CHAD LONG VARIANCE

- 1. PIN 7717099160
- 2. PIN 7717088835

§ 160D-705. Quasi-judicial zoning decisions.

Provisions of Ordinance. - The zoning or unified development ordinance may provide that the board of adjustment, planning board, or governing board hear and decide quasi-judicial zoning decisions. The board shall follow quasi-judicial procedures as specified in G.S. 160D-406 when making any quasi-judicial decision.

Appeals. - Except as otherwise provided by this Chapter, the board of adjustment (b) shall hear and decide appeals from administrative decisions regarding administration and enforcement of the zoning regulation or unified development ordinance and may hear appeals arising out of any other ordinance that regulates land use or development. The provisions of

G.S. 160D-405 and G.S. 160D-406 are applicable to these appeals.

Special Use Permits. - The regulations may provide that the board of adjustment, planning board, or governing board hear and decide special use permits in accordance with principles, conditions, safeguards, and procedures specified in the regulations. Reasonable and appropriate conditions and safeguards may be imposed upon these permits. Where appropriate, such conditions may include requirements that street and utility rights-of-way be dedicated to the public and that provision be made for recreational space and facilities. Conditions and safeguards imposed under this subsection shall not include requirements for which the local government does not have authority under statute to regulate nor requirements for which the courts have held to be unenforceable if imposed directly by the local government, including, without limitation, taxes, impact fees, building design elements within the scope of G.S. 160D-702(b), driveway-related improvements in excess of those allowed in G.S. 136-18(29) and G.S. 160A-307, or other unauthorized limitations on the development or use of land.

The regulations may provide that defined minor modifications to special use permits that do not involve a change in uses permitted or the density of overall development permitted may be reviewed and approved administratively. Any other modification or revocation of a special use permit shall follow the same process for approval as is applicable to the approval of a special use permit. If multiple parcels of land are subject to a special use permit, the owners of individual parcels may apply for permit modification so long as the modification would not result in other properties failing to meet the terms of the special use permit or regulations. Any modifications approved apply only to those properties whose owners apply for the modification. The regulation may require that special use permits be recorded with the register of deeds.

Variances. - When unnecessary hardships would result from carrying out the strict letter of a zoning regulation, the board of adjustment shall vary any of the provisions of the

zoning regulation upon a showing of all of the following:

Unnecessary hardship would result from the strict application of the (1)regulation. It is not necessary to demonstrate that, in the 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 (2) 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.

The hardship did not result from actions taken by the applicant or the property (3) owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance is not a self-created hardship.

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



City of Trinity Variance Application

Date: 7/28/23
Property Owner Information:
Property Owner: Long Properties LLC
Address: Yol Brigian Dr.
City: Archdele State: NC Zip: 27263
Phone: (home/work)(cell) 336 861 2005
E-mail: Chad On touch wireless, net
Applicant Information (note: must show proof as to legally representing property owner):
Applicant:
Address:
City: State: Zip:
Phone: (home/work) (cell)
E-mail:
Site Information:
PIN # _ 77170 8 9 8 3 5 _
Property Address: Not Yet ESS Kned
Zoning District: Ryo
Are there any structures currently on the property? yes no
List structures:
What is the current land use on the property (i.e., commercial, residential, farming vacant etc.)?
Residenticl

Reason for Variance:

Describe situation which prompted the need for a variance, and, if applicable, how

much of a variance is needed for from minimum dimensional requirements:

We very to build a Quadrier and require a total of

100.8' to the front of Stoop to beek property. We are .8' Short.

ORDINANCE PROVISIONS FOR GRANTING A VARIANCE:

The Board of Adjustment (City Council) does not have unlimited discretion in deciding when to grant a variance. Article XIV, Section 16-8 of the City's Zoning Ordinance states:

"When practical difficulties or unnecessary hardships would result from carrying out the strict letter of the zoning ordinance, the Board of Adjustments shall have the power to vary or modify any of the regulations or provisions of the ordinance so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done. No change in permitted uses may be authorized by variance. Appropriate conditions, which must be reasonably related to the condition or circumstance that gives rise to the need for a variance, may be imposed on any approval issued by the Board.

These regulations may provide that the Board of Adjustments may determine and vary their application in harmony with the general purpose and intent and in accordance with general or specific rules therein contained; provided no change is permitted uses may be authorized by variance.

- (1) Determination that Variance Will Not Violate Other Ordinance Provisions. considering all proposed variances to this ordinance, the Board shall, before making any finding in a specific case, first determine that the proposed variance will not allow the establishment of a use not otherwise permitted in a district by this ordinance; extend in area or expand a non-conforming use of land; change the district boundaries shown on the zoning map; impair any adequate supply of light and air to adjacent property; materially increase the public danger of fire; materially diminish or impair established property values within the surrounding area; or in any other respect impair the public health, safety, morals, and general welfare.
- (2) Findings. A variance may be granted in an individual case of unnecessary hardship upon a finding by the Board of Adjustment that the following conditions exist:
 - (a). There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district.
 - (b). Granting the variance requested will not confer upon the applicant any special privileges that are denies to other residents in the district in which the property is located.
 - (c). A literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located.

Reason for Variance:

Describe situation which prompted the need for a variance, and, if applicable, how much of a variance is needed for from minimum dimensional requirements:

Ryo Requestives 40' off front 25' off beek our Structure is 35.8' for a total preded of .8",

ORDINANCE PROVISIONS FOR GRANTING A VARIANCE:

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"When practical difficulties or unnecessary hardships would result from carrying out the strict letter of the zoning ordinance, the Board of Adjustments shall have the power to vary or modify any of the regulations or provisions of the ordinance so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done. No change in permitted uses may be authorized by variance. Appropriate conditions, which must be reasonably related to the condition or circumstance that gives rise to the need for a variance, may be imposed on any approval issued by the Board.

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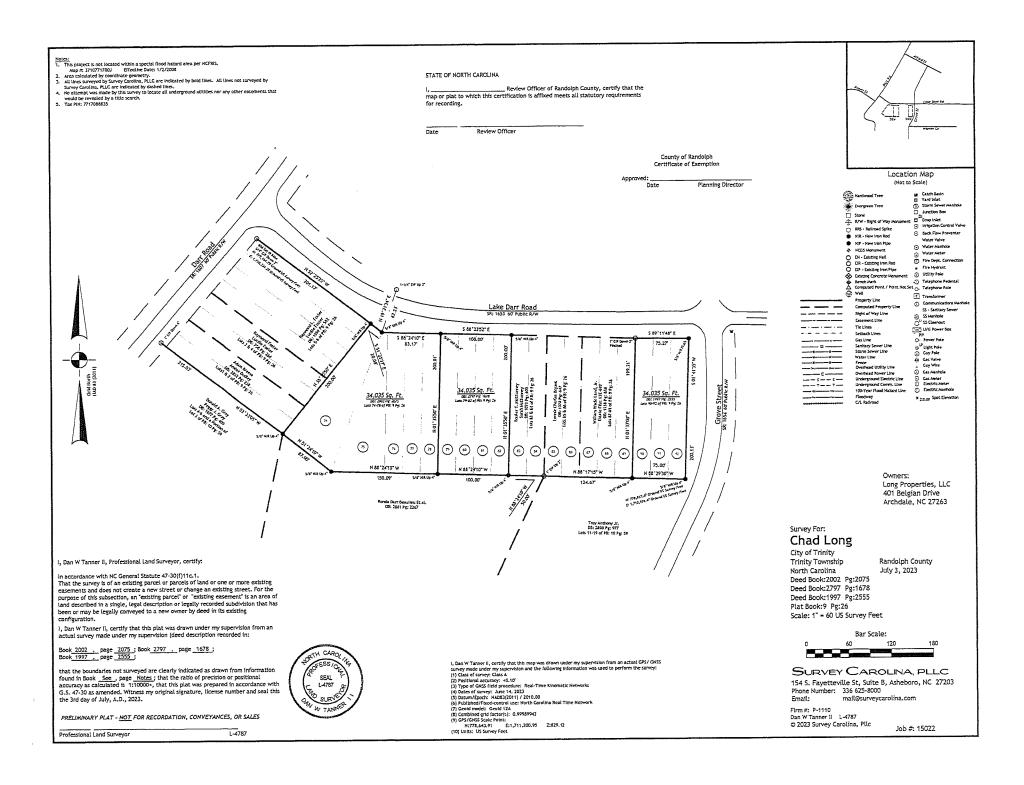
- (1) Determination that Variance Will Not Violate Other Ordinance Provisions. In considering all proposed variances to this ordinance, the Board shall, before making any finding in a specific case, first determine that the proposed variance will not allow the establishment of a use not otherwise permitted in a district by this ordinance; extend in area or expand a non-conforming use of land; change the district boundaries shown on the zoning map; impair any adequate supply of light and air to adjacent property; materially increase the public danger of fire; materially diminish or impair established property values within the surrounding area; or in any other respect impair the public health, safety, morals, and general welfare.
- (2) <u>Findings</u>. A variance may be granted in an individual case of unnecessary hardship upon a finding by the Board of Adjustment that the following conditions exist:
 - (a). There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district.
 - (b). Granting the variance requested will not confer upon the applicant any special privileges that are denies to other residents in the district in which the property is located.
 - (c). A literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located.

- (d). The requested variance will be in harmony with purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare.
- (e). The special circumstances are not the result of the applicant.
- (f). The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.
- (g). The variance is not a request to permit a use of land, building or structure which is not permitted by right or by conditional use in the district involved.
- (3) <u>Conditions</u>. In granting a variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violations of the conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this ordinance punishable under Section 18-3 of this ordinance."

In the space provided below (or on attached sheet), provided a statement(s) addressing each of the required findings of fact. This information and along with your site plan, will be presented to the Board to help support your request for a variance:

Unnecessary hardship would result from the strict application of the regulation. It is not necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property. Ythe we could not butted a quadplax and would have to boild a duplax provide houses for. That we could not provide houses for.
that we could not provide housen for
(2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as wel 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 reasonable accommodation under the Federa 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 is not a self-created hardship. **No** **Po** **Po** **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 is not a self-created hardship. **Po** **

Submittal Requirements:	AND THE PROPERTY OF THE PROPER	
 Complete Variance App If seeking a variance for site plan, prepared by Surveyor. See Exhibit 	rom a minimum dimensional r a NC Licensed Engineer, Archi	equiremen tect or
the City of Trinity's City	Submission of the variance app Council for consideration; and	(2) the Zo
The below authorize: (1) Sthe City of Trinity's City of Administrator or designed application/site plan subs	Council for consideration; and to entry upon the property to mittal information.	(2) the Zo
The below authorize: (1) Sthe City of Trinity's City of Administrator or designed application/site plan substants. Applicant Name (PRINTED)	Council for consideration; and a to entry upon the property to mittal information. Signature of Applicant	(2) the Zo verify Date
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The below authorize: (1) Sthe City of Trinity's City of Administrator or designed application/site plan substitute plan Substi	Council for consideration; and to entry upon the property to mittal information. Signature of Applicant Signature of Property Owner	(2) the Zo verify Date
The below authorize: (1) Sthe City of Trinity's City of Administrator or designed application/site plan substitute plan substi	Council for consideration; and to entry upon the property to mittal information. Signature of Applicant Signature of Property Owner Date Complete Application Received	Date Date Date



1099000000 0000002001 0000057030 Bytch No Receipt No 0000077030 07/28/2023 Trans Date ----- Wisc Receipt <>>>>>>> CILX OF TRIVITY <<<<<<>>

6202/82/70 Todays Date Time Operator Code

LBEAM 03:31:01 BW

Address: 401 BELGIEN DR Payor: LONG PROPERTIES LLC

ARCHDALE, NC 27263

LEES/PERMITS T0-00-3346-400 Payment: 00.009

118008/[[660ffffwottadilga advarsav

Change Returned: 00.0 Total Tendered: 00.009 Total Due: 00.009

Check Amount: . 600.00

FOL сувск ио зявя 00.009\$ Paid By: Long Properties Llc

Randolph County, NC



REID	24049	OWNER ADDRESS2	,		
PIN 7717088835		OWNER CITY	ARCHDALE		
TAXED ACREAGE	0.36	OWNER STATE	NC		
PROPERTY DESCRIPTION LAKECREST HGTS;L90-92		OWNER ZIP	27263		
DEED BOOK & PAGE	001997/02555	5 LOCATION ADDRESS	No Physical Address		
PLAT BOOK & PAGE	T BOOK & PAGE 9-26		No ZIP		
OWNER	LONG PROPERTIES LLC	DATA REFRESHED	10/1/2023		
OWNER ADDRESS	401 BELGIAN DR				



Disclaimer: This map was compiled from recorded deeds, plats, and other public records and data. Users of this data are hereby notified that the aforementioned public information sources should be consulted for verification of the information. Randolph County, its agents and employees make no warranty as to the accuracy of the information on this map.

Map Scale

1 inch = 71 feet

10/2/2023



City of Trinity Variance Application

Date: 7/28/23
Property Owner Information: Property Owner: Long Properties, LLC Address: 401 Belgen Dr. City: Archalus State: NC Zip: 27263 Phone: (home/work) (cell) 336 86/ 2005
E-mail: Chad @ ntouchwireless.ne+
Applicant Informatión (note: must show proof as to legally representing property owner):
Applicant:
Address:
City: State: Zip:
Phone: (home/work) (cell)
E-mail:
Site Information:
PIN # 7717099160
Property Address: Not Yet assigned
Zoning District: R40
Are there any structures currently on the property? yes no
List structures:
What is the current land use on the property (i.e., commercial, residential, farming, vacant etc.)?
Desidential

Reason for Variance:

Describe situation which prompted the need for a variance, and, if applicable, how much of a variance is needed for from minimum dimensional requirements:

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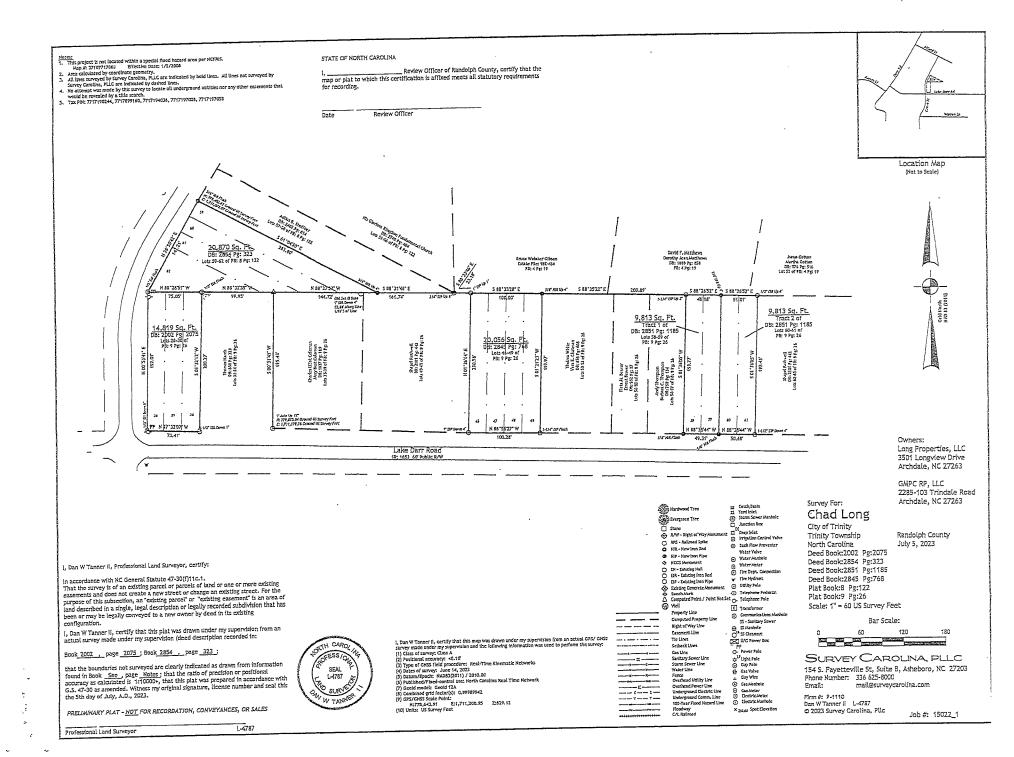
In the space provided below (or on attached sheet), provided a statement(s) addressing each of the required findings of fact. This information and along with your site plan, will be presented to the Board to help support your request for a variance:

1) Unnecessary hardship would result from the strict application of the regulation. It is not necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property. We could provide afforduble housing to two Trumby from lies in Stead of one withe the approval.								
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Submittal Requirements:		
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 Complete Variance App If seeking a variance from 	om a minimum dimensional re	equireme:
	a NC Licensed Engineer, Archi	tect or
Surveyor. See Exhibit • \$600 Application Fee	A	
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the City of Trinity's City	Submission of the variance app Council for consideration; and	(2) the Zo
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Administrator or designee application/site plan subrapplicant Name (PRINTED) Applicant Name (PRINTED) Property Owner Name (PRINTED)	Council for consideration; and to entry upon the property to nittal information. Signature of Applicant Signature of Property Owner	(2) the Zoverify Date 7/28/2
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Administrator or designed application/site plan subrapplicant Name (PRINTED) Applicant Name (PRINTED) Property Owner Name (PRINTED) Zoning Administrator Signature Date Received:	Signature of Property Owner Date Complete Application Received Office Use	(2) the Zoverify Date 1/28/2 Date

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FYGAKEBS: 401 BEPGEIN DK FYAOK: PONG BEPGEIN DK

ARCHDALE, NC 27263

10-00-3345-400 Payment: 600.00

AVEIVAGE VEPLICATION771099 FEES/PERMITS

Total Due: 600.00

Total Tendered: 600.00 Change Returned: 0.00

Check Amount: 600.00

Paid By: Long Properties Llc \$600.00

Randolph County, NC



REID	24074	OWNER ADDRESS2		
PIN 7717099160		OWNER CITY	ARCHDALE	
TAXED ACREAGE	ACREAGE 0.33 OWNER STATE		NC	
PROPERTY DESCRIPTION LAKECREST HGTS;L28-30 DEED BOOK & PAGE 002002/02075		OWNER ZIP	27263	
		LOCATION ADDRESS	No Physical Address	
PLAT BOOK & PAGE	BOOK & PAGE 9-26		No ZIP	
OWNER	LONG PROPERTIES LLC	DATA REFRESHED	10/1/2023	
OWNER ADDRESS	401 BELGIAN DR			



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