

VARIANCE REQUEST

1. Provide the following information for the property affected.

Site Address: _____
PIN #: _____ Lot #: _____ Block: _____
Subdivision: _____ Phase or Section: _____
Total lot/tract size: _____ Existing Zoning District: _____

2. List the LDO provision(s) from which a variance is sought:

3. Describe with specificity the type, dimensions and location of the variance requested. For example, "side yard setback variance of 3 feet to allow a 7-foot setback rather than the required setback of 10 feet." 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 if applicable. (Show applicable pertinent information such as provision for access, parking, etc.)

Describe: _____

Sketch attached? Yes No

4. The board cannot grant a variance to written conditions attached by the Town Council to its approval of a Special Use. Development standards for development plans (Section 3.9) that were approved by Town Council or through a quasi-judicial process but could, by current standards, be approved administratively may be eligible for a variance. Are you aware of any such written conditions that pertain to the property?
 Yes No

5. Is this application the result of a violation notice? Yes No
Is there any other local hearing pending or planned for this property? Yes No
If 'Yes' to either of the above, explain: _____

6. Explain how this request meets the "Approval Criteria" for a variance by answering the questions below:

A. Would unnecessary hardship result from the strict application of the ordinance?
 Yes No

(Note: It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.)

Explain: _____

B. Does the hardship result from conditions that are peculiar to the property, such as location, size, or topography? Yes No
(Note: 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.)

Explain: _____

C. Did the hardship result from actions taken by the applicant or the property owner? Yes No
(Note: 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.)

Explain: _____

D. Is the requested variance consistent with the spirit, purpose, and intent of the Ordinance, such that public safety is secured, and substantial justice is achieved? Yes No

Explain: _____

7. Do you propose to attach any conditions to this variance request? Yes No
If yes, specify the conditions(s). (Examples that might be appropriate include conditions that reduce or minimize any injurious effect the variance might have, such as in the case of a buffer width variance, a condition that you install and maintain increased vegetative plantings in the remaining buffer area.)

Proposed Conditions:

- A _____ [describe type and size] fence will be constructed at _____
- A landscape buffer that meets Cary's planting standards for a Type ___ (specify either A [opaque] or B [semi-opaque]) shall be installed at (specify location):

- Other: _____
