

Entry #: 27 - 6/21/2024

Status: Submitted

Submitted: 6/21/2024 11:14 AM

Items to Accompany Application:

Completed application form

Site plan of property showing existing structures, natural features (i.e. streams, ponds, etc.) proposed building or addition and indicating distance from such to the centerline of street and to the side and rear lot lines, as applicable. Show placement of septic systems and drain field if applicable and distances from structures.

Copy of septic permit, if applicable

Other documents supporting application, if applicable.

Photographs (optional)

Application fee of \$75.00

Shortly after application for a variance is accepted, staff will take photographs of the site. Please have the corners of the proposed structure and septic system staked so that they may be seen in such photos.

For more information call (828) 697-3010

Date:

6/21/2024

Applicant Name:

Andrew Griffin

Address

709 Florida Ave, Hendersonville, North Carolina 28739

Phone

(828) 699-7624

Email

Griffinworks@yahoo.com

Property Owner's Name (if different from above)

Property Owner's Address (if different from above)

Parcel ID #

9568583783











Zoning District:

MC

Directions to property from Hendersonville:

64 west to L on N. Justice then R on Florida Ave. First house on R

Attach site plan and any supporting documents/pictures

-  [S-24-156 SitePlan Preliminary.pdf](#) 97.5 KB 
-  [PNG image 2.png](#) 0.7 MB 
-  [PNG image 3.png](#) 0.7 MB 
-  [PNG image.png](#) 0.6 MB 
-  [PNG image 4.png](#) 0.6 MB 

To the Board of Adjustment:

Name

Andrew Griffin

(owner/agent), hereby petition the Zoning Board of Adjustment for a VARIANCE from the literal provisions of the Zoning Ordinance of the City of Hendersonville because I am prohibited from using the parcel of land described in the form "Zoning Permit Application" in a manner shown by the site plan.

I request a varaince from the following provisions of the ordinance (cite section numbers):

Section 5-10-3 minimum yard requirement and setbacks

Factors Relevant to the Issuance of a Variance

The Zoning Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the state enabling act the Board is required to reach four conclusions as a prerequisite to the issuance of a variance: (a) 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 of the property, (b) the varaince is in harmony with the general purpose and intent of the ordinance, preserves its spirit, public safety is secured, and substantial justice is achieved, (c) 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 general public, may not be the basis for granting a variance, (d) the hardship did not result from actions taken by the applicant or owner of the property. 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. In the spaces provided, indicate the facts that you intend to show and the arguments that you intend to make to convince the Board that it can properly reach these four required conclusions:

Unnecessary Hardship would result from the strict application of thei ordinance: State facts and arguments to show that, 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 ise can be made of the property)

Non conforming lot with permitted uses in MIC converting current driveway to covered garage with 336 sqft addition above.

The variance is in harmony with the general purpose and intent of the ordinance. preserves its spirit, public safety is secured and substantial justice is achieved. (State facts and arguments to show that, on balance, if the variance is denied, the benefit to the public will be sustantially outweighed by the harm suffered by the applicant).

Allowed uses are single family residence Addition

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. (State facts and arguments to show that the variance requested represents the least possible deviation from the letter of the ordinance that will allow a reasonable use of the land and that the use of the property, if the variance is granted, will not substantially detract from the character of the neighborhood).

Lot is .08 acre and the orientation of home established in 1930.

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. (State any facts pertaining to the hardship that is not the result of the applicant's own actions).

No

I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information and belief.

Signature of Applicant:

Date:

6/21/2024



Signature of Property Owner:

Date:

6/21/2024



In the event that any discrepancies exist between the criteria outlined on this form and the Zoning Ordinance of the City of Hendersonville, the ordinance shall prevail.

Received By:

Date:

Fee Paid:

Date Received:

A VOTE OF SEVEN MEMBERS OF THE BOARD IS REQUIRED TO APPROVE A VARIANCE.