APPLICATION FOR VARIANCE

By completing and signing this application, the applicant hereby requests the Land Use Review Board (LURB) to vary or modify the specified regulations and/or provisions of the Unified Development Ordinance (UDO) due to special conditions or unnecessary hardships as outlined on Page 2 of this application. The submittal of this application authorizes the Town of Knightdale to enter onto the property in order to conduct a site inspection and to post the property in accordance with the Town's public notification requirements. At the hearing, an individual applicant may give testimony themselves and present evidence from experts that they have gathered; however, if the applicant desires to have experts speak during the hearing or the applicant is a corporate entity, an attorney representing the applicant must be in attendance.

PROPERTY INFORMATION:

Site Address: _____

Project Name *(if applicable)*: _____

OWNER INFORMATION:

Name: _____ Phone: _____

Address: _____ City/State: _____ Zip: _____

Email: _____ Fax: _____

APPLICANT INFORMATION *(if different from above - authorized agent, lessee or contract purchaser)*:

Name: _____ Phone: _____

Address: _____ City/State: _____ Zip: _____

Email: _____ Fax: _____

A super-majority vote of four-fifths (4/5) of the voting members of the LURB is required to approve any request for variance. In all matters before the Board, the applicant shall have the burden of providing clear, competent and material evidence in support of the application. The Board may prescribe appropriate conditions and safeguards in conformity with the UDO when granting a variance. Unless otherwise authorized by the LURB and included in its decision to grant a variance, an order of the Board in granting a variance shall expire if a building permit or Certificate of Occupancy (*for a use for which a building permit is not required*) has not been obtained within one (1) year from the date of the decision.

It is hereby acknowledged that the following items are **NOT** cause for a variance to be granted:

* The request for a particular use expressly, or by inference, prohibited in the District involved.
* Hardship resulting from personal circumstances.
* Hardship resulting from conditions that are common to the neighborhood or the general public.
* Any request that will cause a structure to be in violation of other Federal, State, or local laws, regulations or ordinances.
* Any request within any designated floodway or non-encroachment area where the variance would result in any increase in flood levels during the base flood discharge.

THIS SPACE FOR PLANNING DEPARTMENT USE ONLY

Case Number VAR - _____ - _____ Submittal Date: _____ Filing Fee Receipt # _____ Received By: _____

PIN# _____ REID# _____ Zoning: _____ Book of Maps: _____ Page: _____

Acres: _____ Census Tract: _____

1. This application is hereby made to the LURB requesting a variance from Chapter/Section(s) _____ of the Unified Development Ordinance.

2. Specifically describe the type, dimension and/or location of the variance requested (*i.e. "Rear Yard Setback variance of 3 feet to allow for a 22-foot setback rather than the required 25 feet."*)

3. If applicable, attach a sketch of the proposed placement of future structures drawn on a current survey of the property, or provide a current survey of the existing structure. Also, show pertinent information such as provision for access, parking, etc.
4. Describe any proposed conditions to the variance request that might be appropriate to reduce or minimize any injurious effects the variance may have:

5. Please complete the following:
   I, _____ , hereby offer the following information in support of the required Findings of Fact: (*attach additional sheets if necessary*):
   a. The following unnecessary hardships would result from the strict application of the UDO:

   b. The identified hardship(s) is the result of conditions peculiar to the property, including (*check all that apply*):
      - ☐ location
      - ☐ size
      - ☐ topography
      - ☐ other (*please write in*): _____

   c. The identified hardship did not result from actions taken by the applicant or property owner: _____
   d. For the following reasons the variance requested is consistent with the spirit, purpose and intent of the UDO, such that public safety is secured and substantial justice is achieved:

FOR FLOOD DAMAGE PREVENTION ORDINANCE VARIANCE REQUESTS ONLY:

   e. The variance is the minimum necessary, considering the flood hazard, to afford relief: _____
   f. For the following reasons there is a showing of good and sufficient cause for the variance:

   g. The granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create nuisance, cause fraud on or victimization of the public or conflict with existing local laws or ordinances: _____

OWNER(S) SIGNATURES:

All owners must sign and have signatures notarized. Corporations, LLCs and Partnerships must sign (*authorized corporate officer, general partner or LLC manager[s]*), include company name and seal (*if applicable*), have a witness attest to the signature and have signature notarized. *(Attach additional sheets if needed.)*

Owner 1: _____ Date: _____
(Signature and Title)

Owner 2: _____ Date: _____
(Signature and Title)

Corporation/LLC/Partnership Name: _____ Corporate Seal:

Attest: _____ Date: _____
(Signature and Title)

NOTARIZATION

NORTH CAROLINA
_____ COUNTY

I, the undersigned Notary Public in and for the aforesaid County and State, certify that _____
_____
personally came before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and notorial seal

this the _____ day of _____ , 20 ____. _____
Notary Public

My commission expires: _____

APPLICANT SIGNATURE:

I, _____ , the undersigned, being first duly sworn, depose and say that I am the ☐ owner, ☐ attorney, ☐ attorney-in-fact, ☐ agent, ☐ lessee, or ☐ contracted purchaser of the property described and which is the subject matter of this application.

Applicant: _____ Date: _____
(Signature and Title)

NOTARIZATION

NORTH CAROLINA
_____ COUNTY

I, the undersigned Notary Public in and for the aforesaid County and State, certify that _____
personally came before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and notorial seal

this the _____ day of _____ , 20 ____. _____
Notary Public

My commission expires: _____

SUBMITTAL REQUIREMENT CHECKLIST:

COMPLETED APPLICATION FORM. Application must be signed by the property owner and applicant (if applicable), and all signatures must be notarized. Applications are considered complete only when all required information, including all supporting materials specified by the Planning Department, is accompanied by the applicable fee. The Planning Department shall make a determination of completeness. If an application is deemed incomplete, the Department will notify the applicant of the status along with an explanation of deficiencies. No further processing will take place until deficiencies are corrected in the form of a re-submittal. Consequently, incomplete applications may or may not maintain the original processing cycle.

$500.00 PROCESSING FEE.

COPY OF THE RECORDED PLAT/SURVEY OF THE PROPERTY, WITH METES AND BOUNDS DESCRIPTION.

SUPPLEMENTAL INFORMATION, such as site plans, environmental studies, architectural plans, etc., that is necessary to rule on the required Findings of Fact. The applicant shall have the burden of providing clear, competent and material evidence in support of the application.