

Appendix N

Application Packet for Variances

Deadlines: January - December 2021	
<u>Complete Application Deadline (12 Noon)</u>	<u>Board of Adjustment Meeting</u>
November 16, 2020	January 13, 2021
December 21, 2020	February 10, 2021
January 19, 2021*	March 10, 2021
February 15, 2021	April 14, 2020
March 22, 2021	May 12, 2021
April 19, 2021	June 9, 2021
May 17, 2021	July 14, 2021
June 21, 2021	August 11, 2021
July 19, 2021	September 8, 2021
August 23, 2021	October 13, 2021
September 20, 2021	November 10, 2021
October 18, 2021	December 8, 2021
November 22, 2021	January 12, 2022
December 20, 2021	February 9, 2022

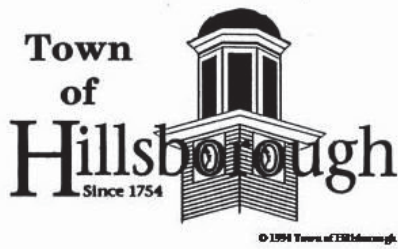
* Denotes dates that have been adjusted for holidays

Fee Schedule

Variance: \$150.00

Submittal Requirements

- ☐ Complete application
- ☐ Plot plan showing existing conditions and demonstrating the requested variance (See **Appendix G** for sample)
- ☐ Fee



**APPLICATION FOR
Variance from the Unified Development Ordinance**

Planning Department
101 E. Orange Street / P.O. Box 429
Hillsborough, NC 27278
Phone: (919) 296-9472, Fax: (919) 644-2390
Website: www.hillsboroughnc.gov

Property Address/Location: _____

PIN #: _____ Zoning: _____ Lot Size (acres or sq. ft.): _____

Applicant Name: _____

Mailing Address: _____ Phone: _____

City, State, Zip: _____ E-mail: _____

Legal Relationship of Applicant to Property Owner _____

***Note:** If the Applicant is not the Property Owner, the attached Owner's Authorization for Agent form must be completed.*

Property Owner Name: _____

Mailing Address: _____ Phone: _____

City, State, Zip: _____ E-mail: _____

TO THE TOWN OF HILLSBOROUGH BOARD OF ADJUSTMENT:

I/We hereby petition the Board of Adjustment for a VARIANCE from the literal terms of the Town of Hillsborough UDO (Unified Development Ordinance) because, under the interpretation given to me/us by the Planning Department staff, I/we am/are prohibited from using the parcel of land described above in a manner shown by the plot plan/site plan attached to this application. I/We request a variance from the following provision(s) of the Ordinance (cite section and paragraph numbers):

so that the above-mentioned property can be used in a manner indicated by the plot plan/site plan attached to this application form or, if the plot plan/site plan does not adequately reveal the nature of the variance, as more fully described herein: (If a variance is requested for a limited time only, specify duration requested.)

Factors Relevant to the Issuance of a Variance

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the Town of Hillsborough UDO, the Board is required to find that all four conditions exist (see below) before it

may issue a variance. In the spaces provided below, indicate the *facts* that you intend to show and the *arguments* that you intend to make to convince the Board that it can properly reach these four required findings.

- a. **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.** (Note: It is *not* sufficient that failure to grant the variance simply makes the property less valuable.)

- b. **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.**

- c. **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.**

- d. **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.** (State facts and arguments to show that the variance requested represents the least possible deviation from the letter of the Ordinance that will allow the Applicant to use the property in the manner requested, and that the use of the property, if the variance is granted, will not substantially detract from the character of the neighborhood.)

I/We certify that all of the information presented by me/us in this application is accurate to the best of my/our knowledge, information, and belief.

Applicant(s)

Date

