

## **ZONING BOARD OF ADJUSTMENT VARIANCE GUIDELINES**

1. Applicant must prove hardship\*. ( will not include economic in nature)
2. Variance will not be granted for a self-inflicted hardship or condition.
3. Prove unique condition to property that shows there is no other alternative to comply with existing zoning ordinance.
4. Has person shown they cannot comply with ordinance and still utilize their property in the same way as others in that zoning district?

\*Hardship - "An unusual situation on the part of an individual property owner that will not permit the full utilization of property that is given to others within the community. A hardship exists only when it is not self-created or when it is not economic in nature. In other words, a true hardship exists only when the literal interpretation of the requirements of the ordinance would place an individual in an unusual circumstance and would deny the right to use property for any purpose, or create an unnecessary burden, unless relief is granted".

Definition taken from "The Citizen's Guide to Zoning" by Herbert H. Smith, page 224.

Appeal No.: \_\_\_\_\_

Date: \_\_\_\_\_

# CITY OF BORGER

## NOTICE OF APPEAL TO ZONING BOARD OF ADJUSTMENT

APPLICANT \_\_\_\_\_ ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

Request is made herewith to the Zoning Board of Adjustment for a determination on the following appeal which was denied by the Building Inspector on \_\_\_\_\_.

It is requested that the Board:

- Make an interpretation of \_\_\_\_\_
- Grant a variance relating to \_\_\_\_\_
- Permit a home occupation \_\_\_\_\_
- Permit the extension or rebuilding of a non-conforming use \_\_\_\_\_
- Hear an appeal concerning \_\_\_\_\_

LOCATION \_\_\_\_\_ LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ ADDITION \_\_\_\_\_

LOT SIZE \_\_\_\_\_ PRESENT USE \_\_\_\_\_

PRESENT USE IS:            CONFORMING            NON-CONFORMING

PRESENT BUILDING IS:    CONFORMING            NON-CONFORMING

PROPOSED USE OF PREMISES \_\_\_\_\_

The applicant believes that the Zoning Board of Adjustment should approve this request because: (indicate reasons for appeal with respect to law or facts.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Has a previous application or appeal been filed on these premises?   Yes \_\_\_   No \_\_\_

I hereby certify that all the above information and that contained in any supporting documents submitted herewith are true and accurate to the best of my knowledge and belief.

DATE \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF APPLICANT

Zoning Appeal Fee \$50.00

If application is withdrawn before the meeting, \$25.00 is refunded.

PUBLIC HEARING TO BE HELD:   TIME \_\_\_\_\_   DATE \_\_\_\_\_

**ZONING BOARD OF ADJUSTMENT**

**Complete the following for a variance request. You may attach an extra sheet.**

The following specific variation from the ordinance is requested: \_\_\_\_\_

---

---

The variance is necessary due to the following unique condition: \_\_\_\_\_

---

---

State the necessary hardship involved by meeting the provision of the ordinance other than financial or self inflicted). \_\_\_\_\_

---

The following alternatives to the requested variance are possible: \_\_\_\_\_

---

This variance will not be contrary to the public interest by virtue of the following facts:

---

---

**I hereby certify all the above information and that contained in any supporting documents submitted herewith are true and correct tot he best of my knowledge and belief. The facts stated by me in this application are true and correct.**

\_\_\_\_\_  
**Applicant**

\_\_\_\_\_  
**Date**

Note: Any variance granted shall be subject to appropriate conditions and safeguards that the Board of Adjustment considers necessary to protect neighboring property owners.

I, \_\_\_\_\_, owner of \_\_\_\_\_  
Name Home Address

( ) approve, ( ) disapprove of ZBA request # \_\_\_\_\_ requesting a \_\_\_\_\_  
\_\_\_\_\_ at \_\_\_\_\_.

Comments:

---

---

---

---

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date:

I, \_\_\_\_\_, owner of \_\_\_\_\_  
Name Home Address

( ) approve, ( ) disapprove of ZBA request # \_\_\_\_\_ requesting a \_\_\_\_\_  
\_\_\_\_\_ at \_\_\_\_\_.

Comments:

---

---

---

---

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date:

I, \_\_\_\_\_, owner of \_\_\_\_\_  
Name Home Address

( ) approve, ( ) disapprove of ZBA request # \_\_\_\_\_ requesting a \_\_\_\_\_  
\_\_\_\_\_ at \_\_\_\_\_.

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date:

I, \_\_\_\_\_, owner of \_\_\_\_\_  
Name Home Address

( ) approve, ( ) disapprove of ZBA request # \_\_\_\_\_ requesting a \_\_\_\_\_  
\_\_\_\_\_ at \_\_\_\_\_.

Comments:

---

---

---

---

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date: