

# BOARD OF ADJUSTMENT

## VARIANCE CHECKLIST

ALL OF THE FOLLOWING MUST BE SUPPLIED:

1. Completed application including original property owner's signature (no fax or copy).
2. Legal description of the property including Deed Book, Page Number, and Group Number.
3. Names and mailing addresses of all adjoining property owners, including those located across any road, street, or highway.
4. A site plan for the development/use of the property in accordance with Article 30 of the Zoning Regulations.
5. Fee paid in full at the time of application.

VARIANCE REVIEW:

Agricultural and Residential Zones (each variance)	\$350.00 (flat fee) + \$250.00 (legal ad, adjoining property owners, and sign posting notification) + \$66.00 (CLUR)
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All Other Zones (each variance)	\$650.00 (flat fee) + \$250.00 (legal ad, adjoining property owners, and sign posting notification) + \$66.00 (CLUR)
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The Boone County Zoning Regulations require, through Section 204.D and 204.E, finding of fact supporting the need for granting of the Variance. Below you will find those Sections for your information and use. It is suggested that you may want to include your reason(s) for the Variance in your application.

### SECTION 204 VARIANCES

- D. Before any variance is granted, the Board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:
1. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same district.
  2. The strict application of the provisions of the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.
  3. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought.
- E. The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

Failure to supply any of the above information may result in delays.

The Board of Adjustment is a three or five member panel designed to take action on requests for Appeals, Variances, Conditional Uses, and Change of Nonconforming Uses. The hearing is open to the public and any interested party will have the opportunity to be heard. Action is normally taken during the meeting.

The Boone and Florence Board meetings are held on the second Wednesday of each month and the deadline for all applications is typically 22 days prior to the meeting.

The Union and Walton Board meetings are scheduled once an application is submitted for review.

It is recommended that an applicant review the requirements of the Zoning Regulations concerning Conditional Uses and the criteria for their review. Applicants should be prepared to answer questions concerning their application at the meeting.

BCPC: 09/08

Revised: 01/20

Revised: 02/23