



Hearing Request Application - Form 1
 Zoning Board of Adjustment
 Town of Sunset Beach

Date Filed: 12-19-17 Case Number: BOA-17-01 Received by: C. DeLeon

Town-Initiated Citizen-Initiated

Instructions

This form must be filed out completely. Please attach the appropriate additional form depending on your request type along with required information as outlined in the appropriate checklist. Please type or print legibly. All property owners must sign and consent to this application, attach additional sheets if necessary. If the applicant is not the owner, the owners must sign the Designation of Agent section at the bottom of this form.

The ~~Applicant~~ Applicant Hereby (check all that apply):

- Requests a variance from the provisions of the Unified Development Ordinance as stated on Form 2
- Appeals the determination of a Town official as stated on Form 3
- Requests a special use permit as stated on Form 4
- Requests an establishment of vested rights as stated on Form 5

Applicant or Agent's Name: **Robert Scott McCall**

Mailing Address: **9105 Forest Drive SW**
 City, State, Zip: **Sunset Beach, NC 28468**

Daytime Telephone: **910-795-7199** Home Telephone: **910-795-7199**

Interest in this Case (please circle one): Owner Adjacent Owner Other

Property Owner(s) [if other than applicant/agent] :

Mailing Address: Same as above

City, State, Zip: _____

Daytime Telephone: _____ Home Telephone: _____

Property Address: **9105 Forest Drive SW**

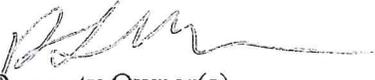
Tax Parcel Number: **25500086**

Zoning District: Subdivision Name (if applicable): **Bonaparte Retreat II**

Applicant Certification and Designation of Agent

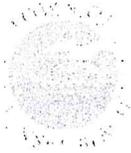
I (we) certify that the information in this application, the attached form(s) and documents submitted by me (us) as part of this application are true and correct. In the event any information given is found to be false, any decision rendered may be revoked at any time. I (we) hereby appoint the person named above as my (our) agent to represent me (us) in this application and all proceedings related to it. I (we) further certify to have received, read and acknowledged the information and requirements outlined in this packet.

Date: 12-18-2017


Property Owner(s)

Date

Applicant/Agent(s)



Variance Application - Form 2
 Zoning Board of Adjustment
 Town of Sunset Beach

Date Filed: _____

Case Number: _____

Fee Collected _____ 

Has work started on this project? YES NOD
 If yes, did you obtain a building permit? YES NOD If yes, attach a copy.
 Have you received a Notice of Violation for this project? YES NOD If yes, attach a copy.

(1) What zoning ordinance section numbers are you seeking a variance from?
 Please list each section, the requirement and the requested variance.

Item	Code Section	Code Requirement	Variance Request
EJ1711T1ple	6.06	50' front vard setback	15' front yard (35' ft. reduction)
A		25' rear yard setback	6' rear yard setback (19 ft. reduction)
B		12' side setback (10%)	6' side setback (6 ft. reduction)
C			

(2) Please describe why the variance(s) requested are necessary.

I am requesting these variances to allow me to build a 15' x 35' swimming pool in my backyard. The reason of this placement of the pool as requested is as follows:

1. This variance allows me to place the pool far enough away from the house and deck to allow enough room for a safe concrete deck around the perimeter of the pool.
2. Our septic tank and field is on the right side of the backyard.
3. There is insufficient space in the side yard.

State facts and arguments in support of each of the following:

(a) Unnecessary hardship would result from the strict application of the ordinance. (Note: It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property. It is not sufficient that failure to grant the variance simply makes the property less valuable.)

The 15' x 35' pool that I have acquired will not fit in safely in our space with the current 25' setback. It is imperative that the concrete around the pool is wide enough for safe passage.

(b) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. (Note: 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. Also, unique personal or family hardships are irrelevant since a variance, if granted, runs with the life of the land.)

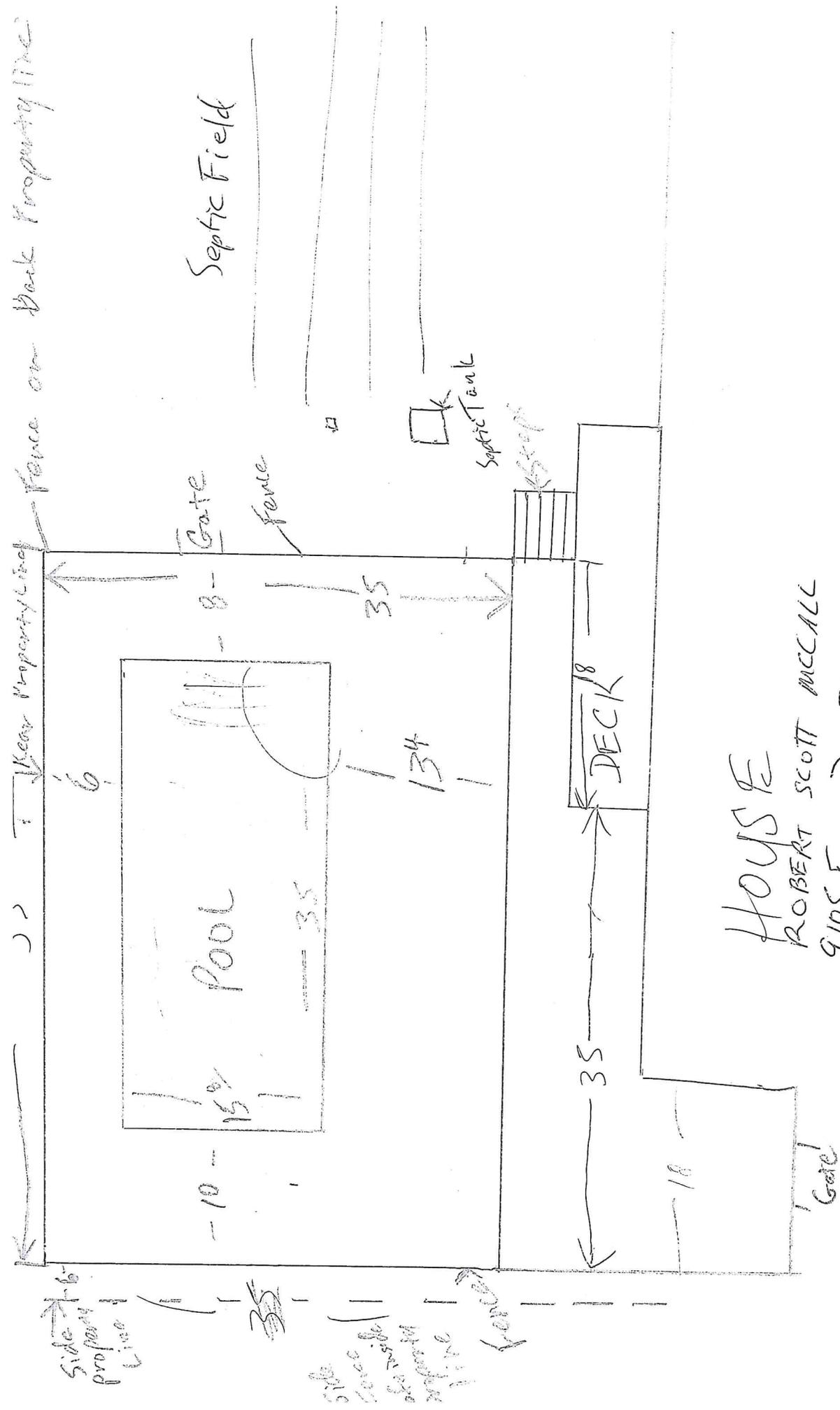
The location of the septic tank/field and the placement of the house and deck were as purchased.

(c) The hardship did not result from actions taken by the applicant or the property owner. (Note: 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.)

No changes to the structure or backyard have been made since purchased.

(e) 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. (State facts and arguments to show that, on balance, if the variance is denied, the benefit to the public will be substantially outweighed by the harm suffered by the Applicant.)

All building of said pool will be constructed in accordance with all applicable Sunset Beach building codes. It will be safe, secure and up to all safety standards. If this variance is denied totally, it will require me to build the pool too close to the existing deck. Doing so would greatly increase the risk factor around the perimeter of the pool for access.



HOUSE
 ROBERT SCOTT MCCALL
 9105 Forest Dr. SW
 Sunset Beach NC 28468

why??