



TOWN OF MICRO
PO Box 9
450 US Highway 301 N
Micro, NC 27555
Office: 919-284-2572

VARIANCE APPLICATION

\$250 Fee

APPLICANT INFORMATION:

Name of Applicant/Petitioner: _____

Mailing Address of Applicant/Petitioner: _____

Telephone Number of Applicant/Petitioner: _____

Email Address of Applicant/Petitioner: _____

SITE INFORMATION:

Name of Project: _____

Acreage of Property: _____

Zoning District: _____

County Tag: _____ NC Pin # _____

Address/Location: _____

Existing Use: _____

Proposed Use: _____

OFFICE USE ONLY:

Date Application Received: _____ Amount/Fee Paid: _____ File#: _____

PROPERTY OWNER INFORMATION:

Name of Owner: _____

Mailing Address of Owner: _____

Telephone Number of Owner: _____

Email Address of Owner: _____

BURDEN OF PROOF/EXPLANATION OF REQUEST:

Variance Requested: *List each requested variance. Attach additional pages if necessary.*

Code Section: _____

Code Requirement: _____

Variance Sought:

Use this section to describe the request. An applicant seeking a variance has the burden of presenting evidence sufficient to allow the Board of Adjustment to reach conclusions for the Required Findings of Fact. Attach additional page(s) and/or pertinent information as is necessary.

REQUIRED FINDINGS OF FACT

Section 2-107-5 of the Zoning Code of Ordinance requires application 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.

(A) An unnecessary hardship will result from the strict application of this Ordinance:

- (1) The hardship results from conditions (narrowness, shallowness, shape, or topography) peculiar to the lot and not from personal circumstances of the applicant or conditions common to the neighborhood or general public.

- (2) The hardship did not result from the actions taken by the applicant or property owner. However, purchasing property knowing that circumstances exist that may justify a variance is not considered a self-created hardship.

(B) The variance is consistent with the spirit, purpose, and intent of this Ordinance such that public safety is secured and substantial justice is achieved.

- (1) The variance will have minimal adverse effect on surround property values, the use and enjoyment of property in the neighborhood or district, or on public improvements.

- (2) The variance is the minimum needed to adequately mitigate the hardship.

- (3) The variance will not allow a use that is not permitted under the applicable zoning and use regulations, extend or enlarge a nonconformance, or otherwise effectively change the zoning of the property.

PROCEDURE INFORMATION:

Applications for a variance shall be referred to the Board of Adjustment. After proper notice has been given pursuant to Section 2-103-2, a quasi-judicial* public hearing shall be held by the Board of Adjustment. Final decision of either approval or denial shall be made by the Board of Adjustment. Applicant and/or representatives should be prepared to attend the Board of Adjustment meeting and present their request. It should be noted that an affirmative vote of four-fifths majority of qualified members of the Board of Adjustment shall be required to grant a variance.

**A quasi-judicial hearing resembles a court trial where testimony is presented. Citizens may give testimony in a quasi-judicial hearing after they have taken an oath. The Board of Adjustment acts like a court of law and receives only sworn testimony and other credible evidence. In addition, the Board of Adjustment must make findings of fact based upon the evidence presented. The Board of Adjustment refrains from "ex parte communication" about these cases, as the Board of Adjustment must decide based solely on the evidence presented at the hearing itself.*

Certification: I/We, the undersigned make application and petition to the Board of Adjustment of the Town of Micro to approve the variance request. It is hereby certified that I/We have full legal right to request this action. Further, all statements and information provided herewith are true and correct to the best of my knowledge. I/We understand this application, related material and any attachments become official records of the Town of Micro and will not be returned.

Owner Name (Print)

Owner Signature

Date

Applicant Name (Print)

Applicant Signature

Date