

VARIANCE
APPLICATION

Town of Mint Hill
Board of Adjustment
4430 Mint Hill Village Lane
Mint Hill, N.C. 28227
(704) 545-9726

Office Use Only	
Petition #:	<u>V24-4</u>
Date Filed:	<u>4-12-24</u>
Received By:	<u>NJ/JH</u>

Variance requested on property located at: 8308 Fairview Rd

Tax Parcel Number: 19703145 Zoning District: _____

Describe variance being requested:

Request to retrofit sign at 8308 Fairview Rd. Mint Hill, NC 28227

(Complete if Applicant is other than Property Owner)

Hood and Carole Dulin
Name of Property Owner

Jason Foley
Name of Applicant

524 Heritage View Dr
Address of Owner

1007 Dania Rd
Address of Applicant

Indian Trail, NC 28079
City, State, Zip

Indian Trail, NC 28079
City, State, Zip


704-591-1652
Telephone Number

980-225-1699
Telephone Number

Carole.Dulin@gmail.com
E-Mail Address

Fenceitforu@gmail.com
E-Mail Address


Signature of Property Owner

X 
Signature of Applicant

FACTORS 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 is required to reach four conclusions as a prerequisite to the issuance of a variance: (1) that unnecessary hardships would result from the strict application of the Ordinance; (2) the hardship results from conditions that are peculiar to the property, such as location, size, or topography; (3) that the hardship did not result from actions taken by the applicant or the property owner and, (4) 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.

In the spaces provided, 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 four required conclusions.

UNNECESSARY HARDSHIPS WOULD RESULT FROM THE STRICT APPLICATION OF THE ORDINANCE. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

Being from Mint Hill I have enjoyed the growth and beautification of Mint Hill. All of our neighbors around us and the citizens that drive by us daily have enthusiastically conformed and adapted to the beautification of Mint Hill. We and our neighbors feel that a rusted broken sign is a detriment, particularly for the fact it is a main gateway into Mint Hill from the park and 485. Is this the best first impression we want people to see as they enter Mint Hill?

THE HARDSHIP RESULTS FROM CONDITIONS THAT ARE PECULIAR TO THE PROPERTY, SUCH AS LOCATION, SIZE OR TOPOGRAPHY. Hardship 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.

The owners of this building erected a sign to advertise their plumbing company many years ago. Well over a decade ago they sold
H&H plumbing. Since the erection of the sign an ordinance was passed that there was a height restriction which the sign violates.

THE HARDSHIP DID NOT RESULT FROM ACTIONS TAKEN BY THE APPLICANT OR THE PROPERTY OWNER. The act of purchasing property with knowledge that circumstances exist that may justify granting a variance shall not be regarded as a self-created hardship.

The hardship did not result from actions taken by the applicant or the property owner because the sign was in compliance when it
was erected.

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.

The owner of this building is not going to remove this sign and per code we are not going to fix and repair a sign exactly like it is
to advertise a business that has been gone for 15 years. We are willing to make a significant investment to retrofit the sign and do our
part to beautify Mint Hill.
