



TOWN of WAKE FOREST

Planning Department
Wake Forest Town Hall – 3rd Floor
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Wake Forest, NC 27587
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www.wakeforestnc.gov

VARIANCE APPLICATION

(Last updated: March 2018)

PROCESS INFORMATION:

Submission Requirement: Every applicant for a variance is strongly encouraged to hold a pre-application meeting with the Administrator to discuss the proposed request and to become familiar with the applicable requirements and review procedures of the town. Applicants shall submit variance applications to the Planning Department.

Public Notification: This is a quasi-judicial process that requires a public hearing and public notification including general notice in newspaper, mailed notice to adjacent property owners and a sign posted prominently on the property (Section 15.3 of the Wake Forest Unified Development Ordinance).

Review Process: Per Section 15.13 of the Wake Forest Unified Development Ordinance (UDO), all applications are to be reviewed for compliance by the Administrator, and then forwarded for to the Board of Adjustment for consideration at a public hearing which are held on an as needed basis in the Wake Forest Town Hall.

Action by Board of Adjustment: After conducting a public hearing, the Board of Adjustment may: deny the application; conduct an additional public hearing on the application; approve the application; or approve the application with conditions. A concurring vote of four-fifths of the members of the Board of Adjustment shall be necessary to grant a variance. The Board of Adjustment shall not grant a variance unless and until it makes all the findings found in Section 15.13.3.B of the Wake Forest Unified Development Ordinance.

FILING INSTRUCTIONS:

- A petitioner must complete this application in full. This application will not be processed unless all information requested is provided.
- The filing fee is \$400.00. **Town of Wake Forest fees & charges are subject to change without notice. Please call 919-435-9510 to confirm current fees & charges.*
- A Sketch Plan shall be provided to accurately reflect the nature of the variance. The Sketch Plan shall show in simple sketch form the shape & dimensions of the lot on which the proposed building or use is to be constructed or conducted as well as all information listed in Section 15.4.2 of the Wake Forest Unified Development Ordinance.
- The petitioner, or his duly authorized agent, shall submit with the application a list of all adjoining property owners within one hundred feet of the proposed variance request, with the current mailing address of each. These adjoining property owners will be notified of the proposed request by the Planning Department.
- The application must be signed by the owner or by an authorized agent of the subject property and notarized.

For Department Use Only:

Submittal Date: _____

Received By: _____

Case No: _____

PROPERTY INFORMATION:

Property Address/Location: _____

Tax Parcel Number(s): _____
Current Land Use: _____
Size of Property (in acres): _____
Zoning Classification: _____

GENERAL INFORMATION:

| | |
|-------------------------|-----------------|
| Submission Date: | Case No: |
| Property Owner: | Phone No.: |
| Address: | Email: |
| City, State, Zip: | Fax: |

| | |
|---|--------|
| Applicant (if different from property owner): | Phone: |
| Address: | Email: |
| City, State, Zip: | Fax: |

VARIANCE REQUEST INFORMATION:

Section(s) of Unified Development Ordinance to which variance is requested: _____

Description of variance request: _____

Proposed Conditions Offered by Applicant: _____

FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE:

Section 15.13.3 of the UDO requires the compliance of the following findings of fact in order for the Board of Adjustment to grant a variance. In the spaces provided, indicate the facts that you intend to show and the arguments that you intend to make to convince the Board it can properly reach each of the three required findings.

1. Carrying out the strict letter of the ordinance would result in an unnecessary hardship. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

Statement by Applicant:

2. 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.

Statement by Applicant:

3. The hardship did not result from actions taken by the applicant of 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.

Statement by Applicant:

4. The requested variance is consistent with the spirit, purpose, and intent of this ordinance, such that the public safety is secured, and substantial justice is achieved.

Statement by Applicant:

SIGNATURES:

I/we the undersigned do hereby certify that all information given above is true, complete, & accurate to the best of my/our knowledge. I/we hereby petition the Board of Adjustment for a VARIANCE from the literal provisions of the Wake Forest Unified Development Ordinance and seek relief from the strict application of a particular requirement which has created a practical difficulty or unnecessary hardship prohibiting the use of land in a manner otherwise allowed under the Wake Forest Unified Development Ordinance.

I/we understand it is not intended for variances to be granted solely to remove inconveniences or financial burdens that requirements of the UDO may impose in general or to increase the profitability of a proposed development.

(Applicant Print Name)

(Applicant Signature)

(Date)

North Carolina

County of Wake

Sworn to and subscribed before me on this the _____ day of _____, 20____.

Notary Public

My Commission Expires: _____

Adjoining Property Owners
(property within 100' of the site, exclusive of rights of way)

| Name | Current Mailing Address (based on current tax records) | Tax Map Number |
|------|---|----------------|
| 1. | | |
| 2. | | |
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