



# Application for Variance

## TOWN OF CAROLINA BEACH, N.C.

Permit Number: 25V-02

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 (3<sup>rd</sup>) 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: Pamela Capel Martha Breslin

Applicant Mailing Address:

817 Carolina Beach Ave, Carolina Beach, NC 28428

816 Canal Dr Carolina Beach, NC 28428

Street Address

City

State

Zip

Applicant Phone Number: mobile/work/home (circle one): 919-270-1673 mobile mobile/work/home (circle one): \_\_\_\_\_

Applicant Email Address:

pamcapel49@yahoo.com

Mcbdux@netscape.net

Property Owner Name: Pamela Capel Martha Breslin

Property Owner Mailing Address:

Pamela Capel- 817 Carolina Beach Ave, Carolina Beach, NC 28428

Martha Breslin- 816 Canal Dr Carolina Beach, NC 28428

Street Address

City

State

Zip

Property address of variance being requested:

817 Canal Drive, Carolina Beach, NC 28428

Property Size: 2,000 sq. ft.

Zoning Designation: R-1

Please give a brief description of requested action:  
We are requesting a variance on the side setbacks, footprint, and impervious surfaces. We understand the CAM requirements of 1 1/2 inches of rain be meet for containment. These variances will allow us to build a home that is resemblance of new construction at Carolina Beach. The proposed plan was recently built on a half lot, address is 221 Georgia Ave. The plan is attached. We ask that our variance be granted in the same spirit that others were granted. The variance makes the lot suitable for construction while ensuring it remains aesthetically pleasing and in harmony with the surrounding homes at Carolina Beach.

Owner Signature: \_\_\_\_\_  
Date: 03. 27. 2025  

Signed by:  
*Pamela Capel*  
4FA775BB5122450...

Signed by:  
*Martha Breslin*  
7C5F5C818BBD4B4...

Owner Printed Name: \_\_\_\_\_ Pamela Capel Martha Breslin

**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.

While the property could still be used in some way, it would be much more limited than other nearby properties. The variance would allow for a more reasonable and practical use of the land without harming the neighborhood or going against the intent of the zoning rules.

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.

The hardship is due to the size of the property, which makes it difficult to meet the zoning requirements. These issues are specific to this lot and are not common in the neighborhood. Because of this, we are unable to use the property in a reasonable way without a variance. We are only asking for the minimum needed to make the property usable, and the change won't negatively affect the neighborhood.

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.

The property was originally purchased without restrictions of setbacks, impervious surfaces and footprint constrictions. Other similar lots have been granted variances. The issue with the properties size was present before it was purchased. We are simply trying to make a reasonable use of the land as it exists, and are not asking for a variance due to any changes we made ourselves.

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.

The requested variance is consistent with the spirit and intent of the ordinance because it supports responsible land use and environmental protection. The proposed development will comply with updated erosion control standards and has been designed by licensed, certified engineers to ensure safety and stability. Additionally, a new bulkhead—constructed at a cost of \$22,000—was recently installed to protect the shoreline and surrounding area. These actions demonstrate a commitment to protecting both public safety and environmental integrity, while allowing for a reasonable and fair use of the property.

2025 Submission Deadlines & Meeting Dates		
Board of Adjustments		
Deadline	Meeting	
Dec 26, 2024	Jan 21	
Jan 23	Feb 18	
Feb 20	Mar 17	
Mar 27	Apr 21	
Apr 24	May 19	
May 22	June 16	
June 26	July 21	
July 24	Aug 18	
Aug 21	Sept 15	
Sept 25	Oct 20	
Oct 23	Nov 17	
Nov 20	Dec 15	
Dec 23	Jan 2026	