



TOWN OF CORNELIUS VARIANCE APPLICATION

Date Filed: / /	Case #: VAR
Fee Paid: \$	Public Hearing: / /
Applicant:	Tax Parcel:
Location of Variance:	Zoning:

I, _____, hereby petition the Board of Adjustment for a **VARIANCE** from the literal provisions of the Town of Cornelius Land Development Code because, under the interpretation given to me by the Zoning Administrator, I am prohibited from using the parcel of land described above in a manner shown by the Plot Plan attached to this form. I request a variance from the following provisions of the Land Development Code (cite Section and numbers):

Describe the variance being requested on the above referenced property: _____

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 state enabling act (G.S. 160A-388), the Board is required to reach the following conclusions as a prerequisite to the issuance of a variance:

- 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.
- 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.

Please State Facts & Arguments in Support of EACH of the Following Statements:

- 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

- 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.

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

Name of Appellant

Appellant's Mailing Address

City, State, Zip Code

Date

Telephone Number

Email Address

Appellant Signature

*Variance Application
continued*

Submit or draw a Site Plan below describing property and variance request. Give all appropriate dimensions, buildings/structures and their distance to property lines, right-of-ways, etc.