VARIANCE APPLICATON www.townofblackmountain.org

PROPERTY OWNER INFORMATION

Owner Name		
Tammy and Brian Gregg		
Owner Address (Number, Street, City, State, ZIP)		
200 Old State 10 and 200 Kerlee Heights Rd		
Home Phone	**Cell Phone**	**Email Address**
	828 778-9326	tbright3212@gmail.com

APPLICATION FOR VARIANCE

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

Section Number(s): 1.7.3 **Section Title(s):** E

Subsection letter(s) and/or number(s): 2 **Subsection Title(s):** _____

So that the below mentioned property can be used in a manner indicated by the 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)***:

_____

_____

_____

PROPERTY INFORMATION

Parcel Number	Current Zoning	Acreage
061977002100000	HB-8	0.33. I think?
Address		
200 Old State 10 Rd		
Average Slope %	**Use of Property**	
	Personal Home	

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 Zoning Board of Adjustment meeting is mandatory for the review of this application.

Petitioner Signature	Date
Tammy Gregg	12/5/24

OFFICE USE ONLY

Date Received:	Fee: $600.00 Cash: ☐ Check: ☐ #_____ Credit: ☐
Case Number:	Meeting Date:

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 ZBA that it can properly grant the variance as provided for in Chapter 1, Section 1.7.3 Variances. The Zoning 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.

   We are trying to find the best solution for removing and storing everything in our home on the property in order to redo the inside of the house after having the floodwaters come into our home. This is causing a hardship as we are having to get quotes with Benz sitting all over our home and not being able to have the house cleaned out is pushing things farther and farther out. We had previously applied for a permit for a connex storage container but have unfortunately not been able to find any that would rent for a reasonable price only purchases. And the permit was for a temporary connex.

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.

   We are having a hard time finding what we need in size to be able to fit onto the property where we can keep an eye on it with our camera and also keep it from being in the areas that normally get wet from above us with runoff. The blue lines that were shown to us on the map sent by your office have never had water come through beside our home. And there is a curb above that would keep any water from coming through that direction. We are asking that we be able to put an additional building near the one we already have in place. So that we can keep an eye on everything better and not near the road or highway and not in the yard where our dogs go out.

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.

   We had no control over the water that came through our property on September 27th 2024. For this reason we are having to redo our home and try and figure out how to do everything in a very timely and economical way.

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.

   With the building being placed where we are asking We are still able to keep an eye on our neighbors from the rest of the property. We have quite a few elderly neighbors in our neighborhood and several airbnbs behind us. We are trying to make sure that we are a good neighbor and keep everything in one area so we can keep our neighborhood safer