

Instructions to the Applicant Requesting a Variance from the Zoning Regulations before the Board of Zoning Appeals

1. Applicants are advised that the City Board of Zoning Appeals is only authorized to consider variances from the City Zoning Regulations as listed in Section 17.10.08.C.
2. An applicant must complete an application form and all blanks should be filled in or noted as N/A. See Section 17.10.08 of the Zoning Regulations for procedures pertaining to a variance.
3. Applicant must submit a current ownership list of names, mailing addresses and zip codes of all owners of record of real property within 200 feet of the exterior boundary of the area in the City described in the application both within the city limits and extending outside the city limits. If such area is located adjacent to but inside the city limits, the ownership list, in addition to the 200 feet inside the city limits, shall provide similar information extending to 1,000 feet into the unincorporated area. Furthermore, similar ownership information shall also be provided when the area extends outside the City and for 200 feet into an adjacent or nearby city limits. (See Section 17.10.04 of the Zoning Regulations for Notice of Hearing.)
4. The applicant must submit a statement in writing providing information as required by Section 17.10.08.A.1-4 of the Zoning Regulations.
5. The applicant must also submit a professionally drawn and stamped site plan required by Section 17.10.08.A.4 which is drawn to scale showing the lot(s) included in the application, the structures existing thereon, and the structures proposed that necessitate the request. All appropriate dimensions should be included and any other information which would be helpful to the Board of Zoning Appeals in consideration of the application.
6. The above application and accompanying documents shall be filed in a timely manner with the Zoning Administrator before the next regular Board meeting, together with a fee to the City as established by the Fee Schedule in Section 17.9.05 of the Zoning Regulations. See the Administrator for fee schedule information and Meeting and Closing Schedules for applications. **Incomplete applications will be returned to the applicant.**
7. Notice of the public hearing by the Board of Zoning Appeals will be published in the official city newspaper by the Secretary so that at least 20 days elapse between the date of publication and hearing date. Notices of the hearing will also be mailed by the Zoning Administrator to all property owners on the ownership list, the applicant and the Secretary of the City Planning Commission so that at least 20 days shall elapse between the mailing date and the hearing date.
8. Prior to the hearing, applicants are advised to study the standards for granting variances in Section 17.10.08.D of the Zoning Regulations of which Section 17.10.08.D.1 are required by state statutes and will be the basis for the Board of Zoning Appeals' decision.
9. When your variance is decided, a resolution will be signed and filed with the Zoning Administrator.
10. If the variance is granted, it shall be valid for only 180 days unless within such period a zoning permit is obtained and the variance request is started. The Board of Zoning Appeals may grant extensions not exceeding 180 days each, upon written application, without further notice or hearing.
11. A decision of the Board of Zoning Appeals is considered final unless appealed to the District Court under Section 17.10.06 of the Zoning Regulations within 30 days after the date of filing the resolution with the Zoning Administrator.