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 #_____

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.)

See Attached Letter

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 277 N Broad St Brevard

Tax Parcel Number of subject property 8586-52-8251-000

ATTACH TAX PARCEL & OWNERSHIP INFORMATION FOR ADJACENT PROPERTIES

APPLICANT INFORMATION

Name: Matt Aho

Address: 1920 US Hwy 70
Swannanoa NC 28778

Phone: (828) 582-5959 Email: matt@signsystemsnc.com

OWNER INFORMATION

Name: 277 N Broad St Partners LLC

Address: 101 East Allen St Suite 213
Hendersonville, NC 28792

Phone: 828-582-5959 Email: matt@signsystemsnc.com

ATTACH AGENT FORM IF THE APPLICANT IS NOT OWNER

DATE: 8/21/2024

APPLICANT'S SIGNATURE Matt

Please refer to the City of Brevard Planning Department Board of Adjustment Category III Application Timeline for Variances.

VARIANCE REQUEST TO BE HEARD BY BOA ON: Oct 7, 2025 or ASAP

The City of Brevard North Carolina

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BREVARD BOARD OF ADJUSTMENT – VARIANCE

APPOINTMENT OF AGENT

I 277 N. Broad Street Partners, LLC, owner of property located at

(street address) 277 N Broad Street Brevard NC and

identified by the Transylvania County Tax Identification Number (PIN#):

8586-52-8251-000, located in Transylvania County, North Carolina, do

hereby appoint Matt Aho to represent me in

filing an application for Variance before the Brevard Board of Adjustment.

I further authorize Matt Aho to act as my agent in

all matters, formal and informal, and to receive all official correspondence as it relates to

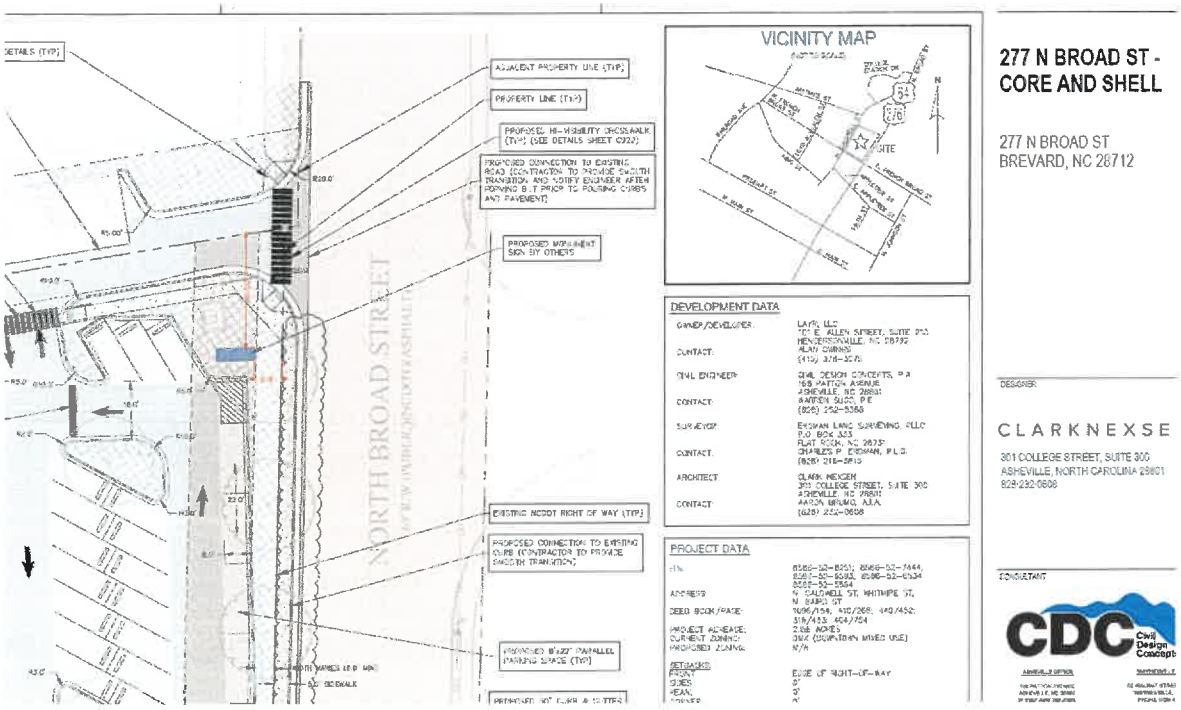
the VARIANCE request and hearing.

Property Owner Signature: Alan Owings Digitally signed by Alan Owings DN: E=AUS, E=alan.layr@gmail.com, O="277 North Broad Street Partners, LLC", OU=Owner's Representative, CN=Alan Owings Date:_____
Mailing Address:_____
Phone:_____ Email:_____

Agent Name: Matt Aho
Mailing Address: 1920 US Hwy 70 Swannanoa Nc 28778
Phone: (828) 582-5959 Email: Matt@Signsystemsnc.com

To Whom It May Concern,

We are working with UNC Health Pardee and Partners at the new Project at 277 N Broad St. Brevard, NC 28712. We are seeking a variance for the monument sign we wish to place at the corner of N. Broad Street and a privately maintained road.



We are inside of the DMX and currently meeting the setbacks currently set forth by 12.9.3 of the UDO, as we are at 8'4" from the Broad Street setback and 36.5' Form the Cross Street:

12.9.3. Freestanding (ground) signs.

A. ***Setbacks.***

1. *Front.* No portion of any freestanding ground sign described in this section may be located closer than ten feet to any street right-of-way, except in the DMX district where signs shall be no closer than five feet to any street right-of-way.

The Variance we are seeking is to allow us to place the sign over top of an existing storm water right of way at the north end of the property. It is our understanding that this has been abandoned and is allowable as long as UNC Health Assumes responsibility for the sign. UNC Health Pardee will maintain the sign for the life of the sign and resumes responsibility for the life of the sign as it pertains to their stewardship of the property.

It has been brought to our attention that no Freestanding ground signs are permitted in the DMX Zoning District. We are asking for a variance on this based on this as well.

Based On Table 12.9.3A, I would interpret that we are allowed 32ft. per face. Our current design is at 29.7 SF based on my calculations.

C. ***Non-residential uses all other zoning districts.*** The following standards shall apply to individual businesses on individual parcels. Non-residential group developments, non-residential conditional zoning districts, and institutional campuses shall be subject to the same dimensional requirements, but the number of allowable ground signs in such developments is set forth in Section 12.9.6.

1. *Where permitted.* Any zoning district provided the business lies outside the Downtown Development Overlay District. Businesses located in this overlay district may display A-frame signs as described herein.
2. *Number.* One ground sign may be displayed per establishment.
3. *Maximum area.* Shall be no larger than the maximum size as defined in the table below, unless specifically defined elsewhere in this ordinance.

TABLE 12.9.3A: MAXIMUM SIGN SIZE FOR NON-RESIDENTIAL USES

District	Max Size in Square Feet ($ft.^2$)
NMX	32 $ft.^2$
PCX	32 $ft.^2$
DMX	32 $ft.^2$
CMX	85 $ft.^2$
IC	24 $ft.^2$
GI	50 $ft.^2$
Highway 64 Corridor Sign Overlay District	85 $ft.^2$ in surface area

4. *Changeable copy.* Changeable copy features are allowed.
5. *Height.* No portion of any ground sign shall exceed 20 feet in height.
6. *Illumination.* Illumination levels shall be in compliance with all other applicable provisions as established in Section 11.2, Outdoor Lighting Standards.
7. *Material.* Sign faces shall be composed of rigid material. A banner affixed to a rigid surface shall not suffice for this requirement.

If this is not applicable then yes, we are asking for a variance for this application. (Finding 1) The Clinic will be serving a large portion of the Transylvania County population and ensuring that our community can easily find this location is of the utmost importance. The sooner they are able to identify the location the better to ensure no confusion and minimal traffic congestion ensuing from people needing to re-direct and use their brakes in an unsafe manner mitigating traffic collisions. (Finding 2) The hardship results from the new use of the property, as it used to be a mixed use/grocery store and the client was under the impression they could advertise the new use to the community. We are not attempting to get the same signage grandfathered in, and the client does not want to go that route but wants to keep things consistent with the community. The property is right on the edge of the overlay.

(Finding 3) I am under the impression that we were told the existing storm water sewer is and has been abandoned, and signage would be allowed.

(Finding 4) UNC Health Pardee and Owners intent is to keep safety in the forefront and be a welcomed and good neighbor for the community. Which I would say is part of finding 1.

Thank You Soo Much For attention to this matter.

It is greatly appreciated.

Thank You Very Much

Matt Aho

Sign Systems Inc. Asheville.