



Town of Clayton  
 Planning Department  
 111 E. Second Street, Clayton, NC 27520  
 P.O. Box 879, Clayton, NC 27528  
 Phone: 919-553-1545  
 Fax: 919-553-1720

## VARIANCE APPLICATION

*Pursuant to Article 7, Section 155.716 of the Unified Development Code, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Board of Adjustment to allow a Variance. Variances must not be contrary to the public interest and must not be the result of a self created hardship.*

*Variance applications must be accompanied by nine (9) sets of the application, nine (9) sets of the required plans, an Owner's Consent Form and the application fee. The application fee is \$250.00. All fees are due when the application is submitted.*

### SITE INFORMATION:

Name of Project: \_\_\_\_\_ Acreage of Property: \_\_\_\_\_

Parcel ID Number: \_\_\_\_\_ Tax ID: \_\_\_\_\_

Deed Book: \_\_\_\_\_ Deed Page(s): \_\_\_\_\_

Address: \_\_\_\_\_

Location: \_\_\_\_\_

Existing Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

Existing Zoning District: \_\_\_\_\_

Requested Zoning District \_\_\_\_\_

Is project within a Planned Development:  Yes  No

Planned Development District (if applicable): \_\_\_\_\_

Is project within an Overlay District:  Yes  No

Overlay District (if applicable): \_\_\_\_\_

Variance Request (List Unified Development Code sections and paragraph numbers):

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### FOR OFFICE USE ONLY

File Number: _____	Date Received: _____	Amount Paid: _____
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**REQUIRED FINDINGS OF FACT**

*Section 155.710(F)(2) of the Unified Land Development Code requires applications requesting a Variance to address the following findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application. Please attach additional pages if necessary.*

1. There are exceptional conditions pertaining to the particular piece of property in question because of its shape, size, or topography that are not applicable to other lands or structures in the same district, or there is a peculiar characteristic of an establishment which makes the parking and/or loading requirements of this chapter unrealistic.

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2. Granting the variance requested will not confer upon the applicant any special privileges that are denied to other residents of the district in which the property is located.

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3. A literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located.

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4. The requested variance will be in harmony with the purpose and intent of this chapter and will not be injurious to the neighborhood or to the general welfare.

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5. The special circumstances are not the result of the actions of the applicant.

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6. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.

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7. The variance is not a request to permit a use which is not a permitted or conditional use in the district involved.

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8. The variance is not granted simply because by granting the variance, the property could be utilized more profitably or that the owner/developer would save money.

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**APPLICANT AFFIDAVIT**

*I/We, the undersigned, do hereby make application and petition to the Board of Adjustment of the Town of Clayton to approve the subject Variance request. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Date*



