

**TOWN OF VALDESE
APPLICATION FOR VARIANCE**

DATE SUBMITTED: _____

I (We), the undersigned, do hereby make application to the Valdese Board of Adjustment for approval of a **variance**.

1. The property address of the property to be considered for review is located on _____ that is between _____ and _____.

PIN NO. (S): _____

Physical (Street) Address: _____

2. The property is owned by: (please print) _____
(Attach a copy of the most recent deed, contract for purchase or other legal interest demonstrating an interest in the property.)

Owner Information:

Name: _____

Address: _____

Phone Number: _____

Fax Number: _____ Email: _____

3. The application is submitted by: _____
(If the application is submitted by someone other than the owner proper authorization from the property owner is required.)

Agent Information:

Name: _____

Address: _____

Phone Number: _____

Fax Number: _____ Email: _____

4. The subject property is located in the _____ Zoning District.

5. The purpose of the requested action is to: _____

Variance Review Criteria

Zoning variances may be approved only when the Board of Adjustment finds substantial evidence in the official record and the application to support all the following findings:

1. Unnecessary hardship would result from the strict application of this Land Development Code. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
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 area 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 Fair Housing Act for a person with a disability.
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.
4. The requested variance is consistent with the spirit, purpose and intent of the Land Development Code, such that public safety is secured, and substantial justice is achieved.

All applicants must address all applicable standards and criteria. ***10 copies of all application materials larger than 11 inches by 17 inches must be submitted.*** Applicants are also encouraged to submit a digital copy of all application materials.

Final Plan Approval

Prior to issuance of a building permit or other development permit, the Planning Director shall review all final plans for compliance with all requirements of this Land Development Code and conditions of variance approval required by the Board of Adjustment. The Planning Director may require a final plan to be reviewed by the other departments if he finds that there are technical issues that should be addressed by other departments of the Town.

6. OWNER’S AFFIDAVIT

We, the undersigned owner(s), hereby certify that the information contained herein and submitted in support of this application is true and correct.

Printed Name of Owner

Signature of Owner

(Please choose the appropriate notary block)

State of North Carolina – County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of this foregoing instrument for the purposes expressed herein. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____

Notary Public

State of North Carolina – County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged the he / she is the _____ of _____ corporation / limited liability corporation / general partnership / limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity he /she signed the foregoing instrument in its mane on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____

Notary Public

This Application must be submitted to the Planning Department by 5:00 p.m. on the last regular working day of the month preceding the meeting at which it is to be considered by the Planning Board. Only complete applications will be accepted.