

**BOARD OF ADJUSTMENT
PETITION FOR VARIANCE
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Town of Archer Lodge, NC
Planning and Economic Development
14094 Buffalo Road, Archer Lodge, NC 27573
Telephone (919) 359-9727
Fax (919) 359-3333

General Information

Date: _____

Petitioner: _____

Address: _____

Phone Number: _____ Email: _____

Property Owner: _____

Address: _____

Telephone Number: _____ Email: _____

Legal relationship of Petitioner to Property Owner: _____

Property Information

Location: _____

Tax ID Number: _____

Zoning District: _____

Reason for Variance

Attach a site plan (prepared by either a NC Licensed Engineer, Architect or Professional Land Surveyor licensed in the State of North Carolina) that illustrates the requested variance; and explain why a variance is needed from the dimensional ordinance provisions.

Which ordinance section is the requested variance related: _____

Variations: Please address/explain how your application meets each finding of fact. Under North Carolina General Statute, **160D-7-5(d)**, "When unnecessary hardships would result from carrying out the strict letter of a zoning regulation, the Board of Adjustment shall vary any of the provisions of the ordinance upon a showing of all the following:

- (1) Unnecessary hardship would result from the strict application of the regulation. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

Staff Use Only:

CASE: _____

FEE: \$475

SUBMITTAL DATE: _____

RECEIVED BY: _____

(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 hardship 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 Federal House Act for a person(s) with disability (see Section 30-3315, Reasonable accommodation); and

(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 a self-created hardship; and

(4) The requested variance is consistent with the spirit, purpose, and intent of the ordinance and such that public safety is secured, and substantial justice is achieved.

No change in permitted uses may be authorized by a variance. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance. Any other development regulation that regulates land use or development may provide for variances of this subsection.

I, _____, certify that I am the owner, or have the consent of the owner to act in his behalf in petitioning for this variance. Further, all information presented in this petition and "Findings of Fact" are accurate to the best of my knowledge and belief. I understand that incomplete, inaccurate, or illegible petitions will not be processed. Further, I grant permission for members of the Board of Adjustment and Town Staff to visit the site in question for informational and advertisement needs. I agree that if this variance is granted, on the information presented herein, it may be revoked in the event of any breach of representation or conditions which may be attached.

Property Owner(s)/Authorized Agent:

Date:
