



VARIANCE APPLICATION

Disclaimer: It is extremely difficult to get a variance approved. This process is intended for genuine hardships and as such all applications are critically reviewed by the commission at the public hearing.

1. **Name of Applicant:** _____ **Phone #:** _____
Address of Applicant: _____
Address of Property: _____

2. **Legal description of property** (as shown on property deed): _____

3. **For what purpose is the variance requested (i.e. garage, shed, home addition etc.)?:**

4. **What are you requesting a variance of?**

5. **Provide attach a narrative statement demonstrating that the requested variance conforms to the following standards:**
 - a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.
 - b. That a literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms of this Ordinance
 - c. That special conditions and circumstances do not result from the actions of the applicant
 - d. That granting the variance requested will not give the applicant any special privilege that is denied by this Ordinance to other lands, structures or buildings in the same district.

A variance will not be granted unless the Commission makes specific findings of fact based directly on the particular evidence presented to it that support conclusions that the abovementioned standards

and conditions have been met by the applicant.

6. Will the granting of your variance be detrimental to the public health, safety or welfare, or injurious to the property or improvements of other property owners, or effect the use or enjoyment of any of your surrounding neighbors' property? _____
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The variance process requires that surrounding property owners within fifteen hundred (1,500) feet be notified of the requested variance. A notice must be published in the newspaper 15 days prior to a public hearing which will be held at the next regularly scheduled Planning & Zoning meeting. The Planning & Zoning Commission will make a recommendation to the County Commissioners regarding the variance request. The County Commissioners will then make the final decision at the next regularly scheduled Commissioners meeting. **If the variance is for a placement of a structure you are required to attach a drawing highlighting the proposed construction in relation to the property lines with distances marked.**

As the applicant it is your responsibility to determine if there are any utility or other easements on your property prior to applying. These can be found on the official plats at the court house as well as your property deed. Typically, variances are not granted if they infringe upon any easement on the property, unless in the event the easement has been abandoned. **Also it is advised that you call Dig Line at 811 to locate all utilities on your property prior to application; there is no fee to do this.** This will determine whether your proposed project will interfere with the current utility lines.

The Planning and Zoning Administrator will compile a list of names and mailing addresses of all property owners and residents within fifteen hundred (1,500') feet of the exterior boundaries of the land being considered. By submission of this application you agree to pay all costs incurred in the processing, publishing and mailing of the notices regarding your variance request. There is a fee of \$365.00 due at the time of submitting the application. Your application will not be processed until the fee is paid in full.

***Disclaimer:** A variance, if granted, is subject to restrictive covenants and conditions, if any, of the subdivision in which your property is located.*

Signature of Applicant

Date

*While not required, it is recommended that you include images of the property and surrounding area

with your application. Images which provide visual support for your request help provide clarity and could help in resolving concerns from the public regarding your request.