



PO Box 1111 Statesville, NC 28687

To: Applicant

From: Planning Department

Subject: Board of Adjustment - Variance/Appeal Application

Applications for a variance/appeal must be completed in full and returned to the Planning Department, along with a \$600.00 non-refundable application fee, 30 days prior to the first Tuesday of the month, which is the regular meeting date for the Board of Adjustment.

Additional items needed:

- ___ Metes and bounds description of the property (or portion of property). A recorded deed is sufficient, if the deed describes only the subject property.
- ___ The ownership, taken from the Iredell County GIS system, of all adjacent properties, including all parcels across rights-of-way and/or other separations from the subject parcel(s).
- ___ Site Plan/Elevations/Photographs: 12 folded copies of any plans that are larger than 11" x 17" or contain color.

***** If any of the above requirements are not presented at the time of submittal of application, the application will not be accepted due to incompleteness. *****

VARIANCE/APPEAL # _____

**Board of Adjustment
Application for Variance/
Appeal of Administrative Decision**

1. Street Address/Location of Request: _____

2. Owner: _____ Phone #: _____
Address: _____
Street City State Zip
3. Applicant: _____ Phone #: _____
Address: _____
Street City State Zip
4. Tax Parcel Number: _____
5. Zoning District: _____
6. Present Use: _____
7. Please indicate the section(s) of the Ordinance that is relevant to your variance request/appeal: _____

8. Description of request:
- a. Describe the administrative decision that is being appealed **(DO NOT ANSWER FOR VARIANCE REQUEST)**:

- b. Describe the reasons for the variance request and the intended use(s) for the subject property **(DO NOT ANSWER FOR APPEALS)**:

The following provisions of the State Statutes (GS 160D-705d) and Unified Development Code (Section 2.11) must be met before a variance can be granted. Respond to each of the four criteria as it pertains to the request.

- i. 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 **(DO NOT ANSWER FOR APPEALS)** ;

- ii. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability **(DO NOT ANSWER FOR APPEALS)**;

- iii. That the hardship did not result from actions taken by the applicant or property owner. The act of purchasing property with the knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship **(DO NOT ANSWER FOR APPEALS)**;

- iv. 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 **(DO NOT ANSWER FOR APPEALS)**.

No change in permitted uses may be authorized by variance. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance.

****Calls or conversations with Board members prior to the meeting cannot be considered in the final decision and may result in the Board Member's recusal due to a conflict of interest. If adjacent property owners are to testify on behalf of the applicant, they must be present. Petitions and written consent may be accepted by the Board, but they cannot be used as a basis for the decision.**

Certification

I hereby acknowledge that the information contained herein is true to the best of my knowledge and that this application shall not be scheduled for official consideration until it is complete.

Date: _____

Applicant Signature: _____

Type or print name here: _____

1. Minimum Required Information (to be shown on the site plan):

The site plan shall be legibly and accurately drawn to scale on paper suitable for reproduction. Architect's drawings will also be acceptable. The plan shall contain the following information:

- a. The name and address of the person filing the application
- b. The date, scale, and north arrow
- c. Property lines, building lines, and easements
- d. Streets, sidewalks, and alleys
- e. Existing and/or proposed structures and improvements
- f. Existing structures within 20 feet of the property
- g. Accurate dimensions of the property and all structures involved

FOR OFFICE USE

2. Elevations: Elevations shall be submitted for all sign applications, new additions, and alterations to existing structures, new accessory structures, and fences. They shall contain the following information:

- a. Dimensions including height, width, length, and area.
- b. In the case of signs, the elevation should also indicate the exact appearance of the sign, whether or not it is illuminated, and the type of illumination.

3. Other: Any other information deemed necessary by the code official should be stipulated below:

Checked By: _____ Date: _____