

Town of Kill Devil Hills, NC
Required Attachments/Submittals for an
Application for a Variance

Name of Applicant Requesting the Variance: Eric R + Tania Maurer +
Elizabeth E. Robbins, Attorney

1. Typed metes and bounds description of the property (or portion of property). A recorded deed is sufficient, if the deed describes only the subject property.
2. Dare County Tax Records print out of the names and addresses of all immediately adjacent property owners, including any that are directly across the street/road or highway.
3. Fee received by: dy Date: 6/28/2022

The application fee is nonrefundable.

******Important: If any of the above requirements
are not present at the time of submittal of the
Application for an Appeal, the application is not complete
and will not be accepted.******

Town of Kill Devil Hills, NC
Application for a Variance
Page 1

A variance is not a right. It may be granted to an application only if the applicant establishes compliance with the hardship criteria established in NCGS §160A-388(d).

(Please Type or Print)

Applicant Name, Address, Contact Information: Eric R. Mauver + wife Tenia
Mauver, 605 W. Archdale St., Kill Devil Hills, NC
27948; Elizabeth E. Robbins, Attorney

Owner Name, Address, Contact Information: Same as applicant

Property Location/Address: O Bay Dr., Kill Devil Hills

Parcel Number: 029614001

PIN Number: 987520806669

Area of Subject Property (acres or square feet): 4500 SF

Lot Width: * See attached ^{GIS} image Lot Depth: * See attached ^{GIS} image

Current Zoning Classification: Sound front / Residential Low Density

Existing Land Use: Vacant - Sound Front

Surrounding Land Use:

North Soundfront w/ pier South Soundfront vacant

East right of way / residential West Water - Kitty Hawk Bay

Description of Use Requested: Request to construct a pier (260')
with deck (Sketch plan attached)

Town of Kill Devil Hills, NC
Application for a Variance
Page 2

I (we) Eric + Tenia Maurer by Elizabeth Robbins, Attorney, hereby petition the Kill Devil Hills Board of Adjustment for a variance from the literal provisions of the Kill Devil Hills Zoning Ordinance because under the interpretation given to me by the Zoning Administrator, I (we) am/are prohibited from using the parcel of land described in this application in the manner that I have proposed. I (we) request a variance from the following provisions of the ordinance:

§ 153.116(c)

To the end that the above-mentioned property can be used in the manner described herein:

construction of proposed pier with deck
See attached sketch plan

Facts Relevant to the Issuance of a Variance

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the state enabling act, the Board of Adjustment is required to reach the determination that 1) there are unnecessary hardship(s) to the applicant if the strict letter of the ordinance is carried out; 2) the variance is in harmony with the general purposes and intent of the ordinance and preserves its spirit; and, 3) that in granting of the variance the public safety and welfare have been assured and substantial justice has been done.

In the spaces provided below, indicate the facts that you intend to show and the arguments that you intend to make to convince the Board of Adjustment that it can properly reach these conclusions.

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.

Se

Town of Kill Devil Hills, NC
Application for a Variance
Page 3

1. That there are unnecessary hardships in the manner of carrying out the strict letter of the ordinance.
Applicant comment: as Statement(s) of Fact:

See attached Applicant's statement
of Facts

Staff comment, as Statement(s) of Fact:

See Staff Comments attached

2. That the variance is in harmony with the general purposes and intent of the ordinance and preserves its spirit:

See attached Applicant's statement
of Facts

Staff comment, as Statement(s) of Fact:

See Staff Comments attached

3. That in granting the variance, the public safety and welfare have been assured and substantial justice has been done:

See attached Applicant's statement of
Facts

Staff comment, as Statement(s) of Fact:

See staff Comments attached

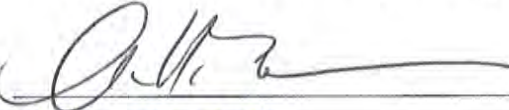
Town of Kill Devil Hills, NC
Application for a Variance
Page 4

Calls, conversations or other communications with any member of the Board of Adjustment prior to the meeting cannot be considered in the final decision and may result in the Board Members' recusal due to a conflict of interest. If adjacent property owners are to testify on behalf of the applicant, they must be present. Petitions and written consent may be accepted by the Board of Adjustment, but they cannot be used as a basis for the decision.

Certification:

I (we) hereby acknowledge and say that the information contained herein and herewith is true and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the Town of Kill Devil Hills Planning and Inspections Department.

Applicant Signature: _____



Date: _____

JUNE 28, 2022

Maurer Application for a Variance with Town of Kill Devil Hills

Applicant's Statements of Fact

1. That there are unnecessary hardships in the manner of carrying out the strict letter of the ordinance. Applicant's Statement(s) of Fact:

The prohibition of the construction of the proposed pier on the subject property creates an unnecessary hardship because the disallowance of such construction eliminates the ONLY use of property due to Town of Kill Devil Hills ("KDH") zoning requirements (e.g. land use setbacks) and CAMA requirements (e.g. CAMA AEC buffer). The best and ONLY use for the subject property is a pier, a water dependent use as permitted by CAMA regulations and allowed as an permitted use under the KDH Zoning Code. The subject property does not meet the size requirements to satisfy any other use, like parking or a single family dwelling. Without the allowance of the construction of the proposed pier, the subject property would be unbuildable, useless and have no value to the owner. The subject property is unique because of its location at the western point of the intersection between Bay Drive and Archdale Street as shown on Dare County GIS Map labeled "Exhibit A". Furthermore, it is unique in that the subject property cannot be recombined to another property (the principal use property) due to existing KDH's rights of way, e.g. Bay Drive and Archdale Street. There are many existing piers in the vicinity of the subject property that are not on the same lot as the principal use as required by definition of "accessory use". See Section 153.002 KDH Zoning Ordinance. By my count, there are twenty-one parcels which are similar to the subject property, in that the parcel with the pier and the parcel with the "principal use" are NOT located on the same lot, but rather are two (2) separate parcels separated by Bay Drive. Each parcel has its own parcel number according to Dare County. See Dare County GIS Map labeled "Exhibit B". As such, these parcels with piers can already be freely and separately conveyed from the "principal use" parcel. These parcels with existing piers and/or decks ARE NOT LOCATED ON THE SAME LOT so the strict letter of the ordinance (definition of accessory use) is already not being enforced.

There are several provisions of the KDH Zoning Ordinance that must be considered to analyze the variance request.

Section 153.116 Permitted Uses states in part that "in the RL Zone, buildings and/or land shall be used for the following purposes:

(A) Single-family dwellings

(C) On-site accessory uses or building to division (A) of this section

The reader must then look to Section 153.002 "Definitions" for additional guidance

"USE, ACCESSORY. A use which is clearly subordinate to, incidental to and customarily found in connection with the principal use and located on the same lot with such principal use.

By my count, there are twenty-one parcels which are similar to the subject property, in that the parcel with the pier and the parcel with the "principal use" are NOT located on the same lot, but rather are two (2) separate parcels separated by Bay Drive. Each parcel has its own parcel number according to Dare County. See Dare County GIS Map labeled "Exhibit C". As such, these parcels with piers can already be freely and separately conveyed from the "principal use" parcel. These parcels with existing piers and/or decks ARE NOT LOCATED ON THE SAME LOT so the strict letter of the ordinance (definition of accessory use) is already not being enforced.

Therefore, denying this variance when the construction of pier is permitted by KDH zoning requirements and CAMA requirements and is consistent with other existing piers that are not on the same lot as the principal use creates an unfair and unnecessary hardship by completely eliminating the owner's use and enjoyment of the property when other similarly situated owners enjoy a pier.

The Applicants Eric and Tenia Maurer have their primary residence at 605 W. Archdale Steet, less than 200 feet away from the subject property.

Additionally, the subject property is a very unique situation for another reason. I could locate only one other situation in addition to the subject property where the soundfront and the principal use parcel were not directly across from each other (H & K Lots, LLC owns 0 Bay Drive and 0 Aycock St.) therefore the exact situation as the requested variance is very narrow in its scope. Several of the soundfront parcel with piers within the vicinity of the subject property, parcels with piers are either publicly owned or owned by non-profits/HOAs.

Maurer Application for a Variance with Town of Kill Devil Hills

Applicant's Statements of Fact

2. That the variance is in harmony with the general purposes and intent of the ordinance and preserves its spirit. Applicant's Statement(s) of Fact:

The proposed pier is considered an "accessory use" under the KDH Zoning Ordinance. The variance to allow the construction of the proposed pier on the subject property is in harmony with the general purpose and intent of the ordinance and preserves its spirit for several reasons. First, the proposed pier is a permitted use for a single family dwelling. See KDH Zoning Ordinance S153.116 (C). There are twenty-six (26) privately owned piers on Bay Drive that are on separate parcels from Sportsman Drive to the south of the subject property and Hayman Blvd to the north of the subject property. I could locate only one other situation in addition to the subject property where the soundfront and the principal use parcel were not directly across from each other (H & K Lots, LLC owns 0 Bay Drive and O Aycock St.) therefore the exact situation as the requested variance is a very narrow scope. In fact, upon review of Dare County GIS, only five (5) examples of a single parcel with soundfront pier are found on Bay Drive. All the remaining twenty-one (21) piers are located on separate parcel from the principal use parcel across the street.. As such, this requested variance is not asking for anything more than what numerous property owners within the vicinity of the subject property enjoy.

Maurer Application for a Variance with Town of Kill Devil Hills

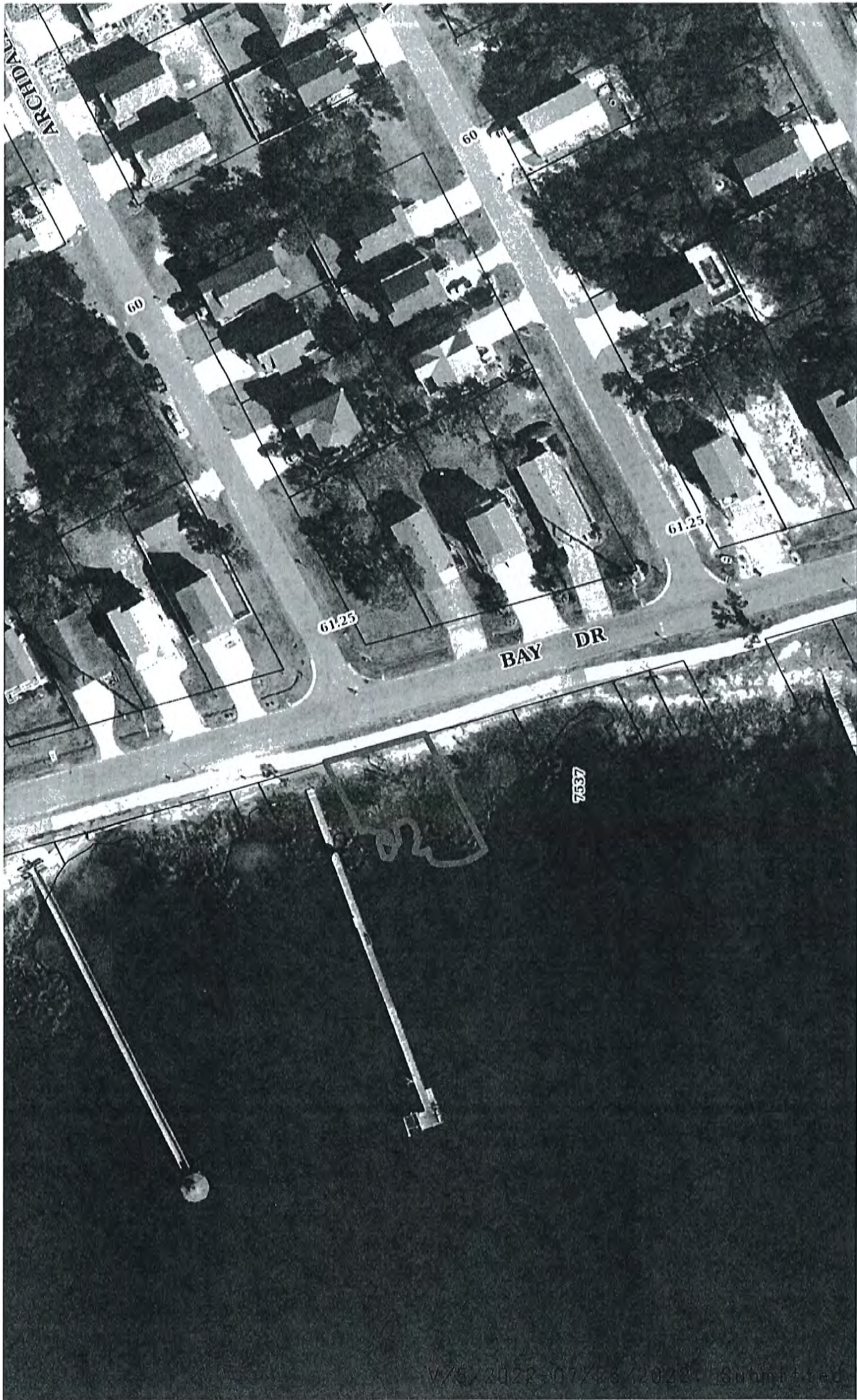
Applicant's Statements of Fact

3. That in granting the variance, the public safety and welfare have been assured and substantial justice has been done. Applicant's Statement(s) of Fact:

Granting the variance would assure the public safety and achieve substantial justice. As explained in statements #1 and #2, without granting this variance the subject property would be unbuildable for any type of improvement rendering it useless and of no value to the property owner. The scope of this variance is very narrow because of the unique location of the subject property and the single use of the subject property (only the proposed pier could be constructed). Furthermore, several similarly situated properties with pier and/or decks exist in the vicinity of the subject property and are on NOT on the same lot as the "principal use" property. Since many other piers and/docks exist in the vicinity of the subject property there is no increased risk to public safety and welfare. Therefore, substantial justice would be achieved because other similarly situated property owners enjoy the use of a pier and/or dock that is not on the same lot as the principal use.

STAFF COMMENTS – MAURER APPLICATION

- 1) A pier would be permitted on this lot if it was contiguous with the lot owned by the applicant at 605 West Archdale Street which includes a primary structure. Other lots along Bay Drive have been combined so that piers, walkways, sheds and other accessory uses can be built on these small lots, but the lots in question are contiguous and have been combined either by a legal agreement or a recombination plat with the lot across the street, and they are considered one parcel. The Town has denied other applicants in the past who have applied to build accessory structures without a primary structure, and several specifically along Bay Drive, due to them not meeting zoning requirements.
- 2) Accessory uses are permitted in the RL Zone when there is an existing primary structure. This proposed pier is not associated with a primary structure and therefore it does not meet zoning requirements for accessory structures nor the intent of the ordinance.
- 3) Public safety and welfare would not be affected, but substantial justice would not be served since other property owners were required to follow the strict letter of the ordinance and were permitted to build the piers because the lot was combined to meet the ordinance.



Tax District: Kill Devil Hills
Subdivision: Virginia Dare Sh Blks 85-90
Lot BLK-Sec: Lot: 8,9,10 Blk: 87 Sec:
Property Use: Vacant Land (Private)
Building Type:
Year Built:

Owners: Maurer, Eric R -Primary
Owner
Maurer, Tenia -Primary Owner
Building Value: \$0
Land Value: \$26,200
Misc Value: \$0
Total Value: \$26,200

0 Bay DR
Kill Devil Hills NC, 27948
Parcel: 029614001
Pin: 987520806669

This map is prepared from data used for the inventory of the real property for tax purposes. Primary information sources such as recorded deeds, plats, wills, and other primary public records should be consulted for verification of the information contained in this map.





Tax District: Kill Devil Hills
Subdivision: Virginia Dare Sh Blks 85-90
Lot BLK-Sec: Lot: 8,9,10 Blk: 87 Sec:
Property Use: Vacant Land (Private)
Building Type:
Year Built:

Owners: Maurer, Eric R -Primary
Owner
Maurer, Tenia -Primary Owner
Building Value: \$0
Land Value: \$26,200
Misc Value: \$0
Total Value: \$26,200

0 Bay DR
Kill Devil Hills NC, 27948
Parcel: 029614001
Pin: 987520806669

Exhibit A

This map is prepared from data used for the inventory of the real property for tax purposes. Primary information sources such as recorded deeds, plats, wills, and other primary public records should be consulted for verification of the information mentioned in this map.



Subject property

County of Dare, North Carolina

*Owner and Parcel information is based on current data on file and was last updated on June 20 2022

Primary (100%) Owner Information:

MAURER, ERIC R EUX
 MAURER, TENIA EUX
 605 W ARCHDALE ST
 KILL DEVIL HILLS NC 27948

Parcel Information:

Parcel: 029614001 PIN: 987520806669
 District: 07- KILL DEVIL HILLS
 Subdivision: VIRGINIA DARE SH BLKS 85-90
 LotBlkSect: LOT: 8,9,10 BLK: 87 SEC:
 Multiple Lots: -
 PlatCabSlide: PL: 2 SL: 131 Units: 0
 Deed Date: 08/25/2017
 BkPg: 2188/0680
Parcel Status: ACTIVE

**Property Use:** VACANT LAND (PRIVATE)**0 BAY DR**

BUILDING USE & FEATURES	<u>Tax Year Bldg Value: \$0</u>	<u>Next Year Bldg Value: \$0</u>
Building Use:		
Exterior Walls:		Actual Year Built:
Full Baths:	Half Baths:	
Bedrooms:		
Heat-Fuel:		
Heat-Type:		Finished sqft for building 1:
Air Conditioning:		Total Finished SqFt for all bldgs: 0
MISCELLANEOUS USE	<u>Tax Year Misc Value: \$0</u>	<u>Next Year Misc Value: \$0</u>

LAND USE	<u>Tax Year Land Value: \$26,200</u>	<u>Next Year Land Value: \$26,200</u>
Land Description : 07-Sound Front		

TOTAL LAND AREA: 4500.00 square feet

<u>Tax Year Total Value: \$26,200</u>	<u>Next Year Total Value: \$26,200</u>
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*Values shown are on file as of June 20 2022

DARE COUNTY REAL ESTATE TRANSFER TAX



LT

3004-17

\$ 70.00

Recorded: 08/25/2017 05:04:43 PM

BY: SHAREE WILDER

Vanzolla McMurran, Register of Deeds

Dare County, NC

Fee Amt: \$26.00

NC Excise Tax: \$14.00

BOOK 2188 PAGE 680 (8)

700043020



Subject
property

APPROVED
DARE COUNTY TAX
COLLECTOR

NO.

3004-17 / \$70

Space Above This Line For Recording Data

DEED

This instrument prepared by Kellogg and Evans, PA, 201 Ananias Dare Street (P.O. Box 189), Manteo, NC 27954

Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds.

Return to: Sharp, Graham, Baker & Varnell, LLP, P.O. Drawer 1027, Kitty Hawk, NC 27949

Excise Tax: \$14.00
Transfer Tax: \$70.00

Tax Parcel: 029614001
LT Number:

North Carolina, Dare County

THIS GENERAL WARRANTY DEED made this August 14, 2017, by and between

GRANTOR	GRANTEE
THE ALEXANDER FAMILY PARTNERSHIP, LLP William G. Alexander, General Partner	Eric R. Maurer and wife, Tenia Maurer
Elizabeth A. Harrison, & husband, William H. Harrison, III Hugh Q. Alexander, Jr. & wife, Jane E. Alexander William G. Alexander & wife, Shelia H. Alexander William G. Alexander, Trustee of the Myrtle W. Alexander Testamentary Trust (fbo Stephen W. Alexander)	Mailing address: 605 W. Archdale Street Kill Devil Hills, NC 27948
Mailing address: 3717 Benson Drive Raleigh, NC 27609	

WHEREAS, Elizabeth A. Harrison, Hugh Q. Alexander, Jr., William G. Alexander, and William G. Alexander, Trustee of the Myrtle W. Alexander Testamentary Trust (f/b/o Stephen W. Alexander) are all of the partners of The Alexander Family Partnership, LLP;

WITNESSETH:

That the Grantor, for a valuable consideration, paid by the Grantee, the receipt of which is hereby acknowledged, has given, granted bargained, sold, and conveyed, and by these presents does hereby give, grant, bargain, sell and convey unto said Grantee, Grantee's heirs, successors, administrators and

assigns, all of that certain piece, parcel, or tract of land situate, lying and being in the Town of Kill Devil Hills, Atlantic Township, Dare County, State of North Carolina, and being more particularly described as follows:

Lots 8, 9 and 10 of Block 87, of the Virginia Dare Shores Subdivision, Dare County, North Carolina, the map of said subdivision being recorded in the Office of the Register of Deeds of Dare County, North Carolina.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 1412, Page 235, Dare County Register of Deeds. See also Deed Book 961, Page 677 for back title.

All of the property herein conveyed does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the above described lands and premises, together with all appurtenances thereunto belonging, or in anywise appertaining, unto the Grantee, Grantee's heirs, successors, administrators, and assigns forever.

AND THE SAID GRANTOR COVENANTS to and with said Grantee, Grantee's heirs, successors, administrators, and assigns, that Grantor is lawfully seized in fee simple of said lands and premises, and have full right and power to convey the same to the Grantee in fee simple, and that said lands and premises are free from any and all encumbrances, except as set forth herein, and that the Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, with the exception of the following: Ad valorem taxes for 2017 and any easements, covenants and restrictions of record and any governmental rules and regulations that may affect the use thereof.

IN WITNESS WHEREOF, the Grantor has duly executed this instrument, this the day and year first above written.

GRANTOR:

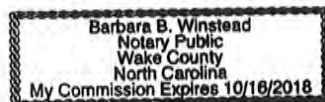
William G. Alexander (SEAL)
William G. Alexander, General Partner
THE ALEXANDER FAMILY PARTNERSHIP, LLP

STATE OF NORTH CAROLINA

COUNTY OF WAKE

I certify that the following person personally appeared before me this day, identified by a government issued picture identification card, acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: William G. Alexander, General Partner of The Alexander Family Partnership, LLP

Witness my hand and seal this 14th day of August, 2017.



Barbara B. Winstead
Signature of Notary Public
BARBARA B. WINSTEAD
Typed or printed name of Notary Public
My commission expires: 10-16-2018

(continued on the following page)

Unofficial Document

IN WITNESS WHEREOF, the Grantor has duly executed this instrument, this the day and year first above written.

GRANTOR:

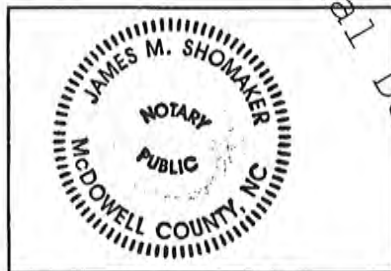
Hugh O. Alexander, Jr. (SEAL)
Hugh O. Alexander, Jr.

Jane E. Alexander (SEAL)
Jane E. Alexander

STATE OF N.C. (COUNTY) (CITY) OF Buscombe, Black Mountain

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Hugh O. Alexander, Jr. and Jane E. Alexander

Witness my hand and seal this 17 day of August, 2017.



Affix Notary Seal Inside This Box

James M. Shomaker
Signature of Notary Public

James M. Shomaker
Typed or printed name of Notary Public

My commission expires: March 24, 2019

Unofficial Document

Unofficial Document

IN WITNESS WHEREOF, the Grantor has duly executed this instrument, this the day and year first above written.

GRANTOR:

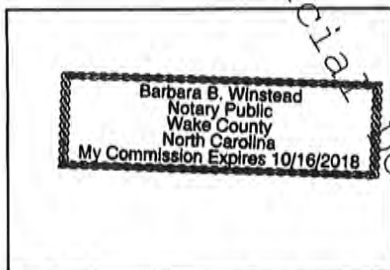
William G. Alexander (SEAL)
William G. Alexander

Shelia H. Alexander (SEAL)
Shelia H. Alexander

STATE OF NORTH CAROLINA (COUNTY) (CITY) OF WAKE

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: William G. Alexander & wife, Shelia H. Alexander

Witness my hand and seal this 14th day of August, 2017



Affix Notary Seal Inside This Box

Barbara B. Winstead
Signature of Notary Public
Barbara B. Winstead
Typed or printed name of Notary Public
My commission expires: 10-16-2018

Unofficial Document

IN WITNESS WHEREOF, the Grantor has duly executed this instrument, this the day and year first above written.

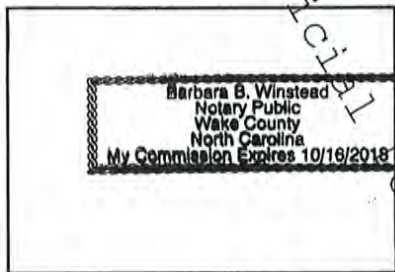
GRANTOR:

William G. Alexander (SEAL)
William G. Alexander, Trustee of the
Myrtle W. Alexander Testamentary Trust (fbo Stephen W. Alexander)

STATE OF NORTH CAROLINA (COUNTY) (CITY) OF WAKE

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: William G. Alexander, Trustee of the Myrtle W. Alexander Testamentary Trust (fbo Stephen W. Alexander)

Witness my hand and seal this 15th day of August, 2017



Affix Notary Seal Inside This Box

Barbara B. Winstead
Signature of Notary Public
Barbara B. Winstead
Typed or printed name of Notary Public
My commission expires: 10-16-2018

Unofficial Document

IN WITNESS WHEREOF, the Grantor has duly executed this instrument, this the day and year first above written.

GRANTOR:

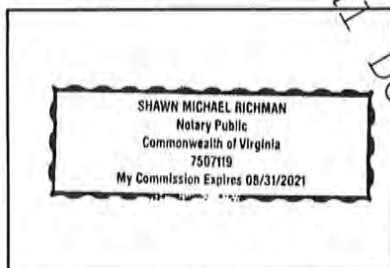
Elizabeth A. Harrison (SEAL)
Elizabeth A. Harrison

William H. Harrison, III (SEAL)
William H. Harrison, III

STATE OF Virginia (COUNTY) (CITY) OF Hanover

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Elizabeth A. Harrison & husband, William H. Harrison, III

Witness my hand and seal this 17 day of August, 2017.



Affix Notary Seal Inside This Box

[Signature]
Signature of Notary Public

Typed or printed name of Notary Public Shawn Richman

My commission expires: 08/31/2021

Unofficial Document

Unofficial Document

IN WITNESS WHEREOF, the Grantor has duly executed this instrument, this the day and year first above written.

GRANTOR:

Elizabeth A. Harrison (SEAL)
Elizabeth A. Harrison

William H. Harrison, III (SEAL)
William H. Harrison, III

STATE OF Virginia (COUNTY) (CITY) OF Hanover

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Elizabeth A. Harrison & William H. Harrison, III

Witness my hand and seal this 17 day of August, 2017



Affix Notary Seal Inside This Box

[Signature]
Signature of Notary Public

Typed or printed name of Notary Public Shawn Richman

My commission expires: 08/31/2021

Unofficial Document

IN WITNESS WHEREOF, the Grantor has duly executed this instrument, this the day and year first above written.

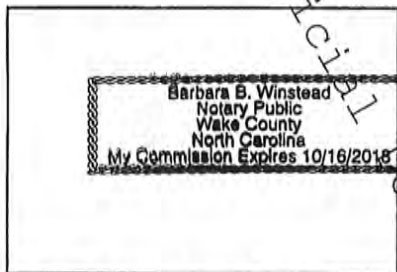
GRANTOR:

William G. Alexander (SEAL)
William G. Alexander, Trustee of the
Myrtle W. Alexander Testamentary Trust (fbo Stephen W. Alexander)

STATE OF NORTH CAROLINA (COUNTY) (CITY) OF WAKE

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: William G. Alexander, Trustee of the Myrtle W. Alexander Testamentary Trust (fbo Stephen W. Alexander)

Witness my hand and seal this 14th day of August, 2017



Affix Notary Seal Inside This Box

Barbara B. Winstead
Signature of Notary Public
Barbara B. Winstead
Typed or printed name of Notary Public
My commission expires: 10-16-2018

Adjacent Property
(South)
owned by Applicant

County of Dare, North Carolina

*Owner and Parcel information is based on current data on file and was last updated on June 24 2022

Primary (100%) Owner Information:

MAURER, ERIC R EUX
MAURER, TENIA EUX
605 W ARCHDALE ST
KILL DEVIL HILLS NC 27948

Parcel Information:

Parcel: 029614000 PIN: 987520806682
District: 07- KILL DEVIL HILLS
Subdivision: VIRGINIA DARE SH BLKS 85-90
LotBlkSect: LOT: 6-7 BLK: 87 SEC:
Multiple Lots: -
PlatCabSlide: PL: 2 SL: 131 Units: 0
Deed Date: 08/04/2017
BkPg: 2184/0739

Parcel Status: ACTIVE



029614-000

07-987520-RT-234

Property Use: VACANT LAND (PRIVATE)

0 BAY DR

BUILDING USE & FEATURES

Tax Year Bldg Value: \$0

Next Year Bldg Value: \$0

Building Use:

Exterior Walls:

Full Baths:

Half Baths:

Bedrooms:

Heat-Fuel:

Heat-Type:

Air Conditioning:

Actual Year Built:

Finished sqft for building 1:

Total Finished SqFt for all bldgs: 0

MISCELLANEOUS USE

Tax Year Misc Value: \$0

Next Year Misc Value: \$0

LAND USE

Tax Year Land Value: \$25,600

Next Year Land Value: \$25,600

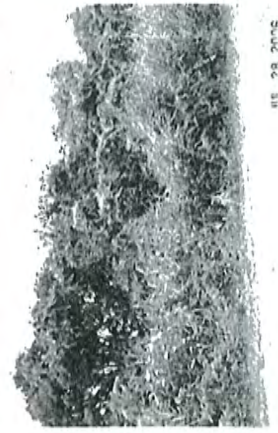
Land Description : 07-Sound Front

TOTAL LAND AREA: 4000.00 square feet

Tax Year Total Value: \$25,600

Next Year Total Value: \$25,600

*Values shown are on file as of June 24 2022



Tax District: Kill Devil Hills
Subdivision: Virginia Dare Sh Blks 85-90
Lot BLK-Sec: Lot: 6-7 Blk: 87 Sec:
Property Use: Vacant Land (Private)
Building Type:
Year Built:

Owners: Maurer, Eric R -Primary
Owner
Maurer, Tenia -Primary Owner
Building Value: \$0
Land Value: \$25,600
Misc Value: \$0
Total Value: \$25,600

0 Bay DR
Kill Devil Hills NC, 27948
Parcel: 029614000
Pin: 987520806682

This map is prepared from data used for the inventory of the real property for tax purposes. Primary information sources such as recorded deeds, plats, wills, and other primary public records should be consulted for verification of the information contained in this map.



County of Dare, North Carolina

*Owner and Parcel information is based on current data on file and was last updated on June 24 2022

Primary (100%) Owner Information:

TAFT, PATRICIA C TIC
 CARTER, THOMAS P TIC
 3558 SHORE DR APT 409
 VIRGINIA BEACH VA 23455

Parcel Information:

Parcel: 026683000 PIN: 987520808733
 District: 07- KILL DEVIL HILLS
 Subdivision: VIRGINIA DARE SHORES
 LotBlkSect: LOT: 1 BLK: 80 SEC:
 Multiple Lots: -
 PlatCabSlide: PL: 1 SL: 188 Units: 0
 Deed Date: 03/02/2001
 BkPg: 1362/0081

Parcel Status: ACTIVE

Adjacent Property
 (East)
 across the street



026683-000

07-987520-RT-212

Property Use: VACANT LAND (PRIVATE)

2607 BAY DR

BUILDING USE & FEATURES**Tax Year Bldg Value: \$0****Next Year Bldg Value: \$0**

Building Use:

Exterior Walls:

Full Baths:

Half Baths:

Bedrooms:

Heat-Fuel:

Heat-Type:

Air Conditioning:

Actual Year Built:**Finished sqft for building 1:****Total Finished SqFt for all bldgs: 0****MISCELLANEOUS USE****Tax Year Misc Value: \$0****Next Year Misc Value: \$0****LAND USE****Tax Year Land Value: \$201,100****Next Year Land Value: \$201,100**

Land Description : 07-Residential Subdivision

TOTAL LAND AREA: 6000.00 square feet**Tax Year Total Value: \$201,100****Next Year Total Value: \$201,100**

*Values shown are on file as of June 24 2022



Tax District: Kill Devil Hills
Subdivision: Virginia Dare Shores
Lot BLK-Sec Lot: 1 Blk: 80 Sec:
Property Use: Vacant Land (Private)
Building Type:
Year Built:

Owners: Taft, Patricia C -Primary
Owner
Carter, Thomas P -Primary Owner
Building Value: \$0
Land Value: \$201,100
Misc Value: \$0
Total Value: \$201,100

2607 Bay DR
Kill Devil Hills NC, 27948
Parcel: 026683000
Pin: 987520808733

This map is prepared from data used for the inventory of the real property for tax purposes. Primary information sources such as recorded deeds, plats, wills, and other primary public records should be consulted for verification of the information contained in this map.



by Applicant

Adjacent Property
(North)

County of Dare, North Carolina

*Owner and Parcel information is based on current data on file and was last updated on June 24 2022

Primary (100%) Owner Information:

DELUCIA, THOMAS EUX

DELUCIA, DIANA EUX

5105 CAPTAINS WALK

SUFFOLK VA 23435

Parcel Information:

Parcel: 029614002 PIN: 987520806755

District: 07- KILL DEVIL HILLS

Subdivision: VIRGINIA DARE SH BLKS 85-90

LotBlkSect: LOT: 11,12 BLK: 87 SEC:

Multiple Lots: -

PlatCabSlide: PL: 2 SL: 131 Units: 0

Deed Date: 03/06/2020

BkPg: 2360/0083

Parcel Status: ACTIVE



Property Use: SECONDARY IMPROVEMENT

0 BAY DR

BUILDING USE & FEATURES

Tax Year Bldg Value: \$0

Next Year Bldg Value: \$0

Building Use:

Exterior Walls:

Full Baths:

Half Baths:

Bedrooms:

Heat-Fuel:

Heat-Type:

Air Conditioning:

Actual Year Built:

Finished sqft for building 1:

Total Finished SqFt for all bldgs: 0

MISCELLANEOUS USE

Tax Year Misc Value: \$22,100

Next Year Misc Value: \$22,100

Misc Bldg a: (RD2) MED. WD. DOCK WD. GIRDERS BOLT Year Built: 2001 sqft: 1225

Misc Bldg b: (RD2) MED. WD. DOCK WD. GIRDERS BOLT Year Built: 2001 sqft: 192

Misc Bldg c: (RD2) MED. WD. DOCK WD. GIRDERS BOLT Year Built: 2001 sqft: 40

Misc Bldg d: (BL) BOAT LIFT RESIDENTIAL Year Built: 2001 sqft: 1

Misc Bldg e: (JSL) JET SKI LIFT RESIDENTIAL Year Built: 2001 sqft: 1

LAND USE

Tax Year Land Value: \$22,700

Next Year Land Value: \$22,700

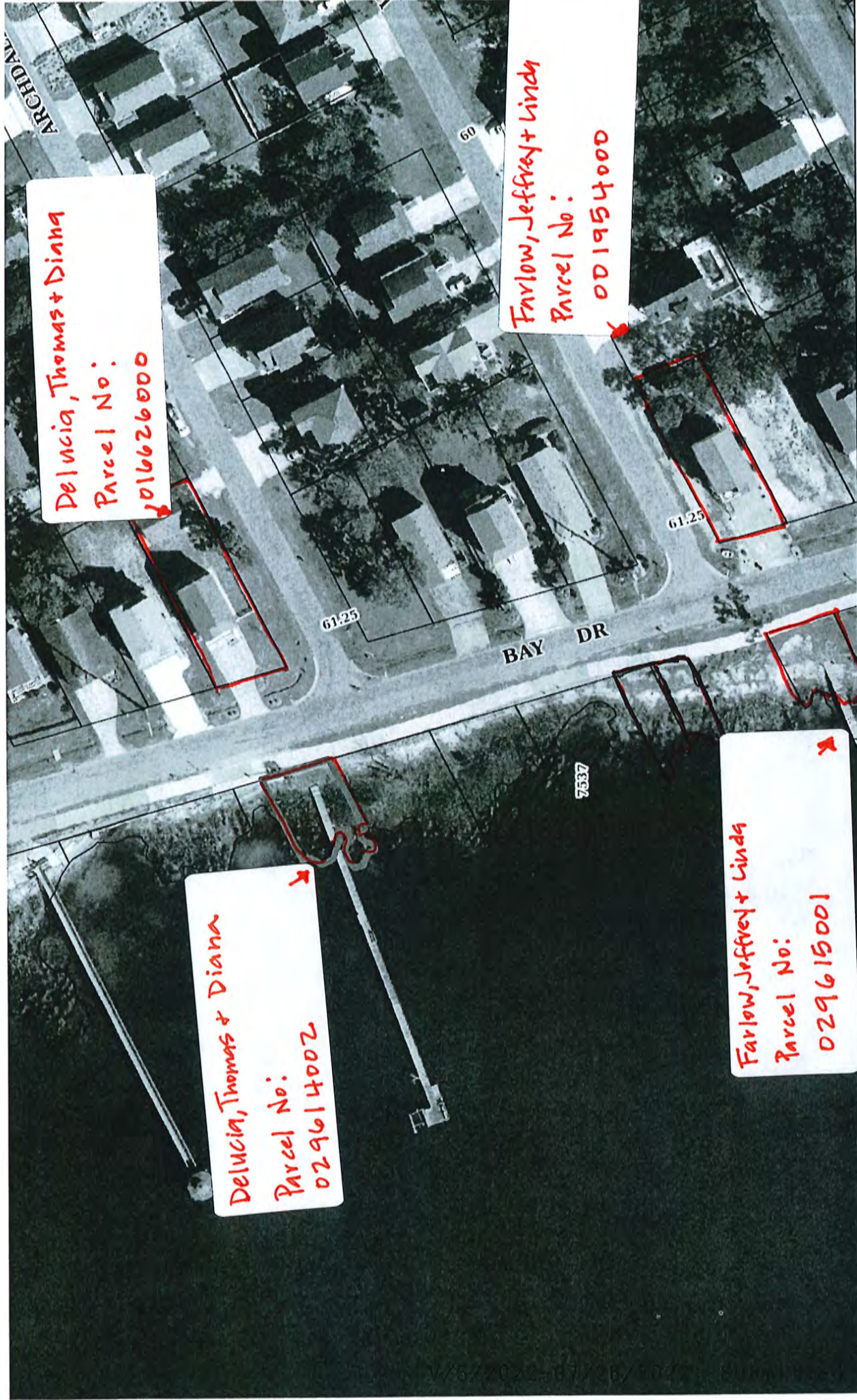
Land Description : 07-Sound Front

TOTAL LAND AREA: 1500.00 square feet

Tax Year Total Value: \$44,800

Next Year Total Value: \$44,800

*Values shown are on file as of June 24 2022



Delucia, Thomas & Diana
Parcel No:
016626000

Farlow, Jeffrey & Linda
Parcel No:
001954000

Delucia, Thomas & Diana
Parcel No:
029614002

Farlow, Jeffrey & Linda
Parcel No:
029615001



Tax District: Kill Devil Hills
Subdivision: Virginia Dare Sh Blks 85-90
Lot BLK-Sec: Lot: 11,12 Blk: 87 Sec:
Property Use: Secondary Improvement
Building Type:
Year Built:

Owners: Delucia, Thomas -Primary
Owner
Delucia, Diana -Primary Owner
Building Value: \$0
Land Value: \$22,700
Misc Value: \$22,100
Total Value: \$44,800

0 Bay DR
Kill Devil Hills NC, 27948
Parcel: 029614002
Pin: 987520806755

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Exhibit B

County of Dare, North Carolina

*Owner and Parcel information is based on current data on file and was last updated on June 24 2022

Primary (100%) Owner Information:

DELUCIA, THOMAS EUX

DELUCIA, DIANA EUX

5105 CAPTAINS WALK

SUFFOLK VA 23435

Parcel Information:

Parcel: 016626000 PIN: 987520808814

District: 07- KILL DEVIL HILLS

Subdivision: VIRGINIA DARE SHORES

LotBlkSect: LOT: 4A BLK: 81 SEC:

Multiple Lots: -

PlatCabSlide: PL: D SL: 372 Units: 1

Deed Date: 03/06/2020

BkPg: 2360/0083

Parcel Status: ACTIVE**Property Use: RESIDENTIAL****2701 BAY DR**

BUILDING USE & FEATURES	Tax Year Bldg Value: \$231,200	Next Year Bldg Value: \$235,800
Building Use:	BEACH BOX	
Exterior Walls:	VINYL / ALUM	Actual Year Built: 1998
Full Baths:	3 Half Baths: 1	
Bedrooms:	3	
Heat-Fuel:	3 - ELECTRIC	
Heat-Type:	2 - FORCED AIR	Finished sqft for building 1: 1495
Air Conditioning:	4 -CENTRAL W/AC	Total Finished SqFt for all bldgs: 1495
MISCELLANEOUS USE	Tax Year Misc Value: \$16,000	Next Year Misc Value: \$16,000
Misc Bldg b: (RG1) FRAME OR CB DETACHED GARAGE Year Built: 2006 sqft: 768		

LAND USE	Tax Year Land Value: \$171,000	Next Year Land Value: \$171,000
Land Description : 07-Residential Subdivision		

TOTAL LAND AREA: 7500.00 square feet

Tax Year Total Value: \$418,200	Next Year Total Value: \$422,800
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*Values shown are on file as of June 24 2022



Tax District: Kill Devil Hills
Subdivision: Virginia Dare Sh Blks 85-90
Lot BLK-Sec: Lot 17-18 Blk: 86 Sec:
Property Use: Secondary Improvement
Building Type:
Year Built:

Owners: Farlow, Jeffrey C -Primary Owner
Farlow, Linda A -Primary Owner
Building Value: \$0
Land Value: \$24,400
Misc Value: \$16,000
Total Value: \$40,400

0 Bay DR
Kill Devil Hills NC, 27948
Parcel: 029615001
Pin: 987520807359

This map is prepared from data used for the inventory of the real property for tax purposes. Primary information sources such as recorded deeds, plats, wills, and other primary public records should be consulted for verification of the information contained in this map.



County of Dare, North Carolina

*Owner and Parcel information is based on current data on file and was last updated on June 24 2022

Primary (100%) Owner Information:

FARLOW, JEFFREY C EUX
 FARLOW, LINDA A EUX
 2504 QUAIL RIDGE CT
 CHESAPEAKE VA 23321

Parcel Information:

Parcel: 029615001 PIN: 987520807359
 District: 07- KILL DEVIL HILLS
 Subdivision: VIRGINIA DARE SH BLKS 85-90
 LotBlkSect: LOT: 17-18 BLK: 86 SEC:
 Multiple Lots: -
 PlatCabSlide: PL: 2 SL: 131 Units: 0
 Deed Date: 02/01/2008
 BkPg: 1756/0213

Parcel Status: ACTIVE

029615-001 07-987520-232B 03/11

Property Use: SECONDARY IMPROVEMENT**0 BAY DR**

BUILDING USE & FEATURES	<u>Tax Year Bldg Value: \$0</u>	<u>Next Year Bldg Value: \$0</u>
Building Use:		
Exterior Walls:		Actual Year Built:
Full Baths:	Half Baths:	
Bedrooms:		
Heat-Fuel:		
Heat-Type:		Finished sqft for building 1:
Air Conditioning:		Total Finished SqFt for all bldgs: 0
MISCELLANEOUS USE	<u>Tax Year Misc Value: \$16,000</u>	<u>Next Year Misc Value: \$16,000</u>
Misc Bldg a: (WD1) WOOD DECK OR RAMP Year Built: 2002 sqft: 108		
Misc Bldg b: (RD2) MED. WD. DOCK WD. GIRDERS BOLT Year Built: 2002 sqft: 1404		

LAND USE	<u>Tax Year Land Value: \$24,400</u>	<u>Next Year Land Value: \$24,400</u>
Land Description : 07-Sound Front		

TOTAL LAND AREA: 3000.00 square feet

<u>Tax Year Total Value: \$40,400</u>	<u>Next Year Total Value: \$40,400</u>
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*Values shown are on file as of June 24 2022

County of Dare, North Carolina

*Owner and Parcel information is based on current data on file and was last updated on June 24 2022

Primary (100%) Owner Information:

FARLOW, JEFFREY C EUX
 FARLOW, LINDA A EUX
 2504 QUAIL RIDGE CT
 CHESAPEAKE VA 23321

Parcel Information:

Parcel: 001954000 PIN: 987520809427
 District: 07- KILL DEVIL HILLS
 Subdivision: VIRGINIA DARE SHORES
 LotBlkSect: LOT: 1 BLK: 79 SEC:
 Multiple Lots: -
 PlatCabSlide: PL: 1 SL: 188 Units: 1
 Deed Date: 02/01/2008
 BkPg: 1756/0213

Parcel Status: ACTIVE

001954-000 07-987520-206A 03/11

Property Use: RESIDENTIAL**2507 BAY DR**

BUILDING USE & FEATURES	<u>Tax Year Bldg Value: \$301,400</u>	<u>Next Year Bldg Value: \$301,400</u>
Building Use:	BEACH CONTEMPORARY	
Exterior Walls:	VINYL / ALUM	Actual Year Built: 2001
Full Baths:	4 Half Baths: 0	
Bedrooms:	4	
Heat-Fuel:	3 - ELECTRIC	
Heat-Type:	2 - FORCED AIR	Finished sqft for building 1: 2298
Air Conditioning:	4 -CENTRAL W/AC	Total Finished SqFt for all bldgs: 2298
MISCELLANEOUS USE	<u>Tax Year Misc Value: \$2,500</u>	<u>Next Year Misc Value: \$2,500</u>
Misc Bldg a: (RS1) FRAME UTILITY SHED Year Built: 2002 sqft: 192		

LAND USE	<u>Tax Year Land Value: \$168,700</u>	<u>Next Year Land Value: \$168,700</u>
Land Description : 07-Residential Subdivision		

TOTAL LAND AREA: 6500.00 square feet

<u>Tax Year Total Value: \$472,600</u>	<u>Next Year Total Value: \$472,600</u>
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*Values shown are on file as of June 24 2022

2102



TOWN OF KILL DEVIL HILLS

PLANNING & INSPECTIONS DEPARTMENT

(252) 449-5318

NON-REFUNDABLE FEES

DATE: 6/28/22

- ☐ Administrative Review
- ☒ Board of Adjustment
- ☐ CAMA
- ☐ Copies
- ☐ Exempt/Subdivision Plat
- ☐ Fines and/or Re-inspection Fee
- ☐ Site Plan Review
- ☐ Text Amendment
- ☐ _____

AMOUNT: 300⁰⁰ Three Hundred dollars

RECEIVED FROM: Eric Maurer

DESCRIPTION: lots 8, 9, 10 BIK 87 - Bay Dr.
Variance Request

JUN 28 2022

BY: Dorinda Ellinger



TOWN OF KILL DEVIL HILLS

Land Where Flight Began

§ 153.116 PERMITTED USES.

In the RL Zone, buildings and/or land shall be used for the following purposes:

- (A) Single-family dwellings;
- (B) Duplex dwellings;
- (C) On-site accessory uses or buildings to divisions (A) or (B) of this section;
- (D) Swimming pools, tennis courts (residential or private);
- (E) Publicly-owned access areas and supporting facilities; publicly-owned recreation parks; privately-owned access areas;
- (F) Home occupations as defined herein;
- (G) Town-owned and leased facilities; and
- (H) Places of worship and accessory uses.

(Am. Ord. 01-02, passed 2-28-01; Am. Ord. 06-02, passed 2-22-06)



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0 Bay DR
Kill Devil Hills NC, 27948
Parcel: 029614001
Pin: 987520806669

Owners: Maurer, Eric R -Primary Owner
Maurer, Tenia -Primary Owner
Building Value: \$0
Land Value: \$26,200
Misc Value: \$0
Total Value: \$26,200

Tax District: Kill Devil Hills
Subdivision: Virginia Dare Sh Blks 85-90
Lot BLK-Sec: Lot: 8,9,10 Blk: 87 Sec:
Property Use: Vacant Land (Private)
Building Type:
Year Built:



029614001

**0 BAY DR, KILL DEVIL
HILLS, NC, 27948**MAURER, ERIC R
MAURER, TENIA
605 W ARCHDALE ST
KILL DEVIL HILLS, NC, 27948, USA

Assessed Value

\$26,200

PARCEL INFORMATION

Parcel ID	029614001	PIN	987520806669
Land Use Code	0010	Land Use Description	VACANT LAND (PRIVATE)
District	KILL DEVIL HILLS	Neighborhood	07170002
Zoning Code	RL	Zoning Desc.	RESIDENTIAL LOW DENSITY
Subdivision	VIRGINIA DARE SH BLKS 85-90		
Legal Desc.	LOT: 8,9,10 BLK: 87 SEC:		
Plat Cab Slide	PL: 2 SL: 131		
Deed Date	08/25/2017	Book / Page	2188 / 0680
Tax Status	Taxable		

SECONDARY OWNERS

No data to display

ASSESSMENT DETAILS

REAL ESTATE ASSESSED VALUE

Land Value	\$26,200
Building Value	\$0
Other Improvements	\$0
Total Assessed	\$26,200



029614000

**0 BAY DR, KILL DEVIL
HILLS, NC, 27948**

MAURER, ERIC R
MAURER, TENIA
605 W ARCHDALE ST
KILL DEVIL HILLS, NC, 27948, USA

Assessed Value

\$25,600



PARCEL INFORMATION

Parcel ID	029614000	PIN	987520806682
Land Use Code	0010	Land Use Description	VACANT LAND (PRIVATE)
District	KILL DEVIL HILLS	Neighborhood	07170002
Zoning Code	RL	Zoning Desc.	RESIDENTIAL LOW DENSITY
Subdivision	VIRGINIA DARE SH BLKS 85-90		
Legal Desc.	LOT: 6-7 BLK: 87 SEC:		
Plat Cab Slide	PL: 2 SL: 131		
Deed Date	08/04/2017	Book / Page	2184 / 0739
Tax Status	Taxable		

SECONDARY OWNERS

No data to display

ASSESSMENT DETAILS

REAL ESTATE ASSESSED VALUE

Land Value	\$25,600
Building Value	\$0
Other Improvements	\$0
Total Assessed	\$25,600



000735000

**605 W ARCHDALE ST,
KILL DEVIL HILLS, NC,
27948**

MAURER, ERIC R
MAURER, TENIA W
605 W ARCHDALE ST
KILL DEVIL HILLS, NC, 27948, USA

Assessed Value

\$467,100



PARCEL INFORMATION

Parcel ID	000735000	PIN	987520809725
Land Use Code	0100	Land Use Description	SINGLE FAMILY RESIDENTIAL
District	KILL DEVIL HILLS	Neighborhood	07130002
Zoning Code	RL	Zoning Desc.	RESIDENTIAL LOW DENSITY
Subdivision	VIRGINIA DARE SHORES		
Legal Desc.	LOT: 5-7 BLK: 80 SEC:		
Plat Cab Slide	PL: 1 SL: 188		
Deed Date	08/10/2011	Book / Page	1873 / 0281
Tax Status	Taxable		

SECONDARY OWNERS

No data to display

ASSESSMENT DETAILS

REAL ESTATE ASSESSED VALUE

Land Value	\$118,800
Building Value	\$348,300
Other Improvements	\$0
Total Assessed	\$467,100



029614002

**0 BAY DR, KILL DEVIL
HILLS, NC, 27948**

DELUCIA, THOMAS
DELUCIA, DIANA
5105 CAPTAINS WALK
SUFFOLK, VA, 23435, USA

Assessed Value

\$44,800



PARCEL INFORMATION

Parcel ID	029614002	PIN	987520806755
Land Use Code	9900	Land Use Description	SECONDARY IMPROVEMENT
District	KILL DEVIL HILLS	Neighborhood	07170002
Zoning Code	RL	Zoning Desc.	RESIDENTIAL LOW DENSITY
Subdivision	VIRGINIA DARE SH BLKS 85-90		
Legal Desc.	LOT: 11,12 BLK: 87 SEC:		
Plat Cab Slide	PL: 2 SL: 131		
Deed Date	03/06/2020	Book / Page	2360 / 0083
Tax Status	Taxable		

SECONDARY OWNERS

No data to display

ASSESSMENT DETAILS

REAL ESTATE ASSESSED VALUE

Land Value	\$22,700
Building Value	\$0
Other Improvements	\$22,100
Total Assessed	\$44,800



016626000

**2701 BAY DR, KILL
DEVIL HILLS, NC, 27948**

DELUCIA, THOMAS
DELUCIA, DIANA
5105 CAPTAINS WALK
SUFFOLK, VA, 23435, USA

Assessed Value

\$422,800



PARCEL INFORMATION

Parcel ID	016626000	PIN	987520808814
Land Use Code	0100	Land Use Description	SINGLE FAMILY RESIDENTIAL
District	KILL DEVIL HILLS	Neighborhood	07130002
Zoning Code	RL	Zoning Desc.	RESIDENTIAL LOW DENSITY
Subdivision	VIRGINIA DARE SHORES		
Legal Desc.	LOT: 4A BLK: 81 SEC:		
Plat Cab Slide	PL: D SL: 372		
Deed Date	03/06/2020	Book / Page	2360 / 0083
Tax Status	Taxable		

SECONDARY OWNERS

No data to display

ASSESSMENT DETAILS

REAL ESTATE ASSESSED VALUE

Land Value	\$171,000
Building Value	\$235,800
Other Improvements	\$16,000
Total Assessed	\$422,800



THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

BOARD OF ADJUSTMENT

June 18, 2022

Thomas and Diana Delucia
5105 Captains Walk
Suffolk, VA 23435

Dear Adjacent Property Owner(s):

The purpose of this letter is to advise you that a variance application has been submitted to the Town of Kill Devil Hills by the property owner of 0 Bay Drive, Parcel Number 029614001. You are receiving this notice as an adjacent property owner (0 Bay Drive, Parcel Number 029614002, Kill Devil Hills, NC and 2701 Bay Drive, Kill Devil Hills, NC). The nature of the application is to seek relief from Chapter 153, Zoning §153.121(C) setbacks.

The Board of Adjustment will hold a public hearing on this matter on Tuesday, July 26, 2022, at 5:00 p.m. in the Kill Devil Hills Town Hall Meeting Room, located at 102 Town Hall Drive. At that time, you may appear and present any arguments you may have for or against the granting of this variance.

Should you have any questions, please do not hesitate to contact Donna Elliott, Zoning Administrator, at 252-449-5310 or by email at donna@kdhnc.com.

Sincerely,



James Michael O'Dell
Town Clerk



026683000

**2607 BAY DR, KILL
DEVIL HILLS, NC, 27948**

TAFT, PATRICIA C
CARTER, THOMAS P
3558 SHORE DR APT 409
VIRGINIA BEACH, VA, 23455, USA

Assessed Value

\$201,100



PARCEL INFORMATION

Parcel ID	026683000	PIN	987520808733
Land Use Code	0010	Land Use Description	VACANT LAND (PRIVATE)
District	KILL DEVIL HILLS	Neighborhood	07130002
Zoning Code	RL	Zoning Desc.	RESIDENTIAL LOW DENSITY
Subdivision	VIRGINIA DARE SHORES		
Legal Desc.	LOT: 1 BLK: 80 SEC:		
Plat Cab Slide	PL: 1 SL: 188		
Deed Date	03/02/2001	Book / Page	1362 / 0081
Tax Status	Taxable		

SECONDARY OWNERS

No data to display

ASSESSMENT DETAILS

REAL ESTATE ASSESSED VALUE

Land Value	\$201,100
Building Value	\$0
Other Improvements	\$0
Total Assessed	\$201,100



THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

BOARD OF ADJUSTMENT

June 18, 2022

Patricia C. Taft and Thomas P. Carter
3558 Shore Drive, Apt. 409
Virginia Beach, VA 23455

Dear Adjacent Property Owner(s):

The purpose of this letter is to advise you that a variance application has been submitted to the Town of Kill Devil Hills by the property owner of 0 Bay Drive, Parcel Number 029614001. You are receiving this notice as an adjacent property owner (2607 Bay Drive, Kill Devil Hills, NC). The nature of the application is to seek relief from Chapter 153, Zoning §153.121(C) setbacks.

The Board of Adjustment will hold a public hearing on this matter on Tuesday, July 26, 2022, at 5:00 p.m. in the Kill Devil Hills Town Hall Meeting Room, located at 102 Town Hall Drive. At that time, you may appear and present any arguments you may have for or against the granting of this variance.

Should you have any questions, please do not hesitate to contact Donna Elliott, Zoning Administrator, at 252-449-5310 or by email at donna@kdhnc.com.

Sincerely,



James Michael O'Dell
Town Clerk

TOWN OF KILL DEVIL HILLS

PUBLIC HEARING

DATE: July 26, 2022

TIME: 5:00 pm

LOCATION:

KILL DEVIL TOWN HALL

102 Town Hall Drive

Kill Devil Hills, NC

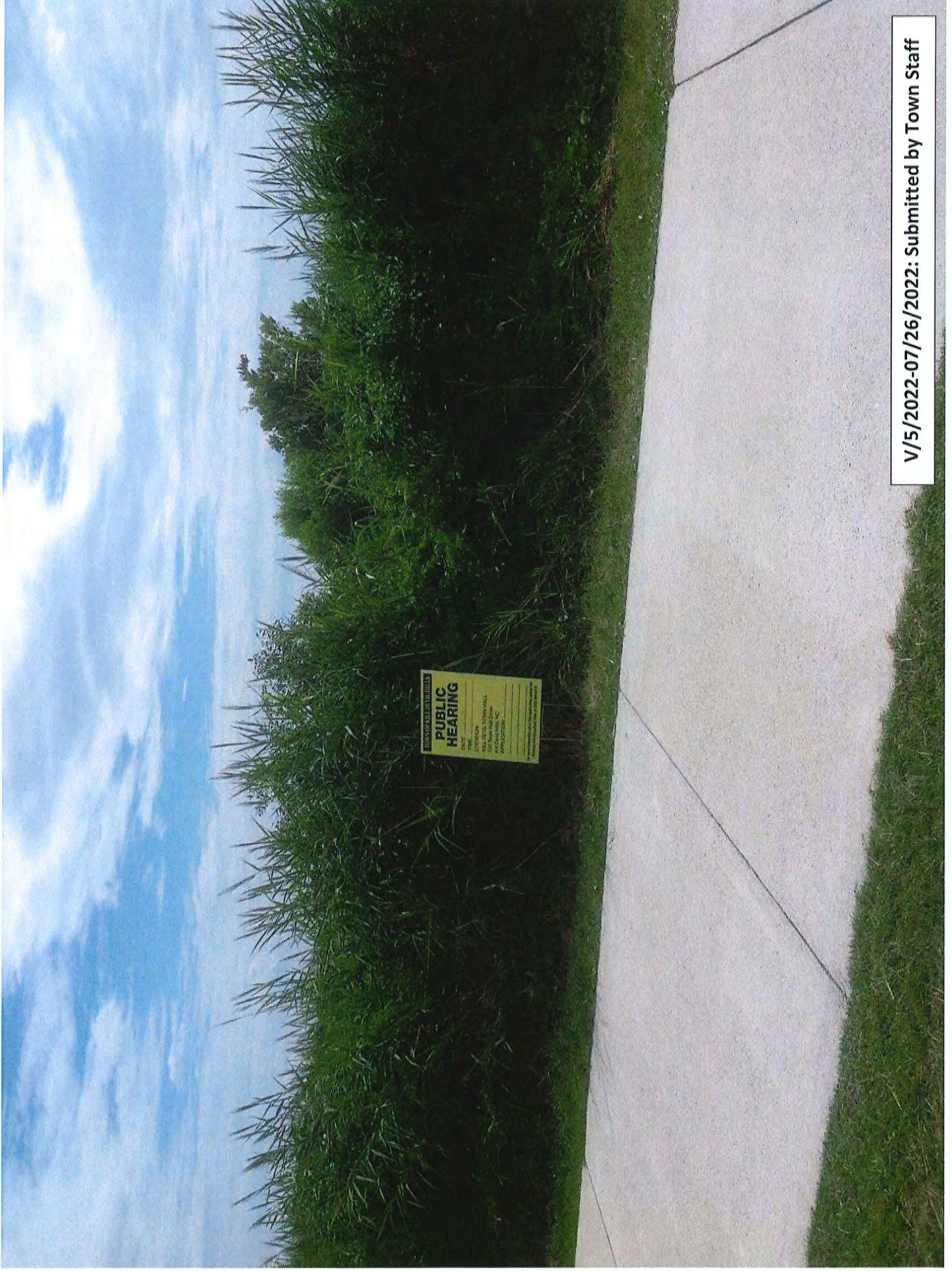
APPLICATION: Eric and Terina Mauler -

0 Bay Dr. Parcel #029614001, PIN # 987520806669

Variance from Chapter 153, Zoning 153.116(C)

Permitted Uses

For more information about this application contact the
Planning and Inspections Dept. at (252) 449-5318



V/5/2022-07/26/2022: Submitted by Town Staff

NAME: _____

Date: _____

Signature: _____

4/5 Vote is necessary on each question in order to grant a variance.

- (1) Does a strict application of the ordinance result in an unnecessary hardship to the Applicant?

YES _____ NO _____

(It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.)

- (2) Does the hardship result from conditions that are peculiar to the property, such as location, size, or topography?

YES _____ NO _____

(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.)

- (3) Does the hardship result from actions taken by the applicant (or the property owner)? Voting yes is for *denial* of the variance.

YES _____ NO _____

(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.)

- (4) Is the requested variance consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and is substantial justice is achieved?

YES _____ NO _____

NOTES:

- No change in permitted uses may be authorized by variance.
- Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance.
- Any other ordinance that regulates land use or development may provide for variances consistent with the provisions of this subsection.