

APPLICATION FOR VARIANCE TO THE REQUIREMENTS OF ZONING ORDINANCES

City of Crofton Planning and Zoning Commission (3/1/2018)

For city office use only

Variance # _____ Date Filed _____ Expiration Date _____

Building Permit (Ref.) # _____

Date of Hearing by Board of Adjustments: _____ Decision by Board (Denied____) (Granted____)

Notes:

To be completed by Applicant

Property Owners _____
(Name) (Address) (Phone)

Applicant _____
(Indicate self if owner of property) (Name) (Address) (Phone)

***Description of Variance:** (Written description of the variance to the zoning ordinances. A zoning permit application submitted and processed by the zoning administrator must be completed prior to applying for a variance)

***Explain why the strict application of the zoning ordinances would produce an undue hardship:** (A hardship, by law, must relate to peculiar characteristics of situation of the property, such as exceptional narrowness, shallowness, shape, topography of other exceptional factors of the land and not the convenience of the owner/applicant or simply the desire of the owner/applicant)

***Explain why such hardship is not shared generally by other properties in the same zoning district and in the same vicinity:**

***Explain why granting of the variance will not be substantial detriment to adjacent properties:** (Conditions of a variance, determined by the Board of Adjustments may require written consent of adjacent property owners):

Signatures:

Signature of Applicant: _____ (Date) _____

Signature of Owner: _____ (Date) _____

APPLICATION FOR VARIANCE TO THE REQUIREMENTS OF ZONING ORDINANCES
Notes to Applicant

Notes:

Application for Zoning Permit is not a Variance.

The Board of Adjustments shall have the following powers:

1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the zoning administrator or city official based on or made in the enforcement of any zoning regulation or any regulation relating to the location or soundness of structures; and
2. To hear and decide, in accordance with the provisions of the city ordinance, requests for interpretation of any map, or for decisions upon other special questions upon which the Board is authorized to pass; and
3. To grant variances, where by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of enactment of the zoning ordinance, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, the strict application of any regulation under the zoning ordinance would result in peculiar and exceptional practical difficulties to or exceptional and undue hardships upon the owner of such property, to authorize, upon an appeal relating to the property, a variance from such strict application so as to relieve such difficulties or hardship, if such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning ordinances.

No such variance shall be authorized by the Board unless it finds that:

1. The strict application of the ordinance would produce undue hardship; and
2. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity; and
3. The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance; and
4. The granting of such variance is based upon reasons of demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit or caprice. No variance shall be authorized unless the Board finds that the condition or situation of the property concerned or the intended use of the property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to this Ordinance.

In exercising the above mentioned powers, the Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken. The concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance or to affect any variation in this Ordinance.