$250

The City of Brevard North Carolina

City of Brevard Planning Department
95 West Main Street
Brevard, North Carolina 28712
Phone (828) 885-5630
Fax (828) 885-5625
cityofbrevard.com

VAR File # 24-007

Feb 4th 2025
@ 3pm

APPLICATION FOR A VARINACE (VAR)
BREVARD BOARD OF ADJUSTMENT

PURPOSE OF VARIANCE – A variance is the official allowance of a variation from the dimensional requirements of the City of Brevard Unified Development Ordinance or other development regulations. An applicant for a variance must demonstrate valid reasons which create a need for a Variance. These reasons cannot be strictly economic in nature and must generally involve some physical problem with the subject property which will not allow it to be developed in a reasonable manner if City development regulations are followed literally, such as a lot which is substandard in area or width.

BOARD OF ADJUSTMENT - The Board of Adjustment or BOA, is the official City Board that considers request for variances. The BOA receives sworn testimony at its meetings and issues decisions on variance requests based on this testimony. It is the responsibility of each applicant for a variance to attend the BOA meeting and present sworn testimony in support of the request. Authority to grant a variance is found in 16.8.E of the City of Brevard's Unified Development Ordinance pursuant to North Carolina General Statute's 160D-705. The Unified Development Ordinance requires that the Brevard Board of Adjustment, when granting a variance must find that all four (4) of the following standards found in UDO Chapter 16.8.E.2. exist. In the spaces provided below, indicate the standards that you intend to show and the arguments that you intend to convince the Brevard Board of Adjustment that it can properly reach the four (4) required conclusions:

REASONS FOR VARIANCE REQUEST - Explain in your own words why you are requesting a Variance. Be sure to clearly indicate the problem(s) you will experience in complying with the City development regulations. (Attach additional sheets if needed.)

We are seeking a variance to place a shed (10' x 16' feet) on our property in the front yard. We do not want to put this in the back yard because it will be directly next to the proposed Ecusta Trail and public access points making it vulnerable to theft. The backyard is also next to a existing orchard w/ apple trees, underneath power lines, and above septic lines.

ASKING FOR EXCEPTION FOR UDO 2.5.C.2

The BOARD OF ADJUSTMENT is required to make the following four (4) findings before granting a Variance. Write a thorough response to each of these items.

1. Unnecessary hardship would result from the strict application of the regulations. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

2. 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. 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. The requested variance is consistent with the spirit, purpose, and intent of the regulations, such that public safety is secured, and substantial justice achieved. Substantial justice is not achieved when granting the variance would be injurious to the neighborhood or to the general welfare.

ATTACH SITE PLAN DESCRIBING VARIANCE REQUEST

PROPERTY LOCATION INFORMATION

Street address of subject property 1190 ECUSTA RD

Tax Parcel Number of subject property 8596-48-9529-0000

ATTACH TAX PARCEL & OWNERSHIP INFORMATION FOR ADJACENT PROPERTIES

APPLICANT INFORMATION

Name: Spencer Jones

Address: 1190 Ecusta Rd
Brevard, NC 28712

Phone: 828-748-8507 Email: jonesse20@msn.com

OWNER INFORMATION

Name: Spencer Jones & Elizabeth Watson

The City of Brevard
North Carolina

RESIDENTIAL SITE PLAN FORM

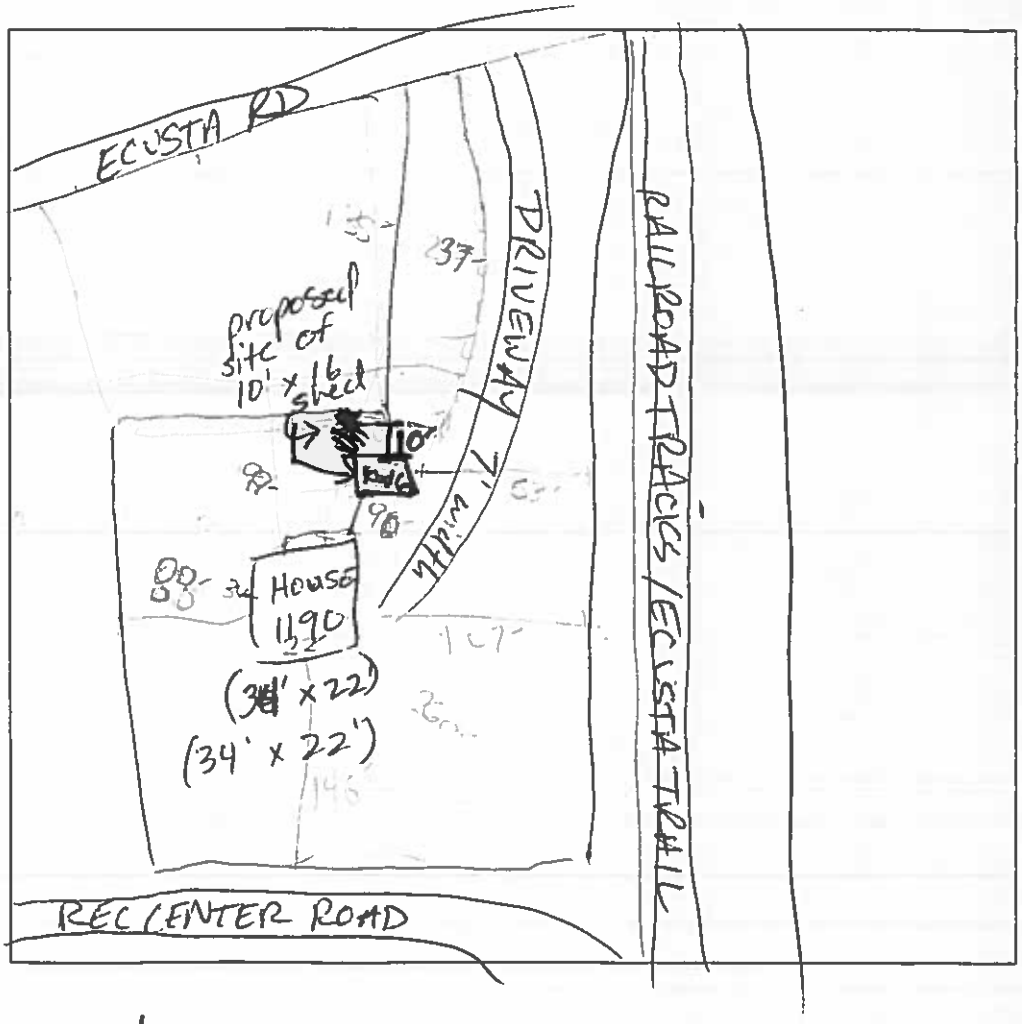
PROPERTY INFORMATION
Property Address: 1190 Ecusta Rd
Property PIN (Tax ID #): 8596-48-9521-000
Zoning District:

All residential zoning permit applications require an accompanying site plan. A site plan may be sketched in the space provided or on a separate document. The site plan must include:

- Your property lines;
- The location of all applicable streets and the location of the right-of-way of those streets;
- The location of any easements affecting your property, if applicable;
- The location of any special flood hazard areas, if applicable;
- The location and width of driveways;
- The location / footprint of all existing structures;
- The location / footprint of proposed construction;
- The distance between structures; and
- The distance to the property lines from proposed construction.

Additional information may be required as each lot is unique.

A survey may be required by the administrator when the proposed structure is in close proximity to a property line, flood hazard area, or other unique lot condition.



10' FROM PROPERTY LINE


1180