



CITY OF SANFORD

REVIEW AND PERMITTING PROCESS

Variations

This review and process overview is intended to provide general guidance for the **variance** application process. Variations are only appropriate when a particular property is unfairly burdened by the application of land use regulations, creating an unnecessary hardship for the property owner. Variations may only be granted to applicants in accordance North Carolina General Statute §160D-705. To apply for a variance, contact Zoning Administrator, Amy McNeill, at 919-718-4656, ext. 5397, or amy.mcneill@sanfordnc.net.

Variance applicants must demonstrate the following approval criteria to the Board of Adjustment:

- An unnecessary hardship would result from strict application of the Unified Development Ordinance (UDO). It shall not be necessary to demonstrate that, in absence of the variance, no reasonable use can be made of the property.
- 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 that are common to the neighborhood or the general public, may not be the basis for granting a variance.
- The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing the property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
- The requested variance is consistent with the spirit, purpose, and intent of the UDO, such that public safety is secured and substantial justice is achieved.

STEP 1 – PRE-APPLICATION CONFERENCE

- Meet with Zoning & Design Review staff to discuss your rezoning request (virtual or in-person).

STEP 2 – TECHNICAL REVIEW COMMITTEE (Conceptual Review) [OPTIONAL]

- TRC review of a conceptual site plan is recommended for all applicants for preliminary feedback on a proposed project.
- The conceptual site plan should include basic submittal criteria, as detailed in the **Concept Review Checklist** available here: www.sanfordnc.net/712/Technical-Review-Committee-TRC.
- TRC applications are typically due on the 1st day of each month.
- The TRC typically meets on the last Thursday of each month.



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- Comments from the TRC are provided to the applicant within 30 days of the meeting.
- With conceptual plan review comments, applicants may either resubmit the revised site plan **or** proceed to the next step (a full technical review) and prepare a civil plan set for their project.
- TRC resubmittals are typically distributed to TRC members for re-review on the **15th** and **30th** of each month.
 - TRC members have *approximately* two weeks to review resubmittals and verify that their comments have been addressed satisfactorily.
- The is **no fee** for a TRC conceptual review.
- Please note that a full technical review (Step 3) is still required, even when a conceptual TRC review is completed.

STEP 3 – TECHNICAL REVIEW COMMITTEE (Full Review)

- TRC review of a full civil plan set is required for a development project requiring a variance
- The civil engineered site plan should include basic submittal criteria, as detailed in the **Project Review Checklist** available here: www.sanfordnc.net/712/Technical-Review-Committee-TRC.
- TRC applications are typically due on the 1st day of each month
- The TRC typically meets on the last Thursday of each month
 - Comments from the TRC are provided to the applicant within 30 days of the meeting
 - Once civil plan review comments are provided to the applicant, the applicant should revise the plan set accordingly and resubmit to the TRC coordinator.
 - Resubmittals must include a revised site plan and response letter in PDF format
 - TRC resubmittals are accepted **at any time** but will be distributed to TRC members for re-review on the **15th** and **30th** of each month
 - TRC members have *approximately* two weeks to review resubmittals and verify that their comments have been satisfactorily addressed
- TRC fees shall apply and will depend on the scope of the project

STEP 4 – VARIANCE APPLICATION SUBMITTAL

- Once the site plan has received full TRC review and formal approval, the applicant may submit a variance application to Zoning & Design Review staff.
- Variance application deadlines are typically the 1st of each month for placement on the **following month's** Board of Adjustment agenda.



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- For example, applications received by the 1st of June will be placed on the July agenda.
- There is a \$500 fee associated with variance applications.

STEP 5 – SANFORD BOARD OF ADJUSTMENT MEETING

- The Board of Adjustment conducts quasi-judicial hearings that involve the application of the UDO to individual situations with strict procedural requirements in accordance with North Carolina General Statute §160D-46.
- The Board of Adjustment shall review the site plan that was approved by the TRC.
- The Board of Adjustment shall approve, approve with conditions, or deny the variance request.
- The Sanford Board of Adjustment meets on the 2nd Monday of each month, as needed.
- Additional information regarding the Board of Adjustment can be found online at: www.sanfordnc.net/323/Boards-Commissions.

If the variance request is approved, the applicant may then proceed to zoning review in order to develop the site in the manner proposed. Any deviation from the approved site plan shall require a re-review by the Technical Review Committee (TRC) and Board of Adjustment.