



## Variance Application and Checklist

A variance may be granted by the Board of Zoning Appeals if the board finds the applicant demonstrates by competent, substantial evidence that the strict enforcement of any appropriate dimensional, development, design, or performance standard subject to a variance would result in unnecessary hardship.

### Checklist for Variance Applications

A completed variance application requires the following information. Please initial to signify that the requested information has been provided or is not necessary.

	Applicant Initials	Staff Initials
A completed and signed Application, Checklist, and Letter of Agency (if applicable)	<input type="text"/>	<input type="text"/>
Supplemental documents/plans to demonstrate unnecessary hardship	<input type="text"/>	<input type="text"/>
Payment of the required fee	<input type="text"/>	<input type="text"/>

### INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Applications are accepted:

Monday - Friday from 8:30 AM to 4:00 PM

An application properly filed with Zoning by 4:00 PM on the published application deadline (please refer to official BoZA Calendar) will be reviewed by the Board of Zoning Appeals at a public hearing to be held on the first Thursday of the month.

*\*Disclaimer: If the applicant fails to provide sufficient materials needed to conduct a complete zoning plan review, the applicant acknowledges that the proposed development may be subject to additional variances/special exceptions.*

**\*\*An approval by the Board of Zoning Appeals in no way overrides other City development regulations (i.e. land development, building code, fire, stormwater)**

<i>For staff use only</i>	
Date received (M/D/Y): ____/____/____	By: _____





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### 5. Variance Criteria

Before granting a variance, the decision-making bodies must find that all of the following circumstances are true. Please provide additional information in the space below regarding the requested variance that demonstrates compliance with the decision standards in Sec. 17-2.5(s)(4) of the UDO repeated below. Use additional sheets of paper if necessary:

- There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- These conditions do not generally apply to other properties in the vicinity;
- These conditions are not the result of the applicant's own actions;
- Because of these conditions, the application of this UDO to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property;
- The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the zoning district where the property is located will not be harmed by the granting of the variance;
- The reasons set forth in the application justify the granting of the variance, and the variance is the minimum variance that will make possible the reasonable use of the land, building or structure; and
- The granting of the variance will be in harmony with the general purpose and intent of this Ordinance, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



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Please note that the Board of Zoning Appeals may not grant a variance from the zoning standards of the UDO that would (Sec. 17-2.5(s)(4)(b):

- Permit a use of land or a structure that is not allowed in the applicable zoning district;
- Allow the physical extension of a nonconforming use; or
- Change the zoning district boundaries shown on the Official Zoning Map.

In addition, the following do not constitute grounds for grant of a variance:

- The nonconforming use of neighboring lands, structures, or buildings in the same zoning district that applies to the land for which the variance is sought;
- Any permitted use of lands, structures or buildings in zoning districts other than the zoning district that applies to the land for which the variance is sought; or
- The fact that land may be utilized more profitably should a variance be granted.

### 6. Value of Project

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### 7. Signature

Signature of Applicant	
Print Name	Date