



Variance Application

Instructions: As stated in the Zoning Ordinance – no variance may be granted for a use of land or building that is prohibited in the ordinance; non-conforming uses of nearby property cannot be considered as grounds for justifying a variance; financial loss to the appellant is not sufficient grounds by itself to justify a variance; and peculiar conditions or circumstances which are the result of actions of the owner of property covered by the application cannot be considered as grounds justifying a variance.

*One (1) original and nine (9) copies of application and the following items must be submitted to the Zoning Division of the Community Development Department by the 10th of the month. All information to be presented to the Zoning Board of Appeals should be assembled. **This application will not be processed if any required item is not provided.***

- Completed application** forms – all information required of the applicant must be provided and must be printed clearly or typed
- Letter of intent describing the proposed use
- Legal Description of property
- Site plans for the proposed use. Provide 11" X 17" copies.
- Current land survey by a certified surveyor involved drawn to scale of at least 1" = 16'. Provide 11" X 17" copies. The plan shall contain the following elements:
 - Vicinity map showing project location, north arrow, graphic scale & date
 - Property boundary lines, with bearings & distances
 - Existing roads, streets, highways, & respective right-of-way widths on or adjacent to property
 - Existing buildings, structures, and facilities on development property and adjacent property
 - All existing utility lines or easements on or adjacent to the property
 - Adjacent property land uses, zoning and property owner names
- Property owner must sign petition. If an agent for the property owner presents petition, a signed affidavit by the property owner authorizing the agent to act on his/her behalf must accompany petition.
- Provide one copy of the list of names and addresses of owners of all property within 250 feet of the subject property (from County Tax Assessors Office). Applicants must also demonstrate that all property owners within 250 feet of the subject property have been notified of the Public Hearing (see sample letter).
- Application Fee: **See attached fee schedule.**

Petitioner will be notified by Certified Mail of the scheduled Public Hearing for which his/her Application will be considered.

GENERAL INFORMATION

Name of Applicant: _____

Address: _____

Phone #: _____ FAX #: _____

Email address: _____

Name of Property Owner: _____

Address: _____

Phone #: _____ FAX #: _____

Email address: _____

Subject _____ Property

Address: _____

Tax Identification Number: _____

Current

Zoning: _____

Acreage: _____

Section of the Zoning Ordinance Variance is requested from:

State how/why the requested use/modification for the subject property which does not conform to existing zoning requirements:

APPROVAL CRITERIA

The Zoning Ordinance requires that each of the conditions set forth in questions 1 through 5 below MUST be established before a variance can be granted by the Board. The appellant's answers must explain in detail how his/her case conforms and/or satisfies each of the four following questions.

1) What are the extraordinary and exceptional conditions pertaining to the particular use or development proposed, or to the piece of property in question because of its size, shape, topography or other condition, which justifies the variance requested?

2) How would the strict application of the ordinance requirements to the use or development proposed, or to this particular piece of property, result in great practical difficulties or unnecessary hardship?

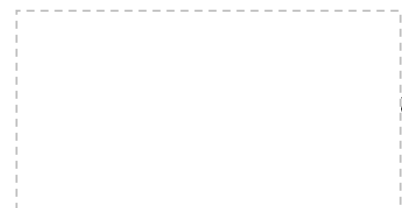
3) In what way are the extraordinary and exceptional conditions, identified in question 1 above, peculiar to the use or development proposed or to the particular piece of property involved?

4) What conditions, factors and/or circumstances give assurance that if the requested variance were granted that such variance would not cause substantial detriment to other property owners or tenants, or to the public good and would not impair the purpose and intent of the ordinance?

5) Does a literal interpretation of this Ordinance deprive the applicant of any rights that others in the same District are allowed?

AFFIDAVIT

I hereby depose and say that all above statements and attached statements and/or exhibits submitted are true and correct, to the best of my knowledge and belief.



Applicant or Agent

Sworn to and subscribed before me

this _____ day of _____, 20_____

Notary Public

FOR OFFICE USE ONLY

Date Submitted: _____ **Accepted by:** _____

Fee Paid: _____ **Variance #: __VAR-**_____