



**Standards of Review** *(Please provide additional sheets if necessary.)*

a) Explain how an unnecessary hardship would result from the strict application of the ordinance. Note: it shall not be necessary to demonstrate, in the absence of a variance, that no reasonable use can be made of the property. \_\_\_\_\_

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b) The hardship results from conditions that are peculiar to the property such as location, size or topography. 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. \_\_\_\_\_

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c) Explain how the hardship did not result from actions taken by the applicant or property owner. Note: purchasing property with the knowledge that circumstances exist that may justify the variance shall not be regarded as a self-created hardship. \_\_\_\_\_

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d) Explain how 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. \_\_\_\_\_

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**Applicant's Certification**

I, as the applicant, hereby **CERTIFY THAT ALL THE INFORMATION CONTAINED HEREIN IS TRUE TO THE BEST OF MY KNOWLEDGE; AND BY ACCEPTING THIS APPLICATION** (if approved) shall in every respect conform to the terms of this application and to the provisions of the Statutes and Ordinances regulating development in City of Creedmoor. Any **VIOLATION** of the terms stated immediately **REVOKES** this Petition and any other permits issued in reliance upon the same. I further acknowledge that no work will begin, use started or building occupied until the proper City of Creedmoor Zoning Compliance Certificate and/or Granville County Building Permit has been issued, if necessary.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

*(if applicable)*

Corporation/LLC/Partnership Name and Title: \_\_\_\_\_

Corporate Seal:

**NOTARIZATION**

NORTH CAROLINA  
\_\_\_\_\_ COUNTY

I, the undersigned Notary Public in and for the aforesaid County and State, certify that \_\_\_\_\_ personally came before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

**Landowner's Certification**

I, as the landowner, hereby **CERTIFY THAT ALL THE INFORMATION CONTAINED HEREIN IS TRUE TO THE BEST OF MY KNOWLEDGE; AND BY ACCEPTING THIS APPLICATION** (if approved) shall in every respect conform to the terms of this application and to the provisions of the Statutes and Ordinances regulating development in City of Creedmoor. Any **VIOLATION** of the terms stated immediately **REVOKES** this Petition and any other permits issued in reliance upon the same. I further acknowledge that no work will begin, use started or building occupied until the proper City of Creedmoor Zoning Compliance Certificate and/or Granville County Building Permit has been issued, if necessary.

Landowner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

*(if applicable)*

Corporation/LLC/Partnership Name and Title: \_\_\_\_\_

Corporate Seal:

**NOTARIZATION**

NORTH CAROLINA  
\_\_\_\_\_ COUNTY

I, the undersigned Notary Public in and for the aforesaid County and State, certify that \_\_\_\_\_ personally came before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

## **Additional Information**

- The petition must be legible and complete. **Incomplete applications will be returned to applicant.**
- Failure to provide complete, specific detailed information may result in a denial or delay in the Board of Adjustment's decision.
- Once the application is accepted as complete by the Planning, Zoning and Subdivision Administrator, the request shall be scheduled for consideration by the Board of Adjustment.
- A fee of \$400 is charged when the Petition for Variance is filed.

## **The Purpose of a Variance**

The variance process administered by the Board of Adjustment is intended to provide limited relief from the requirements of this Ordinance in those cases where strict application of a particular requirement will create a practical difficulty or unnecessary hardship prohibiting the use of land in a manner otherwise allowed under this Ordinance. It is not intended that variances be granted merely to remove inconveniences or financial burdens that the requirements of this Ordinance may impose on property owners in general or to increase the profitability of a proposed development. Rather, it is intended to provide relief where the requirements of this Ordinance render the land difficult or impossible to use because of some unique physical attribute of the property itself or some other factor unique to the property for which the variance is requested.

## **In no event shall the Board of Adjustment grant a variance:**

- a) That creates any change in permitted uses within a zoning district.
- b) With respect to any conditional use permit or conditional zoning district ordinance adopted pursuant to this Ordinance.
- c) Which would modify, alter, change, or suspend the special standards and/or conditions set forth in Article 10 of this Ordinance for a use with additional standards or a conditional use.
- d) Which would permit a use or density not otherwise permitted in the district in which the property is located.
- e) Which would permit a non-conforming use of land, buildings, or structures.
- f) Which would permit the creation of a non-conforming lot.
- g) Which would conflict with the North Carolina State Building Code, the North Carolina Fire Prevention Code, or any other codes of the State of North Carolina unless otherwise authorized by laws and/or regulations.

## ***The following actions shall be taken by the Board of Adjustment upon receipt of the completed application.***

1. A public hearing shall be held on the requested variance within 36 days of the completed application.
2. Notice of the hearing shall be provided by mail to owners of all land parcels within 500 feet of the subject property
3. A sign shall be prominently posted on the subject property or an adjacent street or highway right-of-way
4. The Board of Adjustment shall review the application materials, the staff recommendation, the general purpose and standards set forth in the Code of Ordinances for granting variances, and all testimony and evidence received by the Board of Adjustment.
5. A 4/5<sup>th</sup> vote of the members of the Board of Adjustment is required to grant a variance. After conducting the public hearing, the Board of Adjustment shall grant the request provided all four findings listed under the Standards of Review are individually approved; or deny the request based on the failure to approve all four findings required under the Code of Ordinances.

\*See Article 6 Variances and Administrative Appeal of the Creedmoor Development Ordinance for additional information.