



NEW HANOVER COUNTY

INSPECTIONS SERVICES

230 GOVERNMENT CENTER DRIVE - SUITE 110

WILMINGTON, NORTH CAROLINA 28403

TELEPHONE: (910) 798-7118

FAX: (910) 798-7060

Ann S. Hines
Chief Zoning
Enforcement Official

NEW HANOVER COUNTY ZONING BOARD OF ADJUSTMENTS CHECKLIST FOR APPEAL

1. "Notice of Appeal to Board of Adjustment" *must* be completed.
2. A small scale vicinity map, showing exact location of the property with respect to the existing streets, and size of the lots, the nature of adjacent property uses, and other important features within and contiguous to the property must be submitted.
3. The names and addresses of the adjacent property owners *must* be listed, including the property owners that would be adjacent if there were not an intervening public right-of-way, etc.
4. Filing fee of **\$350.00** must be paid.
5. If title of the property is not in the name of the appellant, a letter from the owner signifying approval for the appellant to file must be included. Corporate resolution required for corporations.
6. The "Order Granting/Denying a Variance" is not required to be filled out, but a proposed order, submitted by the applicant is helpful in focusing on the pertinent issues.



- ◆ Unless otherwise stated, all the information listed above must be provided before the appeal shall be considered as having been filed.
- ◆ Information submitted must be on ledger size paper (11" x 17") or smaller. If larger than ledger size, or not in black and white, 10 copies of the information must be submitted.
- ◆ Appeal packages must be submitted to the County Zoning Inspections Office no later than **4:00p.m. on the Monday that is fifteen (15) calendar days before the meeting** -- ZBA meetings are scheduled the **4th Tuesday of each month at 5:30 p.m.** Meeting dates in November and December may vary, to avoid the Thanksgiving and Christmas holidays.
- ◆ **It is recommended that a representative be present at the meeting to provide any additional information that may be requested.**

**NEW HANOVER COUNTY ZONING BOARD OF ADJUSTMENT
NOTICE OF APPEAL**

Notice is hereby given the Board of Adjustment and the Building Inspector of an appeal from the ruling of the Building Inspector on the _____ day of _____ 20____, which (Denied), (Granted), (Ordered that)_____

_____ premises located at _____ in the County of New Hanover, North Carolina. Title to this property is in the name of _____

The grounds for this appeal are as hereinafter set forth:

Date

Signature of Appellant

Address

Phone Number

If the title to the above-mentioned property is not in the name of the appellant and appeal is on behalf of such property, attach a letter from the owner signifying his approval.

Appeal must be accompanied by: a small scale vicinity map, showing exact location of property with respect to existing streets, street names, and sizes of lots, nature of adjacent property uses, and other important features within and contiguous to the property. The names and address of the adjacent property owners including the property owners that would be adjacent if there were not an intervening public right-of-way, etc. will be shown.

All required information must be provided before an appeal shall be considered as having been filed. Appeal forms must be submitted to the Inspections Office no later than 4:00 PM-15 calendar days prior to the meeting. **ZBA meetings are scheduled the 4th Tuesday of each month at 5:30 PM.**

DO NOT WRITE BELOW THIS LINE

Case Number ZBA-
Zone _____

Advertised in _____
Dates _____

COUNTY OF NEW HANOVER, NORTH CAROLINA

ORDER GRANTING/DENYING A VARIANCE

The Board of Adjustment for the County of New Hanover, having held a public hearing on _____ to consider application number _____, submitted by _____, a request for a variance to use the property located at _____ in a manner not permissible under the literal terms of the ordinance, and having heard all the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACT and draws the following CONCLUSIONS:

1. It is the Board's CONCLUSION that, if the applicant complies with the literal terms of the ordinance, specifically _____ he (can/cannot) secure a reasonable return from, or make reasonable use of his property. This conclusion is based on the following FINDINGS OF FACT:

2. It is the Board's CONCLUSION that the hardship of which the applicant complains (results/does not result) from unique circumstances related to the applicant's land. This conclusion is based on the following FINDINGS OF FACT:

3. It is the Board's CONCLUSION that the hardship is not the result of the applicant's own actions. This conclusion is based on the following FINDINGS OF FACT:

4. It is the Board's CONCLUSION that, if granted, the variance (will/will not) be in harmony with the general purpose and intent of the ordinance and (will/will not) preserve its spirit. This conclusion is based on all the FINDINGS OF FACT listed above, as well as the following:

5. It is the Board's CONCLUSION that, if granted, the variance (will/will not) secure the public safety and welfare and (will/will not) do substantial justice. This conclusion is based on all of the FINDINGS OF FACT listed above, as well as the following:

Therefore, on the basis of all the foregoing, IT IS ORDERED that the application for a VARIANCE be (GRANTED/DENIED), subject to the following conditions:

Ordered this _____ day of _____, _____.

Secretary to the Board

Chairman

NOTE: If you are dissatisfied with the decision of this Board, an appeal may be taken to the Superior Court of New Hanover County within 30 days after the date this order is served on you. See Section 123-1 of the New Hanover County Zoning Ordinance. (1/4/93)

