



City of Monroe Variance Application Form

Applicant's Name: _____

Applicant's Address: _____

Property Owner's Name: _____

Property Owner's Address: _____

For Staff Use Only
Application #: _____
Date Submitted: _____
Approved: _____
Denied: _____

Legal Relationship of Applicant to Property Owner: _____

Contact Person Name and Phone Number: _____

Existing Use of Property: _____

Property Location: _____

Tax Map Number: ____-____-____ Lot Size: _____ Zoning District: _____

Ordinance section number to which a variance is being sought. _____

Proposed variance description: _____

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under NC State law, the Board must reach three conclusions (listed below) before it can issue a variance. When unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the board of adjustment shall vary any of the provisions of the ordinance upon a showing of the conclusions below.

PLEASE STATE BELOW HOW THE REQUEST FOR A VARIANCE MEETS EACH OF THESE THREE CONCLUSIONS. Please be as specific as possible in your statements. Should you need more room to complete the information, please attach an additional page.

1. **There are unnecessary hardships in the way of carrying out the strict letter of the ordinance.** State any facts and arguments in support of the three rules developed by the Court. a) *That by complying with the strict application of the ordinance, unnecessary hardship would result.* [It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property, and it is not sufficient that failure to grant the variance will simply make the property less valuable.] b) *The hardship of which you complain results from unique circumstances related to the land.* [Hardship suffered by the applicant in common with his neighbors does not justify a variance. Also, unique personal or family hardships are irrelevant, since a variance, if granted, runs with the property and not with the person or family.] c) *The hardship is not the result of your own actions.* [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.]

2. **The variance requested is consistent with the spirit, purpose, and intent of the ordinance.** (State any facts and arguments to show that the variance requested represents the least possible deviation from the letter of the ordinance that will allow a reasonable use of the land and that the use of the property, and if the variance is granted, will not substantially detract from the character of the neighborhood).

3. **The granting of the variance will secure the public safety and will achieve substantial justice.** (State any facts and arguments to show that, on balance, if the variance is denied the benefit to the public will be substantially outweighed by the harm suffered by the applicant).

Request for variances may need to be accompanied by a sketch plan or survey from a Registered Land Surveyor. Said plan shall show, in a scaled form, the location and size of:

1. The boundaries of the lot(s) in question,
2. The size, shape and location of all existing buildings, parking facilities and accessory buildings,
3. The size, shape and location of all proposed buildings, parking facilities and accessory uses
4. The location of all setbacks and front lot widths as measured at the front setback.
5. The location and type of screening and buffering proposed and,
6. Other information deemed by the Zoning Officer necessary to consider the application complete.

Printed name of Applicant

Signature of Applicant

Date

Printed name of Owner

Signature of Owner

Date

FOR STAFF USE ONLY
(PLEASE DO NOT WRITE BELOW THIS LINE)

Scaled plan attached: Yes _____ No _____ Fee Attached: Yes _____ No _____

Adjoining property owners information attached: Yes _____ No _____

Public hearing date: _____

Notice to applicant and adjoining property owners mailed on: _____ INT. _____

Action taken by the Board of Adjustment: _____

Notification of Action Mailed to applicant on: _____