

**TOWN OF SOUTH PRAIRIE
VARIANCE APPLICATION**

FOR TOWN USE ONLY
Date received:
Fee paid:
Receipt #:
Received by:

APPLICANT INFORMATION

Applicant's Name _____

Address _____

Telephone/FAX _____

If owner is different from applicant, what is the legal relationship of the applicant to the owner that entitles the applicant to make application? _____

Applicant's Signature _____ Date _____

Owner's Name _____

Address _____

Telephone/FAX _____

I (we) grant the above applicant permission to use my (our) property in the manner described in this application.

Owner's Signature _____ Date _____

Owner's Signature _____ Date _____

Owner's Signature _____ Date _____

Representative's Name _____

Address _____

Telephone/FAX _____

We the above signatories attest under penalty of perjury that the information in this application is true and accurate. We also understand that it is our responsibility to understand and comply with all applicable federal, state, and local regulations.

CONTACT PERSON/ENTITY

Please designate a single person/entity to receive determinations and notices from the Town

Name _____

Address _____

Telephone/FAX _____

GENERAL INFORMATION

Project Address/Location _____

Assessor Parcel Number(s) _____

Current Zoning _____

Current Land Use _____

SPECIFIC VARIANCE REQUEST (Attach additional pages and drawings as necessary).
Please respond in detail to the following questions:

Briefly describe the proposed project: _____

Identify the specific section(s) of the zoning ordinance from which you are requesting a variance:

Variations will only be granted when the applicant demonstrates that the following conditions are met:

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district; and the special conditions and circumstances are not the result of the owner's action. (Please identify and explain how these special circumstances affect the proposal.)

2. Literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district. (Please explain.)

3. The granting of the variance will not confer on the applicant any special privilege that is denied to other lands, structures, or buildings in the same district. (Please explain.)

4. The granting of the variance will not be injurious to the neighborhood or otherwise detrimental to public welfare. (Does this set a precedent? Has the proposal been designed to minimize the effect on adjacent property?)

TOWN OF SOUTH PRAIRIE

VARIANCE APPLICATION

The Town of South Prairie's Zoning Code is designed to regulate the development of lands within the community in order to ensure a compatible, pleasant, and safe living environment. Each zone district within the Town contains development standards unique to that particular zone. These development standards include regulations for maximum fence, wall, and building heights; minimum setbacks for front, rear, and side yards; maximum lot coverage; minimum distances between structures or landscaped areas, etc. The Zoning Code represents a general application of development regulations and does not consider individual site characteristics which, when developed in accordance with the zone's development restrictions, may create unnecessary burden or hardship to the property developer/owner.

When a particular property contains unique or special circumstances, such as size, shape, topography, locations, or surroundings, which when developed with strict adherence to the zone's development standards, create unnecessary burden, the property owner may request a variance to the development standards. A hardship which is shared by other properties in the zone district is not sufficient support for a variance. The South Prairie Planning Commission is empowered to grant variances in order to prevent unnecessary hardships inconsistent with the objectives of the Zoning Code. The South Prairie Planning Commission may grant a variance to a regulation prescribed in the Zoning Code with respect to:

- Fence and wall height and/or location;
- Minimum site area;
- Minimum lot width, frontage, depth, and coverage;
- Minimum side, rear, and front setback;
- Minimum percent of outdoor living area;
- Maximum structure height;
- Minimum/Maximum distances between structures or landscaped areas; and
- Off-Street loading facilities

A variance application shall include the following:

- A completed Town of South Prairie Variance Application Form
- 10 copies of a dimensioned site plan which includes all property lines, existing and proposed structures, surrounding properties (including adjacent structures and streets), and identify the subject area of the variance request;
- Notification to all property owner's within 500 feet from the perimeters of subject property; and
- All applicable fees.

Applications deficient of any of the above noted requirements will not be processed until such material is submitted.