160 Midland Ave
Black Mountain, NC 28711

Office of The Building Inspector
Office: 828-419-9300

Planning & Zoning Applications: #VAR-25-0004

Overview

Type: Variance

Submitted: 08-12-25, 8:05am EDT

Address: 107 SIXTH ST, BLACK MOUNTAIN, NC 28711

Form Submission

Owner:

Bar Investments And Holdings LLC Bartholf
2508 Grimmersborough Ln.
Charlotte NC 28270
mattbar@outlook.com, (704) 516-8166
Section Number(s): 4.4

Section Title(s): Provisions governing all lots

Subsection letter(s) and/or number(s): 4.4.3 J

Subsection Title(s): Setbacks, corner lots, and double frontage lots

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)::

Allow the roof overhang of the house to protrude into the side setbacks 2'3".

Parcel Number: 0619395257

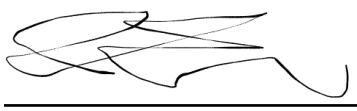
Current Zoning: -

Acreage: .26

Average Slope %: Less than 5%

Use of Property: Residential single family home

Petitioner Signature:



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.:

This variance is requested to allow us to keep the architectural look and feel of the home proposed for 107 Sixth St. The 2'6" overhangs are also important for erosion control and moisture around the foundation of the home.
The other confusion that should allow for this variance in my opinion, is that section 4.4.3 J 1 says ornamental features such as sills and cornices shall not extend more than 18" into the setback. It does not mention roof overhangs. However 4.4.3 J 2 allows for bay windows and balconies to extend up to 3 feet into the setback. A bay window would have a roof and roof overhang which would be part of the 3 foot encroachment into the setback. It seems odd to me that the main roof overhang would not have the same allowance of up to 3 feet, and be included in the 4.4.3 J 2 description.

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.:

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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.:

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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.:

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