

**TOWN of HOPE MILLS**  
◆  
**BOARD OF COMMISSIONERS**

CASE #: \_\_\_\_\_

HOPE MILLS BOC  
MEETING DATE: \_\_\_\_\_

DATE APPLICATION  
SUBMITTED: \_\_\_\_\_

RECEIPT #: \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_

**APPLICATION FOR WAIVER (VARIANCE)  
FROM  
HOPE MILLS SUBDIVISION ORDINANCE PROVISION(S)**

The Hope Mills Board of Commissioners meetings are held at the Town Hall, 5770 Rockfish Road, unless otherwise specified. The Town of Hope Mills will advertise the public hearing and a notice will be mailed or delivered to surrounding residents or property owners that may be affected by the proposed variance request, giving notice of date and time of the meeting.

The Board of Commissioners will conduct a quasi-judicial hearing on this request and all persons wishing to appear before the board should be prepared to give sworn testimony on relevant facts. Applicants for variances are encouraged to read Section 86A-701, currently entitled *Waivers* of the Town's Subdivision Ordinance to establish whether or not their case merits further consideration by the Board (see next page).

**The following items are to be submitted with the complete application:**

- 1. A copy of the recorded deed and/or plat,**
- 2. If a portion of an existing tract, an accurate written legal description of only the area to be considered;**
- 3. A copy of a detailed site plan drawn to an engineering scale – see attached for site plan specifications; and**
- 4. Cash or check payable to "Town of Hope Mills" in the amount of \$200 (see attached Fee Schedule).**

**NOTE: Any revisions, inaccuracies or errors to the application or site plan may cause the case to be delayed and will be scheduled for the next available Board of Commissioners meeting according to the board's meeting/deadline schedule. Also, the application fee is nonrefundable.**

**EXCERPT FROM  
HOPE MILLS SUBDIVISION ORDINANCE**

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**Sec. 86A-701. Waivers [Variances].**

The Board of Commissioners may waive [vary] the requirements of this ordinance where the Commissioners find the following:

(a) Because of the size of the tract to be subdivided or developed, its topography, the condition or nature of adjoining areas or the existence of other unusual physical conditions, strict compliance with the provisions of this ordinance would cause a special hardship to the property owner and be inequitable, and

(b) The public purposes of this ordinance and the Town Zoning Ordinance would be served to an equal or greater degree, and

(c) The property owner would not be afforded a special privilege denied to others.

In granting waivers [variances], the Board of Commissioners may require such conditions as will secure, insofar as practicable, the objectives of the requirements waived [varied]. Any waiver [variance], thus granted, is required to be entered in writing in the minutes of the board meeting in which the case was heard and the reasoning upon which departure was justified set forth.

**Related State Statute: N. C. GEN. STAT. § 160A-377**

**Any waiver [variance] granted becomes null and void if not exercised within the time specified in such approvals, or if no date is specified, within two calendar years from the date of such approval. If the board denies the waiver [variance] request, it shall enter the reason for its action in the minutes of the meeting at which the action is taken. In the event of a denial, the Board of Commissioners shall not consider re-submission of the application for the same waiver [variance] request on the same property without a substantial material change concerning the property and the application.**

**TO THE BOARD OF COMMISSIONERS, TOWN OF HOPE MILLS, NORTH CAROLINA:**

I (We), the undersigned, hereby submit this application, and petition the Board of Commissioners to vary certain adopted provisions of the Town's Subdivision Ordinance as specified below and provided for under the terms of the Subdivision Ordinance. In support of this petition, the following facts are submitted:

LOCATION OF PROPERTY: \_\_\_\_\_

OWNER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

TELEPHONE: HOME \_\_\_\_\_ WORK \_\_\_\_\_

AGENT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: HOME \_\_\_\_\_ WORK \_\_\_\_\_

**APPLICATION FOR A WAIVER [VARIANCE]  
As required by the Subdivision Ordinance**

A. Parcel Identification Number (PIN #) of subject property: \_\_\_\_\_  
(also known as Tax ID Number or Property Tax ID)

B. Acreage: \_\_\_\_\_ Frontage: \_\_\_\_\_ Depth: \_\_\_\_\_

C. Water Provider: \_\_\_\_\_

D. Septage Provider: \_\_\_\_\_

E. Deed Book \_\_\_\_\_, Page(s) \_\_\_\_\_, Cumberland County Registry.  
(Attach copy of deed of subject property as it appears in Registry).

F. Existing and/or proposed use of property: \_\_\_\_\_

G. Section and provision of the Hope Mills Subdivision Ordinance from which a waiver [variance] is requested:

H. Nature and extent of hardship involved in strict application of the Zoning Ordinance – attach additional sheet if necessary:

**STATEMENT OF ACKNOWLEDGEMENT**

Regarding appearance before the Board of Commissioners, the undersigned owner(s), agents, or their assigns, by virtue of their signature(s) to this application, hereby acknowledge the following:

- That although appearance before the board is not required, it is strongly encouraged;
- The board will hear any and all arguments for and against this matter before them and such relevant facts will be given under sworn testimony;
- At the public hearing the board has the authority to issue a final approval or denial decision on this request, or defer the request for additional information to be provided;
- If the petitioner or the representative of this application does not appear personally before the board, whether there is opposition or not, the board has full authority to consider the case and defer, approve, or deny the case.
- If the board's action is to deny the matter before them, the course of appeal to their decision will be that of Cumberland County Superior Court. (Affected parties of the board's decision have 30 days from date of proper notification in which to serve notice of appeal).

Signed acknowledgement that the County Planning Staff has explained the application process and procedures regarding this request and the public hearing procedure stated above and that the application is complete and accurate.

\_\_\_\_\_  
Property owner(s)' signature(s)

\_\_\_\_\_  
Property owner(s)' name (print or type)

\_\_\_\_\_  
Complete mailing address of property owner(s)

\_\_\_\_\_  
Telephone number

\_\_\_\_\_  
Alternative telephone number

\_\_\_\_\_  
Email address

\_\_\_\_\_  
FAX number

\_\_\_\_\_  
Agent, attorney, or applicant's signature (other than property owner)

\_\_\_\_\_  
Agent, attorney, or applicant (other than property owner) (print or type)

\_\_\_\_\_  
Complete mailing address of agent, attorney, or applicant

\_\_\_\_\_  
Telephone number

\_\_\_\_\_  
Alternative telephone number

\_\_\_\_\_  
Email address

\_\_\_\_\_  
FAX number

**Upon submission, the contents of this application becomes "public record" and is available for review and/or copies upon request.**

## **REQUIREMENTS FOR SITE PLAN REVIEW**

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1. Drawing done to engineering scale

2. Drawing will reflect:

- metes and bounds of entire site with adjoining street right-of-way shown and name or state road number of that street or road;
- foot print of all existing and/or proposed buildings or additions with dimensions and square footage indicated;
- location and size of all existing and/or proposed curbcuts and indicate such on the plan;
- parking plan to include the location of all proposed spaces (standard size is 9' by 20'), parking isle width and traffic circulation scheme;
- existing or proposed location and drain field area of wells and/or septic tanks;
- existing or proposed fencing;
- setbacks of all existing and/or proposed buildings or additions from all other building and from all property lines-  
Note: If setbacks shown are not in accordance with the minimum setbacks of the zoning district of the property, and if appropriate, attach a letter requesting an alternate yard with a reasonable explanation or justification as to why the alternate yard is necessary and logical in order to develop the site;
- Any easements which may exist on the subject property are accounted for and shown on the plan, not encumbered and that no part of the development is violating the rights of the easement holder;
- Location, type and size of all freestanding signs;
- Location of buffer with the type and size indicated;
- Location of landscaping and type of plantings.

3. Vicinity map to show location of property or site within the Town

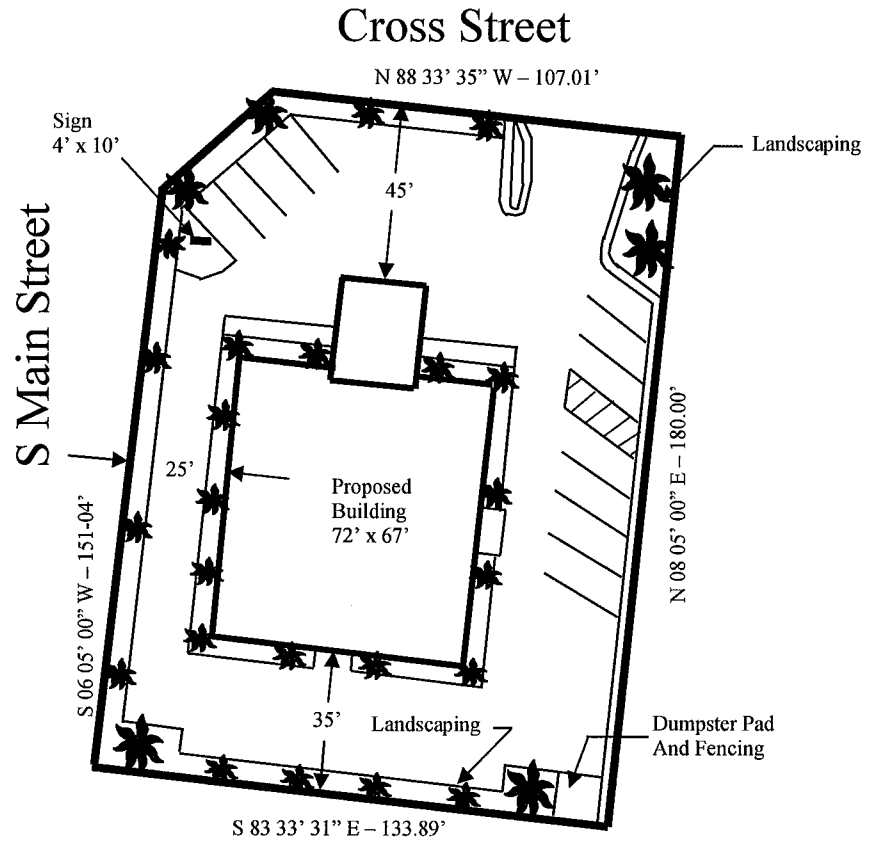
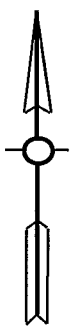
4. Correct north arrow

5. Data block to reflect the following:

- name of development
- owner
- zoning of property
- acreage of site
- scale of drawing
- proposed building or addition square footage
- number of off-street parking spaces (to include handicapped spaces)

6. If the subject property contains split zoning, zoning lines must be shown on the site plan.

# SAMPLE MAP SITE PLAN



Property of: \_\_\_\_\_

Zoned: \_\_\_\_\_ Scale: \_\_\_\_\_

PIN#: \_\_\_\_\_

Hope Mills, NC

