



## **VARIANCES**

A variance is a special exemption from the city zoning code granted by the Board of Zoning Appeals in unusual circumstances on a case-by-case basis. Variances are difficult to obtain, and they are not granted simply because of an applicant's desire to do certain things or use a property in a certain way. In order to receive a variance an applicant must show that a unique hardship exists on the applicant's property. An applicant bears the burden of proving that all of the following criteria for a variance are satisfied:

1. Special circumstances exist that apply only to the property for which the variance is requested, and not to any other neighboring properties. The special circumstances must relate to the property itself, and not to the applicant's desired use of the property. Explain the circumstances and how they are unique to the applicant's property.
2. Without a variance, substantial property rights that are enjoyed by neighboring properties will be denied to the applicant. Explain how the owners of neighboring properties are able to enjoy property rights that the applicant cannot.
3. The variance is not being requested solely for economic loss or gain. Explain how the variance is not just to increase property value or to allow profit-making activities.
4. The applicant's hardship is not self-created. Explain how the special circumstances relating to the property are not caused by the applicant's actions or wishes.
5. The variance would not defeat the purpose of the zoning ordinance, and would not be a detriment to neighboring properties. Variances cannot be contrary to the policy reasons for the ordinance from which the variance is requested. Explain how the variance would work within the existing zoning rules and not undermine the reasons for them.

In addition, please provide the following information:

If applicant is asking for a use variance, explain how the property will have no reasonable use unless a variance is granted.

If applicant is asking for a dimensional variance, explain how complying with the current rules is unreasonable or creates an unnecessary burden on the applicant.

**Please review these criteria prior to application submission and address each of them in your detailed description of the proposal. Failure to address each point will result in a rejection of the application.**

**Fees are nonrefundable.**

## APPLICATION DEADLINE

All applications must be delivered to the Planning Division no later than the deadline indicated below to be considered for the subsequent meeting date. The advance application deadline is necessary to meet legal notification requirements.

<b>Deadline</b>	<b>Meeting Date (4:00 p.m.)</b>
December 22, 2017 -----	January 8, 2018
January 19, 2018 -----	February 5, 2018
February 16, 2018 -----	March 5, 2018
March 16, 2018 -----	April 2, 2018
April 20, 2018 -----	May 7, 2018
May 18, 2018 -----	June 4, 2018
June 15, 2018 -----	July 2, 2018
July 20, 2018 -----	August 6, 2018
August 24, 2018 -----	September 10, 2018
September 14, 2018 -----	October 1, 2018
October 19, 2018 -----	November 5, 2018
November 16, 2018 -----	December 3, 2018
December 21, 2018 -----	January 7, 2019