

TOWN OF HILLSBOROUGH, NORTH CAROLINA

**APPLICATION FOR A SPECIAL EXCEPTION PERMIT FOR AN ADDITION TO A
NONCONFORMING STRUCTURE**

Application #: _____

TO THE TOWN OF HILLSBOROUGH BOARD OF ADJUSTMENT:

I/We, _____, hereby petition the Board of Adjustment for a SPECIAL EXCEPTION PERMIT to authorize a proposed addition to an existing structure to encroach upon a setback required in Section 3.5 (Dimensional Requirements) of the Town of Hillsborough, North Carolina Zoning Ordinance. The granting of this Permit will allow me/us to perform the work as described in the Board of Adjustment General Application form and on the attached plot plan/site plan.

Site Information

¹Required Minimum Dimensional Requirements (_____ Zoning District)		<u>Existing</u> Lot Size and Structure's Setbacks		<u>Proposed</u> Structure Setbacks	
Lot Size: Sq. Ft.		Lot Size: Sq. Ft.			
Lot Width: Ft.		³ Lot Width: Ft.			
² Building Setbacks	Front:	Building Setbacks	Front:	Building Setbacks	Front:
	Left Side:		Left Side:		Left Side:
	Right Side:		Right Side:		Right Side:
	Rear:		Rear:		Rear:
¹ The subject lot is nonconforming as to its size (area, width) and was created prior to February 17, 1986. <input type="checkbox"/> Yes <input type="checkbox"/> No. The lot was created by _____ (deed/plat) on _____, 19____. ² The building setbacks noted reflect allowed reductions as permitted under Subsection 3.6.3 (Non-conforming Lots) of the Zoning Ordinance. <input type="checkbox"/> Yes <input type="checkbox"/> No ³ Lot width is measured at the required front building setback line of the applicable zoning district.					

Factors Relevant to the Issuance of a Special Exception Permit

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a Special Exception Permit for an addition to a nonconforming structure. Under the Ordinance, the Board is required to find the following 6 conditions exist before it may issue a Special Exception Permit for an addition to a nonconforming structure. 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 that it can properly reach these 6 required findings:

1. The proposed encroachment results from an addition to or extension of an existing structure that already is non-conforming with respect to the requirements of Section 3.5 (Dimensional Requirements).

2. The proposed addition or extension will not encroach upon any required front, rear, or side yard to a greater extent than the existing structure on that lot.

3. Any adverse impact on neighboring properties resulting from such encroachment is insignificant or is substantially outweighed by the hardship suffered by the applicant if such special exception permit is denied.

4. The use will not materially endanger the public health, safety and general welfare, if located where proposed and developed and operated according to the plan as submitted.

5. The use will not substantially injure the value of contiguous property, or the use is a public necessity.

6. The use is in compliance with the general plans for the physical development of the Town as embodied in the regulations or in the Comprehensive Plan, or portion thereof, adopted by the Town Board of Commissioners. (Note: The Town's adopted Vision 2010 Plan and the adopted Future Land Use Map of the Strategic Growth Plan may be used to provide answers to the latter part of this question.)

I/We certify that all of the information presented by me/us in this application is accurate to the best of my/our knowledge, information, and belief.

Applicant(s)

Date