

NEW HANOVER COUNTY

DEPARTMENT OF PLANNING & LAND USE

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ZONING & SUBDIVISION VARIANCE APPLICATION

This application form must be completed as part of a request for a zoning and/or subdivision variance. The application submitted through the county's online COAST portal. The main procedural steps in the submittal and review of applications for a variance are outlined in the flowchart below. More specific submittal and review requirements, as well as the standards to be applied in reviewing the application, are set out in Section 10.3.11 of the Unified Development Ordinance.



1. Applicant and Property Owner Information

Applicant/Agent Name Sean McDonough	Owner Name (if different from Applicant/Agent) Brett Tanner
Company NCA Builders Inc.	Company/Owner Name 2 Christy Tanner
Address 827 Bayshore Drive	Address 8020 Bald Eagle Lane
City, State, Zip Wilmington, NC 28411	City, State, Zip Wilmington, NC 28411
Phone 910-443-1667	Phone 910-617-1729
Email ncabuildersinc@gmail.com	Email btanner@pinnacletrailers.com

2. Subject Property Information

Address/Location 8020 Bald Eagle Lane Wilmington, NC 28411	Parcel Identification Number(s) Lot 16 Section D – Porters Neck Plantation, R03720-001-007-000
Total Parcel(s) Acreage .534 acres	Existing Zoning and Use(s) R-20S SFR KV

3. Proposed Variance Narrative

Subject Zoning Regulation, Chapter and Section

3-2.6-D (4)

(EV)

In the space below, please provide a narrative of the application (attach additional pages if necessary).

We are in the process of a renovation of the main house at 8020 Bald Eagles lane, with which includes structural repairs, Electric and plumbing upgrades. While renovating the main house it came to are attention that the existing (2) garage had water damage do to surface run off coming from Bald Eagle Lane, (not hurricane or storm damage) The original detached garage did not actually address surface water intrusion, resulting in water damage to garage interior walls. The remedy would be to install a masonry retaining wall as part new addition and install proper water proofing, French drains and other grading applications to stem future water intrusion.

Please see attach survey

CRITERIA REQUIRED FOR APPROVAL OF A VARIANCE

The Board of Adjustment may grant a variance if it finds that strict application of the ordinance results in an unnecessary hardship for the applicant, and if the variance is consistent with the spirit, purpose, and intent of the ordinance. The applicant must explain, with reference to attached plans (where applicable), how the proposed use meets these required findings (attach additional pages if necessary).

1. **Unnecessary hardship would result from 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.

We Propose to extend existing garage by 12' and construct a 24" tall masonry foundation wall, to help divert and control surface water coming from adjacent planter area and run off form Bald Eagle Lane.

Failure to control run off in this area could lead to further damage to structure.

Existing Garage was built at set 5'-6' back as depicted in current survey, in order to serve the needs of Mr. and Mrs. Tanner and their family, the extension of existing garage at the current set back of 5'-6' would

1. Mitigate water intrusion
2. Maintain the integrity of existing homes Architectural lines
3. Enhance and or maintain the value of their home consistent with neighboring properties
4. Increase on site protecting parking
5. Increase storage for homeowners

- 2. The hardship results from conditions that are peculiar to the property, such as location, size or topography.** Hardship resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or general public, may not be the basis for granting a variance.

As it relates to "Hardship" and the rights of a property owner, to enhance said property, we believe our request for this variance is consistent with the existing structure setbacks, the continuity of the adjacent properties and would have no adverse effects of adjacent property owners. Failure to grant variance would deny homeowners right to both protect and enhance their property

- 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.

This home was purchased less than 4 months ago, with understanding that the home would need improvements, repairs and enhancements. So, it's fair to say that could include additions that consistent with existing structure setbacks.

4. 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.

As previously stated, the proposed addition is consistent with both the spirit and of the rights of any property owner to preserve the value and integrity of their investment.

Thank you very much for your consideration in this matter

Sincerely

Sean McDonough

Sr Project Manager

NCA Builders inc.

Staff will use the following checklist to determine the completeness of your application. Please verify all of the listed items are included and confirm by initialing under "Applicant Initial". Applications determined to be incomplete must be corrected in order to be processed for further review.

Application Checklist

Applicant Initial

This application form, completed and signed

Application fee: \$400 per application

Site plan or sketch illustrating the requested variance

One (1) hard copy of ALL documents

One (1) PDF copy of ALL documents

Acknowledgement and Signatures

By my signature below, I understand and accept all of the conditions, limitations, and obligations of the variance application for which I am applying. I understand that I have the burden of proving why this application meets the required findings necessary for granting a variance. I certify that this application is complete and that all information presented in this application is accurate to the best of my knowledge, information, and belief.

If applicable, I also appoint the applicant/agent as listed on this application to represent me and make decisions on my behalf regarding this application during the review process. The applicant/agent is hereby authorized on my behalf to:

1. Submit an application including all required supplemental information and materials;
2. Appear at public hearings to give representation and comments; and
3. Act on my behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of this application.

Brett A

Signature of Property Owner(s)

Brett TANNH

Print Name(s)

Sean McDonough

Signature of Applicant/Agent

SEAN McDONOUGH

Print Name

Note: This form must be signed by the owner(s) of record. If there are multiple property owners, a signature is required for each owner of record.

- The land owner or their attorney must be present for the case at the public hearing