

APPLICATION FOR REQUESTED ACTION
Variance

Planning Case # _____
Filing Fee _____
Hearing Date _____

APPLICANT _____ E-MAIL _____

PHONE _____ (H) _____ (W) _____ (FAX)

ADDRESS _____

DEVELOPER (if other than applicant) _____

PHONE _____ (H) _____ (W) _____ (FAX)

ADDRESS _____

ADDRESS OF PROPERTY _____

LEGAL DESCRIPTION _____

ACREAGE/SIZE OF PROPERTY _____

CURRENT ZONING _____

EXISTING USE OF PROPERTY _____

PROPOSED USE OF PROPERTY _____

(Including number of units per acre and types of uses if mixed use)

IDENTIFY ALL ADJACENT LAND USES _____

SIGNATURE OF APPLICANT _____ **DATE** _____

(Must submit proof of property control)

**PLEASE PROVIDE ALL INFORMATION REQUESTED ON THIS FORM
AND THE ATTACHED CHECKLIST.**

VARIANCE
Required Submittals

◆ **Site plan**

- Drawn to scale, with scale noted
- Date and North arrow
- Boundaries and dimensions shown graphically
- Location of any streets, public trails, railroads, or waterways
- Location of existing and proposed structures, with distance from property lines noted
- Location and dimensions of existing and proposed off-street parking and loading spaces, with distance from property lines noted (when applicable)

◆ **Required supplemental information**

- Written summary stating the specific variation requested, giving distances as needed
- Written summary stating exceptional conditions/peculiar difficulties which make the variance necessary
- Written statement as to why you feel a variance should be granted
- Other information as required

◆ **Filing fee**

SIGNATURE OF APPLICANT _____ **DATE** _____

Planning Case # _____

Variance Criteria

2-460. Required findings for variance. (A) *Prerequisites for approval.* The City Council shall not vary the regulations of this ordinance unless it makes each of the following findings based upon the evidence presented to it in each specific case:

- (1) Because of the particular physical surroundings, or the shape, configuration, topography, or other conditions of the specific parcel of land involved, strict adherence to the regulations of this ordinance would cause undue hardship. Economic consideration alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of this ordinance.
- (2) The conditions upon which a variance is based are unique to the parcel of land for which the variance is sought and are not applicable, generally, to other properties within the same zoning classification.
- (3) The alleged difficulty or hardship is caused by this ordinance and has not been created by any persons presently having an interest in the parcel of land.
- (4) The granting of the variance will not alter the essential character of the locality or be injurious to other property in the vicinity in which the parcel of land is located or substantially diminish property values.
- (5) The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or public safety.

Sign Variance Criteria

1. That the strict application of this ordinance would result in practical difficulty or hardship inconsistent with the general purpose and intent of this ordinance.
2. That the alleged difficulty or hardship is caused by the ordinance and has not been created by any persons presently having an interest in the parcel of land.
3. That the variance is requested to overcome some exceptional condition which prevents the property owner from displaying a sign as intended by this ordinance or that the variance will allow for a sign of exceptional design or style that will enhance the area or remain consistent with the architecture and design of the site.
4. That the granting of the variance will not be materially detrimental to the public welfare or injurious to property or improvements in the general area.