

FOR CITY USE

Z.B.A. Date: _____
Date and Time Received _____
Received By: _____
Date Returned if Incomplete: _____
Returned By: _____
Revised Application Recd: _____
Received By: _____

VARIANCE/APPEAL/INTERPRETATION REQUEST

NOTE TO APPLICANT:

The Roosevelt Park Zoning Board of Appeals meetings are held on the second Wednesday of each month at 7 p.m. at City Hall. All applications must be submitted **30 days** prior to the next regularly scheduled Zoning Board of Appeals meeting to allow sufficient time for the City to issue the required notices prior to the meeting. Any application received without sufficient time to issue the required legal notice will be held until the next regularly scheduled Zoning Board of Appeals meeting. A non-refundable application fee of \$250.00 must be paid at the time of application.

The Zoning Board of Appeals is a quasi-judicial board, and will make the final determination regarding the request. The Zoning Board of Appeals may refer a request to the Planning Commission for its consideration and input. However, the Zoning Board of Appeals is not obligated to follow the recommendation of the Planning Commission. The Zoning Board of Appeals has the right to request additional information from an applicant prior to making a decision regarding the request. The Zoning Board of Appeals may table or hold a request for a reasonable period of time until the requested information is provided. Applicants are expected to attend the Zoning Board of Appeals meeting to explain the request and to answer any questions from the Zoning Board of Appeals or any others that may be present. All meetings of the Zoning Board of Appeals are open to the public.

GENERAL REQUIREMENTS:

The Zoning Board of Appeals is created to offer reviews and decisions when an interpretation of the Zoning Ordinance or zoning district boundary is questioned, when an order or decision of an administrative official or body is questioned, or when a variance from the strict interpretation of the ordinance is sought to avoid a specific hardship. A hardship must involve a

unique situation rather than one which represents a minor inconvenience. Any decision of the Zoning Board of Appeals must comply with the basic spirit (intent) of the ordinance while maintaining the public health, safety and welfare of the area and the community at large. All matters heard by the Zoning Board of Appeals and all decisions rendered by the Board must fall within the powers and duties of the Board as defined in Section 14.4 of the Zoning Ordinance.

In order to process a request, the applicant must submit a completed application form with detailed information. Eight (8) copies of the application and accompanying plans/details must be submitted. This information will be forwarded to the Zoning Board of Appeals with notes and comments from the City staff regarding the City's review of the application and request. Any application that is submitted with incomplete information will be returned to the applicant and will not be forwarded to the Zoning Board of Appeals until the required information has been provided. When completing the application, you may attach additional or supplemental information if you feel it will be useful.

After hearing all relevant testimony and reviewing all information pertaining to the request, the Zoning Board of Appeals will take appropriate action as outlined in Section 14.4 of the Zoning Ordinance.

REQUIRED INFORMATION:

I. Name of Applicant/Owner requesting Variance/Appeal/Interpretation.

A. Applicant

1. Name(s)_____

2. Address(s)_____

3. Phone(s)_____

B. Owner of property if different than the above.

1. Name(s)_____

2. Address(s)_____

3. Phone(s)_____

II. Location of Property – If a specific site is involved.

A. Street name and number if assigned:

B. A drawing(s) indicating the following information shall also be attached to the application (such drawing shall be to scale):

1. A drawing of the subject site, lot, etc., with property line dimensions.
2. The size and location of existing buildings and specific uses on the site.
3. The size and location of any proposed buildings and/or uses on the subject site.
4. Existing buildings and/or uses on adjacent properties.
5. Existing and proposed setbacks to buildings on adjacent parcels along any common property lines.
6. Such building or structural elevations and/or floor plans that may be important in determining particular building heights, use areas and/or site development needs.
7. You may also include photographs or other exhibits if you feel they aid in clarifying your request.

III. Nature of Request – What are you specifically requesting?

Summarize your question or problem and reference the specific section(s) of the ordinance that are involved. For example: My lot is located in a Single Family Residential District which requires a minimum side yard of six (6) feet with the total of both yards equaling at least 16 feet, Section 5.3 of the Zoning Ordinance. I wish to reduce the eastern setback to four (4) feet, the setback to the west will be 13 feet which provides a total of 17 feet. Therefore, I am requesting a variance from the minimum six (6) foot setback only.

IV. Affect of request on Applicant

What specific problems(s) would be created to you as a petitioner if your request is not granted? What are the unique conditions that apply to your property or request as opposed to other properties in your area and the City at large?

V. Affect of Request on Other Properties

1. How substantial is the request in relation to the zoning requirements?
2. If the request is allowed, what affect will there be regarding the use of surrounding properties and/or other properties throughout the City?
3. Will a substantial change be affected in the character of the neighborhood or will a substantial detriment be created for adjoining properties?
4. Can the difficulty be alleviated by some other feasible method?
5. Is the plight of the landowner due to the circumstances unique to his property and not created by the landowner?

PROCESSING PROCEDURE:

Upon completion of the above information and submission of the application and related materials and/or exhibits, you will be scheduled to appear before the Zoning Board of Appeals. This meeting will only be scheduled when it is found that your application is complete and all information is included.

The Zoning Board of Appeals will hold the public hearing at the next regularly scheduled meeting. At the hearing, the Zoning Board of Appeals will consider all the information provided to them regarding the request. This will include staff reports and advisories. Following the hearing, the Zoning Board of Appeals will take any of the actions permitted under Section 14.4 of the Zoning Ordinance.

ACKNOWLEDGEMENT AND CERTIFICATION:

It is hereby acknowledged that the applicant(s) has fully read and completed the above application. It is also understood that any approval of the Zoning Board of Appeals involving site improvement use and/or construction does not relieve the applicant from obtaining other applicable authorization, (for example: site plan approval, building and safety and engineering approval, etc.).

The applicant(s) also understands that the submission of incomplete or inaccurate information will only result in delays and/or may invalidate any decision rendered by the Zoning Board of Appeals.

Signature of Petitioner

Date

Signature of Petitioner

Date

Signature of Owner if different that petitioner

Date