Exhibit B

Town of Fletcher
Planning and Zoning
300 Old Cane Creek Road, Fletcher NC 28732
(828) 687-3985 Fax (828) 687-7133

Variance Request Application
Application Number 26-04-VAR

Notice is hereby given to the Board of Adjustment of a request for a variance from the ruling of the Zoning Administrator on the 3rd day of December, 20 25, made in respect to the property located at 57 Howard Gap Road, Fletcher, North Carolina. Under the ruling given to me by the Zoning Administrator, I am prohibited from using this parcel of land for for the installation of a freestanding sign as depicted in the application packet. (site plan attached).

I request a variance from the following provisions of the Land Development Code for the Town of Fletcher, NC (cite paragraph numbers): Article 11.7 F Central Business District (CBD) subsection 2a Freestanding Directory Signs

so that the above-mentioned property can be used in a manner indicated by the site plan, and as more specifically described herein (if a variance is requested for a limited time only, specify duration):

- [x] Front Yard — Amount of Variance
- [ ] Rear Yard — Amount of Variance
- [ ] Side Yard — Amount of Variance
- [ ] Height — Amount of Variance

Sign Type- Monument sign with electronic message board
Area- 56 square feet variance
Height-Four (4) ft height variance

Owner of this property Sand Pac II LLC

Address 869 Sand Hill Rd City Asheville State NC Zip 28806

****NOTE: If the Petitioner is not the property owner, then a notarized letter is required from the property owner stating that the Petitioner has permission to apply to the Board for the requested variance.****

Please fill out completely:

Property Address 57 Howard Gap Rd

PIN # 9652784270 PID# REID: 9971676

Zoning: R1 R1-A R2 R3 NBD (CBD) C-1 C-2 M-1 ETJ

Property Use Medical Office

FACTORS RELATIVE TO THE ISSUANCE OF A VARIANCE:

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the enabling act, the Board is required to reach three conclusions as a prerequisite to the issuance of a variance: (a) that there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the Land Development Code; (b) that the variance is in harmony with the general purposes and intent of the Land Development Code and preserves its spirit, and (c) that in granting of the variance, the public safety and welfare have been assured and substantial justice has been done. In the spaces provided below, indicate the **facts** that you intend to show and the **arguments** that you intend to make to convince the Board that it can properly reach these three required conclusions.

(a) THERE ARE PRACTICAL DIFFICULTIES OR UNNCECESSARY HARDSHIPS IN THE WAY OF CARRYING OUT THE STRICT LETTER OF THE LAND DEVELOPMENT CODE. The courts have developed three rules to determine whether, in a particular situation, "practical difficulties or unnecessary hardships" exist. State facts and arguments in support of each of the following:

All requests pertain to Article 11: Signs: Per. 11-9.A. Apost arm directory sign 24 SF would be in-sufficient in properly directing persons to clinic

1. If he complies with the provisions of the Land Development Code, the property owner can secure no reasonable return from, or make no reasonable use of, his property. (It is NOT sufficient that failure to grant the variance simply makes the land less valuable.)

Signage is extremely important in creating an enviroment where clients can easily find locations. This is most important in this case as many of the clientale are elderly, and looking for a location they visit rarely

STAFF COMMENT(S): _____

2. The hardship of which the Applicant complains results from unique circumstances related to the Applicant's land. (NOTE: Hardships suffered by the Applicant in comment with his neighbors do not justify a variance. The existence of non-conforming use(s) of neighboring land, buildings, or structures shall not constitute a reason for a variance. Also, unique personal or family hardships are irrelevant since a variance, if granted, runs with the land.)

Many of the clientale are travelling from other areas, looking for a specific provider name. Traffic issues may arise when clients become confused.

STAFF COMMENT(S): _____

3. The hardship is not the result of the Applicant's own actions.

Trying to eliminate hardships in the beginning, knowing how this section on Howard Gap can become confusing we are proposing proper signage to eliminate a public hazard due to zoning.

STAFF COMMENT(S): _____

(b) THE VARIANCE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE LAND DEVELOPMENT CODE AND PRESERVES ITS SPIRIT. State facts and arguments to show that the variance requested represents the least possible deviation from the letter of the Land Development Code that will allow a reasonable use of the land and the use of the property, if the variance is granted, will not substantially detract from the character of the neighborhood. Yes, and proofs provided show this

STAFF COMMENT(S): _____

(c) THE GRANTING OF THE VARIANCE SECURES THE PUBLIC SAFETY AND WELFARE AND DOES SUBSTANTIAL JUSTICE. State facts and arguments to show that, on balance, if the variance is denied, the benefit to the public will be substantially outweighed by the harm suffered by the Applicant. Yes. Public Safety and un-necessary traffic confusion caused by confused clients is the primary focus

STAFF COMMENT(S): _____

Date 12/12/2025

(Signature of Applicant)

865B Blue Ridge Rd. Black Mountain NC. 28711

Address City State Zip

828-582-5959

Phone

Amy Andrews	John M Bryant
(Petitioner's Name)	(Agent's Name)
869 Sand Hill Rd	800 N Justice St
(Petitioner's Address) Asheville, NC 28806	(Agent's Address) Hendersonville, NC 28791
910-279-3011	828-696-4719
(Phone Number)	(Phone Number)
Amy Andrews	John M Bryant
(Signature)	(Signature)

CHECKLIST FOR VARIANCE APPLICATIONS

Town of Fletcher Planning and Zoning

Variance Application

☐ Completed application and Owner's Affidavit, if applicable.

☑ Legal description and PINS for subject property; i.e., copy of deed.

☑ Filing fee of $350.00.

☑ Area map illustrating subject property and surrounding zoning (staff will assist applicants in preparing this map if necessary).

☑ I acknowledge that all property owners abutting the proposed variance will be notified of the request and provided information of the hearing dates.

☑ I acknowledge the variance shall not be granted except after the decision by the Zoning Board of Adjustment following the public hearings.

☑ I acknowledge and grant consent to Town of Fletcher officials to visit the proposed site for the purpose of investigating this application.

Print Name: Matt Ahn

Signature: Matt Ahn

Date: 12/12/2025

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