



FOXFIRE VILLAGE

Board of Adjustment Request for Variance

APPLICATION FEE \$600.00

Property Site Plan is Required

APPLICANT INFORMATION

Applicant Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email Address: _____

Status of Applicant: ☐ Property Owner ☐ Developer ☐ Legal Representative ☐ Other _____

PROPERTY INFORMATION

Address _____ Parcel LRK/PIN _____ Zoning District: _____

RELIEF REQUESTED

I, _____, HEREBY PETITION the Board of Adjustment of Foxfire Village, North Carolina, for a Variance from the literal provisions of the Foxfire Village Unified Development Ordinance because, under the interpretation given to me by the Zoning Administrator, I am prohibited from reasonable use of the parcel described above.

REQUIRED FINDINGS

(Sec. 21-3-8. - Variances.)

An applicant may apply for a variance from the provisions of a zoning or development regulation contained in this UDO to the board of adjustment, or to the village council in the case of a major subdivision. When unnecessary hardships would result from carrying out the strict letter of a zoning or other development regulation, the board of adjustment, or council when appropriate, shall vary any of the provisions of the regulation upon a showing of all of the following:

(1) Unnecessary hardship would result from the strict application of the regulation. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

(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. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.

(3) The hardship did not result from actions taken by the applicant or 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.

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

In the spaces provided below, please address each of the above required conclusions, explaining in writing how or why your requested variance meets these conclusions. Please address each of the four required findings separately.

1. _____

2. _____

3. _____

4. _____

Please be advised that the issuance of a variance does not excuse the applicant and/or property owner from obtaining all building or other permits as required by law prior to beginning work.

Any construction or operation authorized by the granting of a variance must commence within one (1) year of the date the Order of the Board is signed, or the variance shall become null and void.

SIGNATURES

When the applicant is someone other than the current property owner(s), the signatures of both the current property owner(s) and the applicant must be provided unless a power-of-attorney authorization is in effect. If a power-of-attorney is in effect, a properly executed copy is required to be submitted with this application.

Property Owner(s) Signature

(Owner Print Name)

(Owner Signature)

(Date)

(Applicant Print Name)

(Applicant Signature)

(Date)

Office Use

Submittal Date: _____

Request # _____

Fee Paid: ☐ Check _____

☐ Cash