

Variance Sample Decision Tool

G.S. 160A-388 states all four of these standards must be shown for a variance to be approved:

STANDARD	DISCUSSION
(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 MAY NOT be the basis for granting a variance.	
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.	
Other points:	
<ul style="list-style-type: none"> • No change in permitted uses may be authorized by variance. 	
<ul style="list-style-type: none"> • Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance. 	