VARIANCE APPLICATON www.townofblackmountain.org

PROPERTY OWNER INFORMATION

Owner Name: DARAH AND EMILY BAZARGAN		
Owner Address (Number, Street, City, State, ZIP): 504 PEARL VIEW DRIVE, BLACK MOUNTAIN, NC 28711		
Home Phone	Cell Phone: (919)749-3232	Email Address: DARAH@LIVE.COM

APPLICATION FOR VARIANCE

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

Section Number(s): Section 4.7 **Section Title(s):** Zoning Regulations by District

Subsection letter(s) and/or number(s): 4.7.15 **Subsection Title(s):** Dimensional Requirements by zoning districts

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)***:

Requesting a variance from the required 15-foot rear setback to allow the existing open, unenclosed pergola accessory structure associated with the existing rear deck to remain in its current location. The pergola support posts are located approx. 4 ft 4 inches from the rear property line, where a 15-foot setback is required.

PROPERTY INFORMATION

Parcel Number: 0619780053000000	Current Zoning: UR-8	Acreage: 0.17 ACRES
Address: 504 PEARL VIEW DRIVE, BLACK MOUNTAIN NC 28711		
Average Slope %: 10.26%	Use of Property: RESIDENTIAL	

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 1/23/26

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.

   SEE ATTACHED

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.

   SEE ATTACHED

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.

   SEE ATTACHED

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.

   SEE ATTACHED