



# VARIANCE OF DEVELOPMENT STANDARDS APPLICATION

*DPM Appendix #A.16 Supplement 20 February 2023*

## General Information

The full review procedures for a Variance of Development Standards can be found in the Town of Holly Springs [Unified Development Ordinance \(UDO\)](#), section 11.13.

The Variance of Development Standards will follow the Board of Adjustment review schedule. Submittal does not guarantee placement on a particular meeting agenda.

During a quasi-judicial hearing, the Board of Adjustment must hold an evidentiary hearing and make its decision based on the written and oral evidence presented. A quasi-judicial decision must be made on facts and evidence cannot be based on opinions or hearsay. Anyone who speaks during the public hearing must be sworn in under oath. Anything presented to the Board of Adjustment will be collected by the Clerk for permanent records. Please be advised that petitions are not acceptable evidence and cannot be considered.

Visit <https://www.hollyspringsnc.us/335/Forms-Review-Schedules-Fee-Sheet> for a current fee schedule and review calendars.

## Submittal Requirements

All items listed are required for a complete submittal. Incomplete submittals will be rejected and delay the process.

Submit the following items via the [Portal](#). All applications submitted by NOON on Friday will be routed the following week for review:

- Application
- Detailed Findings of Fact for Variance of Development Standards, consistent with the UDO
- Site plan, photos, studies, appraisals, property surveys or other documentation to provide evidence regarding the justification for the Variance request in PDF format.

Once your submittal is deemed complete and accepted, staff will send you a confirmation and advise that submittal fees (if applicable) are available for payment in the [Portal](#).

For questions about your submittal, please reach out to [dsintake@hollyspringsnc.gov](mailto:dsintake@hollyspringsnc.gov)



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<b>PETITION CONTACT INFORMATION</b> <i>(Attach additional sheets if needed)</i>	
Applicant and Financially Responsible Party will need to register for an account on the <a href="#">Portal</a>	
<b>Project Applicant</b> Check One: <input type="checkbox"/> Owner <input type="checkbox"/> Owner's Agent <input type="checkbox"/> Design Professional <input type="checkbox"/> Developer <input type="checkbox"/> Other	
Name:	Company:
Mailing Address:	
City, State, Zip:	
Telephone:	E-Mail:
<b>REQUIRED: Property Owner(s) if different from Applicant/Contact</b> <i>(Attach additional sheets if needed)</i>	
Name:	Company:
Mailing Address:	
City, State, Zip:	
Telephone:	E-Mail:

<b>PROJECT INFORMATION</b>	
Project Name	
Project Number	
Project Location <i>Use street address. If none, use closest intersection</i>	<input type="checkbox"/> Within Corporate Limits <input type="checkbox"/> Within Holly Springs ETJ <input type="checkbox"/> Pending Annexation
Shopping Center/Lot #	
PUD/Development	
PIN(s)	
Project Acreage	
Current Zoning	
Sketch Plan Held:	

<b>VARIANCE REQUEST (please be specific)</b>	
UDO Section No:	Section Title:
Specific Vested Rights Request <i>(Attach additional sheets if needed)</i> :	



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## FINDINGS OF FACT

A petition for Variance of Development Standards may only be approved upon the presentation of sufficient evidence. Please include as much detailed information or unique conditions that would enable the Board of Adjustment to make a written determination. Use additional sheets if necessary.

**1) Unnecessary hardship would result from the strict application of the ordinance. 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.**

**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 ordinance, such that public safety is secured, and substantial justice is achieved.**

## CERTIFICATE OF COMPLETION

I certify that all information presented in this petition is accurate to the best of my knowledge and belief. Further, I grant permission for members of the Town Council and Town Staff to visit the site in question for informational, advertisement, and inspection needs.

Signature of Applicant:

Date:

Signature of Owner:

Date: