

APPLICATION FOR VARIANCE AND CONDITIONAL USE PERMIT

Date:

Application is hereby made for Conditional Use Permit Variance as follows:

Applicant's Name (Must be owner of record):

Address:

Accurate description of property(s) under construction:

Location plat: Attached/Back of Application **(SITE PLAN REQUIRED)** [Click to Explore Zoning Map](#)

Presently zoned:

Requested variance:

Requested conditional use:

A clear and accurate description of proposed request:

Names and address of all abutting property owners:

Date:

Signed: Applicant

This application is accompanied by the required payment in the amount of

APPLICANT MUST BE PRESENT TO BOARD OF ZONING ADJUSTMENT HEARING

Variances

The board shall have the power to hear and decide on applications for variances. The board may impose any reasonable conditions or restrictions on any variance it decides to grant.

Before any variance is granted by the Board of Adjustments, it 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:

- (a) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
 - (b) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and
 - (c) The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.
- (2) 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.

Conditional Use

The board shall have the power to hear and decide applications for conditional use permits to allow the proper integration into the community of uses which are specifically named in the zoning regulations which may be suitable only in specific locations in the zone only if certain conditions are met. A use which is essential to or would promote the public health, safety, or welfare in one (1) or more zones, but which would impair the integrity and character of the zone in which it is located, or in adjoining zones, unless restrictions on location, size, extent, and character of performance are imposed in addition to those imposed in the zoning regulation.

In granting Legal authorization to undertake a conditional use, issued by the administrative official pursuant to authorization by the board of adjustment, consisting of two (2) parts:

- A. A statement of the factual determination by the board of adjustment which justifies the issuance of the permit; and
- B. A statement of the specific conditions which must be met in order for the use to be permitted.

Filing fee Board of Adjustment hearing:

Application Fee: \$75.00
Recording Fee: \$25.00

Separate fees in addition to above fees, including advertising, and certified mail are paid by the applicant in the application total.