



Application for Variance
TOWN OF CAROLINA BEACH, N.C.

Permit Number: _____

Each application must be printed or typewritten and have all information answered. It is strongly recommended that the applicant set up a meeting with Planning Staff prior to the submission deadline to ensure the application is complete. The Town of Carolina Beach requires a licensed attorney to appear in a representative capacity to advocate the legal position of another person, firm, or corporation who is the applicant/owner of record.

Fee: to be submitted with application in accordance with the Town's annually adopted Rates and Fee Schedule

This petition will be scheduled for the next possible regular Board of Adjustment meeting. The applicant or a representative should be present at the meeting to answer any questions the Board may have. Board of Adjustment meetings are held on the third (3rd) Monday of each month at 6:00 P.M. in the Council Room at the Municipal Administration Building, 1121 N. Lake Park Boulevard, Carolina Beach, NC 28428. Applicants will be informed of any changes in date, time, or location of meetings. Applications and supplementary time for processing and postings are required by the General Statutes of North Carolina. Application Deadline: 25 days prior to next scheduled meeting.

Applicant Name: Chiaki Ito

Applicant Mailing Address:

307 Florida Avenue Carolina Beach NC 28428
Street Address City State Zip

Applicant Phone Number: mobile/work/home (circle one): 910-262-0490 mobile/work/home (circle one):

Applicant Email Address: chiakiito@mac.com

Property Owner Name: Chiaki Ito

Property Owner Mailing Address: 307 Florida Ave., Carolina Beach, NC 28428

Street Address City State Zip

Property address of variance being requested: 307 Florida Ave., Carolina Beach, NC 28428

Property Size: 13,200 sq. ft. Zoning Designation: R1B

Please give a brief description of requested action:

I am requesting to encroach into the front building setbacks for staircase access to the house because the house is being raised out of the flood zone by a FEMA grant and requires new access to the existing front door.

Owner Signature: _____

chiaki ito

Date: 3/20/2024

Owner Printed Name: Chiaki Ito

Variance Requirements

1. The Board of Adjustment conducts a quasi-judicial hearing. You may not contact the Board members once the application has been filed.
2. The Board of Adjustment is not empowered to modify zoning lines or grant a use variance.
3. The Board of Adjustment may attach conditions of approval to a variance to protect surrounding properties.
4. Town Staff will place a public hearing sign on the subject property. The sign must be prominently displayed on the property for at least ten days before the hearing. The property owner is responsible for maintaining the sign during this ten day period.

Variance Considerations

The Board of Adjustment will review all variance requests against the criteria below. In the spaces provided, please indicate the *facts* that you intend to show and the *arguments* that you intend to make to the Board.

1. 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 from the property.
We would not be able to raise the house without the variance because we would not be able to access the existing front door and the front staircase is required per building code. In addition, per the engineering report, the house cannot be moved into the setbacks to allow the new staircase to be out of the front setback.

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.
This house was built in 1947, which was before flood maps were created for this area and also before setbacks were established by the Town. The current house encroaches into the setbacks and would not allow the front staircase to be built to access the house without a variance to the current setback regulations.

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.
We are trying to do the right thing by correcting and lifting the house out of the flood zone but the engineer said that the house could not be moved and that is why we are requesting the variance to be able to access the house. This house was built in 1947 before setbacks were established. I purchased the home in 1996.

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.
Allowing an encroachment into the front building setback would allow us to raise the house out of the flood zone, which would conform with our Chapter 30 Flood Regulations to reduce flood hazards and secure the safety of the public. If the variance is not approved, the house cannot be raised out of the flood zone and would remain a hazard to the public.