreat Zoning Ordinance Section 310.42.
3. A to scale site plan showing the existing property conditions (including the adjoining road and any existing improvements) and the proposed locations, dimensions, and setbacks of any structure to be built or modified which is the subject of the Variance. If the Variance request concerns the elevation of a building, include an elevation drawing.

**SIGNATURES AND ACKNOWLEDGEMENT**

I, \_\_\_\_\_, hereby certify that all of the information set forth above is true and accurate to the best of my knowledge.

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Printed Name of Applicant*

**OFFICE USE ONLY**

Complete

Incomplete

\_\_\_\_\_  
*Zoning Administrator Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Printed Name of Zoning Administrator*

Fee: \_\_\_\_\_

Paid: Yes No

Payment Method: \_\_\_\_\_

Scheduled Board of Adjustment Meeting Date: \_\_\_\_\_