

BOARD OF ZONING ADJUSTMENTS
REQUEST FOR VARIANCE

Notice to Applicants

A Variance is a zoning adjustment that permits minor changes of district requirements where individual properties are both harshly and uniquely burdened by the strict application of the law. The power to vary is restricted and the degree of variation is limited to the minimum change necessary to overcome the inequality inherent in the property. Use Variances are specifically prohibited. "Variance" means the modification of the requirements of a zoning district and does not include the substitution of uses assigned to other districts.

1. A Variance recognizes that the same district requirements do not affect all properties equally; it was devised to permit minor changes to allow hardship properties to enjoy equal opportunities with properties similarly zoned. You must prove that your land is affected by special circumstances or unusual conditions. These must result in uncommon hardship and unequal treatment under the strict application of the Zoning Ordinance, where some general hardship conditions extend to other properties, a variance cannot be granted. The remedy for general hardship is a change of the map or the text of the Zoning Ordinance.
2. You must prove that the combination of the Zoning Ordinance and the uncommon conditions of your property prevents you from making any reasonable use of your land as permitted by your present zoning district. Since Zoning regulates land and not people, the following conditions cannot be considered pertinent to the application for a variance; (1) Proof that a variance would increase the financial return from the land, (2) Personal hardship, (3) Self-imposed hardship. In the last case, the recognition of conditions created after the enactment of the Zoning Ordinance would encourage and condone Violation of the law.
3. No Variance may be granted which would adversely affect surrounding property or the general neighborhood. All Variances must be in harmony with the intent and purposes of the Zoning Ordinance.

Data on Applicant and Owner

Name of Applicant (s) _____

Address of Applicant (s) _____

Property Interest of Applicant (s) _____

(Owner, contract purchaser, etc.)

Phone Number(s) _____

Name of Owner (s) _____

Site Plan: A drawing (hand draw is OK) shall be attached to this application showing the location of the property; all property lines; set backs; location of all building (existing or proposed) and areas to be used for parking.

A VARIANCE is requested in conformity with the powers vested in the Board to permit the _____ on the property
(Insert use or construction prepared)
described below, and in conformity with the plans on permit application number _____.

Dated _____.

DESCRIPTION. USE AND ZONING OF PROPERTY

Location _____
(Street and number)

Lot Size _____ ft X _____ ft. = _____ sq. ft.

Present Use _____
(Vacant, residence, grocery, factory, etc.)

Zoning Category _____
(Zoning ordinance section)

ACTIONS BY APPLICANT ON PROPERTY

Building Permit applied for and denied _____ .
(Yes-No)

An appeal was/was not made with respect to these premises. Appeal Application number _____.

Appeal Denied _____ .

Appeal Application Accompanies This Request for Variation _____ .

REASONS FOR REQUEST FOR VARIANCE

NOTE: The following questions must be answered completely. If additional space is needed, attach extra pages to application. Before answering read the Notice to Applicants on the front side.

1. What characteristics of your property prevent its being used for any of the uses permitted in your zone?

Too narrow _____	Elevation _____	Soil _____
Too small _____	Slope _____	Subsurface _____
Too shallow _____	Shape _____	Other _____

(Specify)

2. Describe the items checked, given dimensions where appropriate.

3. How do the above site conditions prevent any reasonable use of your land under the terms of the Zoning Ordinance?

4. To the best of your knowledge, can you affirm that the hardship described above was not created by an action of anyone having property interest in the land after the Zoning Ordinance or applicable part thereof became law? Yes ____ No ____.
If "No", explain why the hardship should not be regarded as self-imposed (self-imposed hardships are not entitled to variations).

5. Are the conditions on your property the result of other man-made changes (such as the relocation of a road or highway)? _____. If so, describe.

6. Which of the following types of modifications will allow you reasonable use of your land?

Change set-back requirement? ____ Change lot-coverage requirements? _____

Change side-yard restriction? ____ Change off-street parking requirements? _____

Change area requirement? _____

Other (describe) _____

7. State what is the Variance requested, giving distances where appropriate.

8. Are the conditions of hardship for which you request a Variance true only of your property? _____. If not, how many other properties are similarly affected?

9. Will the grant of a variation in the form requested be in harmony with the neighborhood and not contrary to the intent and purpose of the Zoning Ordinance? _____.

Elaborate: _____

NAMES OF SURROUNDING PROPERTY OWNERS

Following are the names and addresses of surrounding property owners as said names appeared upon the plats in the County Tax Assessor's office and their addresses appear in the directory of the municipality or on the tax records of the Municipality or the court.

Names	Address
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

I (we) certify that all of the above statements and the statements contained in any papers or plans submitted herein are true to the best of my (our) knowledge and belief.

(Signature) Applicant

Date

(Signature) Owner

Date