

CITY OF ELYSIAN

VARIANCE APPLICATION

Name of Petitioner: _____

Address: _____

City/State/Zip: _____

Phone Number: _____

Application Fee (\$_____): Paid _____ initialed City Administrator/Clerk/Treasurer

Legal Description of Subject Property (or attach copy): _____

Evidence of ownership or enforceable option: submitted not submitted not applicable

Area of Subject Property (in sq. ft. or acres): _____

Current Zoning Designation of Property: _____

Provide a brief narrative description of why a variance is needed for your property (use a separate sheet of paper if needed): _____

Sketch Plan Submitted on: _____, 20____

Information supplied was complete incomplete _____ initialed City Administrator/Clerk

Sketch Plan information to be provided:

1. north arrow and parcel boundaries drawn to scale (preferably 1" = 100');
2. location of existing buildings, their size, use, and setbacks from parcel boundary lines, existing driveway locations, location of utility lines (sewer service, water service), and any existing well(s);
3. location of proposed buildings, their size, use, and setbacks from parcel boundary lines, new driveway locations, and parking areas (if proposed or required);
4. location of natural environmental features such as wetlands or creeks; and
5. identification of adjacent landowners.

APPLICATION COMPLETE

OFFICIAL OFFICE USE BELOW

Circumstances for Granting a Variance

1. A variance can be granted if it is found that the property cannot be put to a reasonable use under the existing land use controls.
2. A variance can be granted if it is found that the plight of the landowner is due to circumstances unique to his/her property and not created by the landowner.
3. A variance can be granted if it is found that the variance will not alter the essential character of the neighborhood or surrounding uses.
4. Economic considerations alone is not undue hardship, if reasonable use for the property exists under the City's land use controls.
5. *A use variance is illegal.* If a district does not permit a specific use, no variance can be granted for that use in that district. The petitioner should instead request an amendment to the use section of the zoning ordinance.
6. When in harmony with the zoning ordinance, a variance for an earth sheltered construction shall be granted.

Findings

1. This matter was heard at a public hearing on: _____, 20__.
2. Strict application of the Zoning Ordinance provisions **would** or **would not** cause undue hardship to the owner of the property in question because of the following facts which were presented at the hearing held on this case: _____

3. If a hardship is found to exist, the hardship **is** or **is not** unique to the property in question, and **is** or **is not** shared by properties in the immediate vicinity of this property and in the same zoning district.
4. The granting of the variance requested **would** or **would not** alter the essential character of the area within which the use exists. If it would alter the character of the area, the reasons for this alteration are: _____

General Provisions

1. This variance is not valid until it has been recorded at the County Recorder's Office.
2. This variance does not constitute a building permit, grading permit, conditional use permit, or a rezoning permit. Separate applications may have to be applied for and obtained in order to accomplish all goals of the project described herein.

3. The issuance of this variance does not negate the need to secure other permits from other local units of government, state or federal agencies who may also have jurisdiction over portions of the project.

Special provisions attached to this Variance

1.

2.

3.

4.
