

(DO NOT WRITE IN THIS SPACE. FOR OFFICE USE ONLY.)

Petition No. VAR \_\_\_\_\_ Date Complete Appl. Received: \_\_\_\_\_ Req'd Fee \_\_\_\_\_ Fee Receipt No. \_\_\_\_\_

Date Hearing Advertised: \_\_\_\_\_ Date of Hearing: \_\_\_\_\_

**Circle One:** The Owner or his agent has or has not submitted a petition regarding the subject property within the last twelve months.

# City of Newberry, SC

- PETITION FOR VARIANCE -

(I) (We) \_\_\_\_\_ of \_\_\_\_\_  
(Name) (Mailing Address)

\_\_\_\_\_, request that the Board of Zoning Appeals of the

City of Newberry make a determination on the following request that such request may properly come before the Board because the district application of regulations will result in unnecessary hardship. A Variance is requested from Section(s) \_\_\_\_\_ of the Newberry Zoning Ordinance.

The description of the subject property is as follows:

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

Tax Map No(s). \_\_\_\_\_

Future Land Use Map Designation: \_\_\_\_\_

Current Zoning Classification: \_\_\_\_\_ Parcel Size: \_\_\_\_\_

Current On-Site Use: \_\_\_\_\_

The proposed use(s) will be: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A variance is a relaxation of the terms of the Zoning Ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of this ordinance would result in unnecessary and undue hardship on the land. Establishment or expansion of a use otherwise prohibited or not permitted shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning classification or district or adjoining zoning classifications or districts.

Explain how your request meets the Variance criteria of Section 1201 b. of the City of Newberry Zoning Ordinance. A variance from the terms of the Newberry Zoning Ordinance shall not be granted by the Board of Zoning Appeals unless it makes all of the following findings and conclusions demonstrating:

1) That there are extraordinary and exceptional conditions pertaining to the particular piece of property;

---

---

---

---

---

2) That these conditions do not generally apply to other property in the vicinity;

---

---

---

---

---

3) That because of these conditions, the application of the ordinance to this particular piece of property would effectively prohibit or unreasonably restrict utilization of the property:

---

---

---

---

---

4) That the authorization of the variance will not be substantial detriment to adjacent property or to public good, and the character of the district will not be harmed by granting of the variance;

---

---

---

---

---

5) That the effect of the variance would not allow the establishment of a use not otherwise permitted in the zoning district; would not extend physically a nonconforming use of the land; would not change the zoning district boundaries shown on the official zoning map.

---

---

---

---

---

Has any type of application been filed within the last twelve months in connection with these premises?  
 Yes  No. If so, briefly state the nature of the previous request.

---

---

---

---

---

The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance. In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure or use as the Board may consider advisable to protect established property values in the surrounding area, or to promote the public health, safety, or general welfare. Failure to begin or complete an action for which a variance is granted within the time limit specified as a condition of the variance shall void the variance.(CNZO, Section 1201 b.)

(I)(We) understand that this petition becomes a part of the permanent records of the Board of Zoning Appeals. (I)(We) hereby certify that the above statements and the statements or showings made in any paper or plans submitted herein are true to the best of (my)(our) knowledge and belief.

\_\_\_\_\_  
(Signature of Owner)

\_\_\_\_\_  
(Print or Type Name)

\_\_\_\_\_  
(Mailing Address)

\_\_\_\_\_  
(Phone Number)

The owner has designated the following person to act as his agent in regard to this petition:

\_\_\_\_\_  
(Signature of Agent)

\_\_\_\_\_  
(Print or Type Name)

\_\_\_\_\_  
(Mailing Address)

\_\_\_\_\_  
(Phone Number)

The contents of this Petition are sworn and  
subscribed before me this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Notary Public)