

BOARD OF ZONING APPEALS APPLICATION FORM

Non-Refundable Application Fee: _____

Board of Zoning Appeals

Complete application for Variance, Appeal or Conditional Use request must be submitted to the Zoning Inspector. Such appeal shall be within twenty (20) days after the decision by filing, with the Zoning Inspector and with the Board of Zoning Appeals. Information on application to be filled out completely.

APPLICATION REQUEST FOR: Appeal Conditional Use Variance

A) APPLICANT/OWNER INFORMATION

Applicant Name: _____

Applicant Address: _____

Phone Number: _____

Email Address: _____

B) PROPERTY INFORMATION

Property Owners Name: _____

Property Address: _____

County Parcel ID: _____

Acreage: _____ Lot Number: _____ Subdivision/Town: _____

C) REASON FOR REQUEST

Note to Applicant: Refer to the attached sheets for examples of additional criteria that must be submitted by the applicant/owner/representative for completion of the Board of Zoning Appeals Application.

Signature of Applicant/Owner/Representative

Date Application Submitted

Conditional Use

Section 563 General Standards Application to all Conditional Uses. The Board shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location.

- a) Is in fact a conditional use as established under the provisions of Article 9 and appears on the Official Schedule of District Regulations adopted by Section 910 for the zoning district involved,
- b) Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area,
- c) Will not be hazardous or disturbing to existing or future neighboring uses,
- d) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer; of that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services,
- e) Will not create additional requirements at public cost for public facilities and services and will not be determined to the economic welfare of the community,
- f) Will not involve uses, activities, processes, materials equipment and condition of operation that will be detrimental to property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, or odors,
- g) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.

Attachments to Board of Zoning Appeals Application

- 1) A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, traffic access and traffic conditions, open spaces, landscaping, refuse and services areas, utilities, signs, yards, and such information as the Board may require to determine if the proposed conditional use meets the intent and requirement of this Resolution.
- 2) Name and address of all property owners contiguous to the property requesting the conditional use.

Variance

Variations shall not be granted on the grounds of convenience or profit, but only where strict application of the provisions of this resolution would result in unnecessary hardship.

A variance shall not be granted unless the Board make's specific findings of fact based directly on the particular evidence presented to it, which support conclusions that the standards and conditions imposed by **subsection 4** or **Section 544 Application and Standards for Variations** have been met by the applicant.

- a) The 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 Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Resolution.
- c) That special conditions and circumstances do not result from the actions of the applicant.
- d) That granting the variance requested will not confer on the applicant any special privilege that is denied by this Resolution to other lands, structures, or buildings in the same district.

Attachments to Board of Zoning Appeals Application

- 1) Submit detailed plot plan showing the requested reduction of lot size (road frontage, width and depth of lot), or requested reduction in setbacks in feet or acres of proposed requested building or addition location to scale.
- 2) Name and address of all property owners contiguous to the property requesting the variance.

FOR ZONING INSPECTORS USE ONLY

Application Reviewed by: _____ Date Completed: _____

Tentative Date For Meeting: _____ Where: _____

Section of Resolution to which appeal is relevant to: _____

Existing Property Use: _____ Zoning Classification of Property: _____

Adjoining Property Use: _____

Fee Amount Received: _____ Date: _____ Check # _____ or Cash _____