



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

Permit Number: 26V-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 (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: Ryan C Michielos

Applicant Mailing Address:

7200 Mullet Ct. Wilmington NC 28409
Street Address City State Zip

Applicant Phone Number: mobile/work/home (circle one): 910-742-8100 mobile/work/home (circle one): _____

Applicant Email Address:

nagsheadconstruction@gmail.com

Property Owner Name: Ryan C Michiels

Property Owner Mailing Address:

7200 Mullet Ct. Wilmington NC 28409
Street Address City State Zip


Property address of variance being requested:

817 Canal Drive, Carolina Beach 28428

Property Size: 3920 sq. ft. Zoning Designation: R-1

Please give a brief description of requested action:

Due to the extremely small size of the lot, I am requesting that the entry staircase fall 3' into the setback,
one of the parking spots be 6" narrower than required, and that the 25% cantalever allowance be
increased to 26%.

Owner Signature: 
Date: 04 / 20 / 2026

Owner Printed Name: Ryan C Michiels

Variance Requirements

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| 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.

It would result in a structure that too small for the project to be financially viable. Parking would not be able to fit under the house resulting in an 20% decrease in the building footprint on a lot where sqft is extremely limited. In order to do this the entry stairs must be outside the buildable area. The cantalever increase to 26% is necessary because 12'6" is the absolute minimum size that can fit a staircase and still meet building codes.

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 lot is extremely small at only 3920sqft. This is the major contributing factor in the variance requested. Due to the setback requirements the building footprint is only 10' wide. Because of the setback limitations, building dimensions would require the requested setbacks for a safe, finacially viable building. To the best of my knowledge, this lot does not meet the conventional lot dimensions for R-1 zoning in Carolina Beach.

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.

I was aware of the size othe lot and setbacks that existed but did not create those circumstances in anyway. Without these variances, the lot would not be economically practical to build on.

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.

I believe that this would be in the best interest of public safety. This would allow a second staircase for emergency easment and increase the fire safety of the structure. The purpose of this variance is to improve the safety of the structure both structurally and in reference to fire safety.