

VARIANCE
APPLICANTS STATEMENT

The approval or denial of a land use application is based solely on compliance with the *decision criteria* contained within the zone code. The following is the *decision criteria*.

It is very important to answer the questions as completely as possible. You may use a separate piece of paper if additional space is needed.

1. **PURPOSE:** Flexibility, adaptability and reasonableness on the application and administration of development standards is necessary where special conditions exist. For lands or uses with unique characteristics, the intent and purpose of the development standard may be maintained while allowing adjustments to quantifiable requirements. Variances apply only to development standards such as setbacks or building heights; no variance shall be approved which permits the establishment of an use or activity not identified in a zone.
2. **POWER TO GRANT VARIANCES:** The Planning Commission shall have the power to make recommendations to the City Council to vary or modify the requirements of this Ordinance. The power to grant such variances shall be used sparingly and only according to the provision of the City's Zoning Ordinance.
3. **PROCEDURES:** A variance is a land use action. The procedures governing a request for a variance shall be those set forth in Chapter 3: Administrative Procedures, and based upon satisfying the applicable criteria noted below.

VARIANCE CRITERIA. The Planning Commission shall recommend to the City Council to permit and authorize a variance in the Zoning Ordinance, where such relief from a specified requirement if the Commission finds that the variance meets all of the following:

1. How does this requirement of the Zoning Ordinance prevent the applicant from making any substantial, beneficial use of the applicant's property.

2. How does this condition that prevents or will prevent the applicant from making any substantial, beneficial use of the property? Is there a condition peculiar to the applicant's property and not found generally in other property in the zone.

3. Please explain how the applicant or previous property owner did not cause the condition that prevents the applicant from making substantial, beneficial use of the property.

4. Demonstrate how this variance request will be consistent with the Comprehensive Plan and with the purpose of the zone in which the applicant's property is located?

5. How does varying the requirements of the Zoning Ordinance bring a greater benefit to the public than would enforcement of the requirements of the Zoning Ordinance?

Please Note: The City's zoning ordinance and comprehensive plan are available for review at City Hall and copies of applicable sections may be requested.