

# VARIANCE APPLICATION



**PLANNING & NEIGHBORHOOD SERVICES**  
**PO Box 2430**  
**Indian Trail, NC 28079**  
**Telephone (704) 821-5401**  
**Fax (704) 821-9045**

**ONLY COMPLETE APPLICATIONS ACCEPTED**

Processing Fees:  
\$300 for Residential and  
\$450 for Non-Residential Use

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Date Received \_\_\_\_\_

# VARIANCE APPLICATION

## Submittal Requirements

- Completed Application
- Notarized signatures of applicant and property owner
- Letter of Intent
- Articles of Incorporation, Certificate of Incorporation, Articles of Organization, Corporate Charter, or similar (unless applicant is an individual)
- Digital copy of Concept Plan and all documents
- Statement of Justification (used to determine if Findings of Fact can be made at public hearing)
- Statement of Appraisal, if necessary

## Timeline/Procedures

- The Board of Adjustment, which hears all Variances, meets on the fourth Thursday every month (except in November and December, the third Thursday).
- The hearing is Quasi-Judicial in nature, which means there is no deliberation or communication before the hearing, as in a court case. See Section 310.080 of the UDO for more details.
- You must show that suffer from each of the hardships listed Hardship Description section below with facts alone for the Board of Adjustment grant a Variance.

## General Information

Project Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Tax Parcel ID \_\_\_\_\_ Zoning Designation \_\_\_\_\_

Total Acres \_\_\_\_\_ Impervious Area \_\_\_\_\_

Project Description \_\_\_\_\_

## Contact Information – Applicant

Contact Name \_\_\_\_\_

Company Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

Email \_\_\_\_\_

# VARIANCE APPLICATION

## Contact Information – Property Owner

Contact Name \_\_\_\_\_

Company Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

Email \_\_\_\_\_

## Applicant's Certification

Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name/Title \_\_\_\_\_

Signature of Notary Public \_\_\_\_\_ Date \_\_\_\_\_

Notary Seal

## Property Owner's Certification

Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name/Title \_\_\_\_\_

Signature of Notary Public \_\_\_\_\_ Date \_\_\_\_\_

Notary Seal

## Project Information

Has work started on the project?	Yes _____	No _____	
If yes, did you obtain a building permit?	Yes _____	No _____	If yes, please attach a copy
Have you received a Notice of Violation for this project?	Yes _____	No _____	If yes, please attach a copy
Has this property been rezoned?	Yes _____	No _____	If yes, Petition Number _____

# VARIANCE APPLICATION

## Hardship Descriptions

SUMMARIZE THE EVIDENCE YOU PLAN TO PRESENT FOR THE FOLLOWING ITEMS:

1. Unnecessary hardship 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; *Summarize Evidence:*

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2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships 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; *Summarize Evidence:*

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3. 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 the granting of a variance shall not be regarded as self-created hardship; *Summarize Evidence:*

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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; *Summarize Evidence:*

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5. The variance will neither result in the extension of a nonconforming situation in violation of DIVISION 1400 of the Unified Development Ordinance nor authorize the initiation of a nonconforming use of land. *Summarize Evidence:*

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