

**CITY OF WILMINGTON  
STATE OF NORTH CAROLINA**

**APPLICATION FOR A VARIANCE**

**PURPOSE OF VARIANCE** – A Variance is the official allowance of a variation from the dimensional requirements of the City Land Development Code or other development regulations. An applicant for a variance must demonstrate valid reasons which create a need for a Variance. These reasons cannot be strictly economic in nature but must generally involve some physical problem with the subject property which will not allow it to be developed in a reasonable manner if City development regulations are followed literally, such as a lot which is substandard in area or width.

**BOARD OF ADJUSTMENT** - The Board of Adjustment, or BOA, is the official City Board that considers requests for variances. The BOA receives sworn testimony at its quasi-judicial hearing and issues decisions on variance requests based on this testimony. It is the responsibility of each applicant for a Variance to attend the BOA meeting and present sworn testimony in support of the request.

**REASON FOR VARIANCE REQUEST** – Explain in your own words why you are requesting a Variance. Be sure to clearly indicate the problem(s) you will experience in complying with the City development regulations. (Attach additional sheets if needed.)

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Within residential zoning districts, the BOARD OF ADJUSTMENT is authorized to grant variances for fences in front yards to exceed four (4) feet in height, up to a maximum of six (6) feet in height when adjacent to a thoroughfare, as defined in the city's *Technical Standards and Specifications Manual*. The variance request application shall include information on the factors set forth below, other requirements of this section and chapter, and any other information pertinent to granting the variance.

In hearing the request for the height variance, the board of adjustment shall consider all technical evaluations, all relevant factors, standards specified in this section and chapter, and the *Technical Standards and Specifications Manual*, and compliance with the following requirements:

- a. The fence, wall or screen shall be setback a minimum of one half (1/2) the distance of the required front yard setback for the district or fifteen (15) feet, whichever is greater;
- b. At least fifty (50) percent of the area of the fence, wall, or screen

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above four (4) feet shall be open along the entire length such that clear vision is possible from one side to the other; and

- c. Additional conditions may be specified to maintain safe access, ingress, and egress to and from the subject and surrounding properties.

**ATTACH PLOT PLAN DESCRIBING VARIANCE REQUEST**

**PROPERTY LOCATION INFORMATION**

Street address of subject property \_\_\_\_\_

Tax Parcel Number of subject property \_\_\_\_\_

**ATTACH TAX PARCEL & OWNERSHIP INFORMATION FOR ADJACENT PROPERTIES (Include stamped, self-addressed envelopes)**

**APPLICANT INFORMATION**  
Name/Address/Telephone/Email

**OWNER INFORMATION**  
Name/Address/Telephone/Email

Name: \_\_\_\_\_

\_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_

\_\_\_\_\_

**ATTACH AGENT FORM IF THE APPLICANT IS NOT OWNER**

DATE \_\_\_\_\_

APPLICANT'S SIGNATURE \_\_\_\_\_