

Application for Hearing Before the Board of Adjustment

Dated filed: _____

Application Number: _____
(Completed by City of Wahoo)

Please select reason for filing Application:

- Appeal of decision of Building Inspector/Zoning Administrator (Complete Page 1 and Page 2)
- Request for a variance (Complete Page 1 and Pages 3 & 4)
- Map interpretation – Official Zoning Map (Complete Page 1 and Page 5)

INFORMATION ON PERSON FILING APPLICATION

Applicant's Name: _____

Applicant's Address: _____

Applicant's City, State, Zip: _____

Applicant's Contact phone number: _____

Applicant's Email address: _____

If Applicant is not the property owner, please explain relationship and justification for filing Application.

Also attach documentation that grants applicant the authority to file Application: _____

INFORMATION ON CURRENT PROPERTY OWNER

Owner's Name: _____

Owner's Address: _____

Owner's City, State, Zip: _____

Owner's Contact phone number: _____

Owner's Email address: _____

INFORMATION ON PROPERTY

Address and Legal Description of Property: _____

Zoning of Property: _____

Signatures of parties:

Applicant

Property Owner

Appeal of Building Inspector/Zoning Administrator Decision

The Board of Adjustment shall have the authority to hear and decide appeals where it is alleged that there is an error in any order, requirement, decision or determination made by a City Official based on or made in the enforcement of any zoning regulation or any regulation relating to the location or soundness of structures.

Date of decision to be appealed: _____

Name of City Official whose decision is being appealed: _____

Building or Zoning Regulation or Code for basis of decision: _____

Supporting information regarding appeal. Please provide information on the decision made by the City Official. You may attach any additional information, maps, plans, drawing, or other relevant information to support your appeal: _____

The By-Laws of the Board of Adjustment limit video and audio recording of the hearing. A court reporter may be requested by either party, or by both, with said fees for the court reporter to be paid by the requesting party(s). Will you be requesting a court reporter? _____

Request for Variance

The Board of Adjustment shall have the authority to hear and authorize variances from the terms and requirements of the applicable City Zoning Regulations where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property existing at the time of adoption 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 requirement of the applicable City Zoning Regulations 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 Wahoo Zoning Ordinance.

The Board of Adjustment shall authorize no such variance, unless it finds that:

1. The strict application of the Zoning Ordinance would produce undue hardship;
2. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity;
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 the Zoning Ordinance.

Please note: If this variance is granted, it will not permit a use prohibited in the Zoning District in which the described property is located.

As stated above, the Board of Adjustment cannot grant a variance until the Applicant proves that each of the conditions have been fulfilled. Answer each of the conditions in detail, using additional sheets if necessary.

You may attach additional maps, plans or information.

1. The strict application of the Zoning Regulations would produce undue hardship; in that:

2. Such hardship is not shared generally by other properties in the same Zoning District and the same vicinity; in that:

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; in that:

4. The granting of such variance is based upon reason of demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit or caprice; in that:

Request for Map Interpretation

The Board of Adjustment shall have the authority to hear and decide requests for interpretation of any map contained in the Comprehensive Plan and the Official Zoning Map of the City of Wahoo.

Specific map to be considered for interpretation: _____

Please attach a copy of the map with the Application.