

DAVIDSON COUNTY PLANNING DEPARTMENT
Application for a Variance

Directions

This is an application for a Variance. This application can be used to request either a variance from the Davidson County Zoning Ordinance. To apply for a Variance, please follow the instructions below.

1. Print this document.
2. Pages 2, 3, and 4 are for the applicant to fill out. The applicant can be the Property Owner, or a representative of the owner, such as an attorney or developer.
3. The applicant should fill out only those sections marked in **BLUE**. Any sections in **RED** should be left blank.
4. DO NOT fill out the questions on pages 6, 7, 8, and 9. These pages are for the Planning Department to type your written application on. The only part of this section the applicant needs to complete is to sign the bottom of pages 6 and 9.
5. Bring all 7 pages of this application, as well as the Application Fee, to the Planning Department located on the 3rd Floor of the Government Center (Application Fees vary by application type. See the [Fee Schedule](#) for the proper amount for your application). Make sure that the bottom of pages 6 and 9 are signed!

COUNTY OF DAVIDSON STATE OF NORTH CAROLINA
APPLICATION TO THE BOARD OF ADJUSTMENT
and/or BOARD OF COMMISSIONERS FOR A HEARING

APPLICATION NO. _____

Applicant(s): _____ Date _____

Address: _____ Telephone No.: _____

Property Owner: _____

Address: _____ Telephone No.: _____

Property Location (General Description) _____

Township: _____ Map No. _____ Blk. No. _____ Lot(s) _____

TYPE OF APPLICATION

Appeal from an action of the Zoning Officer and/or petition for an interpretation of
the Zoning Ordinance

Special Use, Class _____

Variance

Legal Advertisement: _____

Planning Board Meeting Date: _____ Public Hearing Date: _____

Planning Board Recommendation: _____

Signature, Applicant(s) _____

Fee Paid
Receipt No.

Application No. _____

COUNTY OF DAVIDSON
STATE OF NORTH CAROLINA

APPLICATION FOR A VARIANCE

Month: _____ Day: _____ Year: _____

TO THE DAVIDSON COUNTY BOARD OF ADJUSTMENT:

I, _____, hereby petition the Board of Adjustment for a VARIANCE from the literal provisions of the Davidson County Zoning Ordinance because, under the interpretation given to me by the Zoning Enforcement Officer, I am prohibited from using the parcel of land described in the attached form (“Application for a Hearing”) in a manner shown by the Plot Plan attached to that form. I request a variance from the following provisions of the ordinance (cite paragraph numbers):

So that the above mentioned property can be used in a manner indicated by the Plot Plan attached to the “Application for a Hearing” form, or if the plot plan does not adequately reveal the nature of the variance, as more fully described herein: (if variance is requested for a limited time only, specify duration requested)

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 terms of the Davidson County Zoning Ordinance. A variance may only be allowed by the Board of Adjustment in cases involving practical difficulties or unnecessary hardships when substantial evidence in the official record of the application supports all five of the findings of fact listed below. In the spaces provided below, indicate the facts you intend to show and the arguments that you intend to make to convince the Board that it can properly find the following five required findings of fact:

- 1) That the alleged hardships or practical difficulties are unique and singular as regards the property of the person requesting the variance and are not those suffered in common with other property similarly located. _____

Staff Comment: _____

2) That the alleged hardships and practical difficulties, which will result from failure to grant the variance, extend to the inability to use the land in question for any use in conformity with the provisions of this ordinance and include substantially more than mere inconvenience and inability to attain a higher financial return. _____

Staff Comment: _____

3) That the variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance. _____

Staff Comment: _____

4) That the variance is in harmony with and serves the general intent and purpose of this ordinance. _____

Staff Comment: _____

5) That allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by this ordinance and the individual hardships that will be suffered by a failure of the Board to grant a variance.

Staff Comment: _____

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

Signature of Applicant

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