PETITION

Before the Board of Zoning Appeals

REQUEST FOR VARIATION

Docket No._____

DO NOT WRITE IN THIS SPACE – FOR OFFICE USE ONLY

Date Filed: _____ Time: _____

Date set for Hearing: _____ Time: _____

Fee Paid on: _____ Amount: _____

Comments: _____

NOTICE TO APPLICANTS

A Variation is a zoning adjustment which permits minor changes of district requirements where individual properties are both harshly and uniquely burdened by the strict application of the law. The power to vary is restricted and the degree of Variation is limited to the minimum change necessary to overcome the inequality inherent in the property. "Variation" means the modification of the requirements of a zoning district and does not include the substitution of uses assigned to other districts.

A variation recognizes that the same district requirements do not affect all properties equally; it is used to permit minor changes to allow hardship properties to enjoy equal opportunities with properties similarly zoned. You must prove that your land is affected by special circumstances or unusual conditions. These must result in uncommon hardship and unequal treatment under the strict application of the Zoning Ordinance.

You must prove that the combination of the Zoning Ordinance and the uncommon conditions of your property prevents you from making any reasonable use of your land as permitted by your present zoning district.

You must file this Petition along with the following: The filing fee established by the Village of Whitehouse; an 11 x 17 inch Site Plan and a 24 x 30 inch Site Plan giving dimensions and scale; a Legal Plat of Survey; proof of ownership; and a copy of any rough building plans giving dimensions and scale. You may also be required to submit additional information.

You must complete the following questions (if additional space is needed, attach extra pages to this Application).

1) Name of owner(s): _____
_____.

2) If Land Trust, name(s) of all beneficial owners: _____
_____
_____.

3) Name of Applicant(s): _____
_____.

4) Address of Applicant(s): _____
_____
_____.

5) Applicant(s) phone number: Home _____ Office _____
Home _____ Office _____

6) Property interest of Applicant:

- ☐ Owner
- ☐ Contract purchaser
- ☐ Attorney of owner
- ☐ Other (describe) _____

7) Address of property in question: _____
_____.

8) Size of parcel: _____.

9) Present zoning category:

☐ A	☐ R-4	☐ C-4
☐ S-1	☐ R-5	☐ M-1
☐ R-1	☐ C-1	☐ M-2
☐ R-2	☐ C-2	☐ B.P.
☐ R-3	☐ C-3	

10) Adjacent Zoning:

To the North:_____

To the South:_____

To the East:_____

To the West:_____

11) How is the property in question presently improved?_____

_____

12) Present Use:

- ❑ Commercial
- ❑ Industrial
- ❑ Residential
- ❑ Other
  (Describe)_____

13) Adjacent Uses:

To the North:_____

To the South:_____

To the East:_____

To the West:_____

14) A VARIATION is requested in conformity with the powers vested in the Board of Zoning Appeals to permit the _____

_____ on the
(insert use of construction proposed)
property described above.

15) Permit applied for and denied:
❑ Yes ❑ No

16) Is the property in question currently in violation of the Zoning Ordinance?

❑ Yes ❑ No
If yes, how?_____

_____

_____

17) Is the property in question presently subject to a variation?

❑ Yes ❑ No

If yes, list each date and ordinance granting the variation(s)._____

_____

_____

_____

18) From what zoning and/or sign ordinance are you requesting a variation?_____

_____

19) ATTACH LEGAL DESCRIPTION AS IT APPEARS ON THE DEED.

20) What characteristics of your property prevent it being used for any of the uses permitted in your zone?

- ❑ Too narrow
- ❑ Too small
- ❑ Too shallow
- ❑ Elevation
- ❑ Slope
- ❑ Shape
- ❑ Soil
- ❑ Subsurface
- ❑ Other (Specify)

_____

21) Describe the items checked, giving dimensions where appropriate._____

_____

_____

22) How do the above site conditions prevent any reasonable use of your land under the terms of the Zoning Ordinance?_____

_____

_____

23) Are the conditions on your property the result of other man-made changes (such as relocation of a road or highway)?

- ❑ Yes
- ❑ No If so, describe_____

_____

_____

24) Which of the following types of modifications will allow you a reasonable use of your land?
- ❑ Setback requirement
- ❑ Side yard restriction
- ❑ Area requirement
- ❑ Lot-coverage requirement
- ❑ Off-street parking requirement
- ❑ Other (describe)_____

_____

_____

25) To the best of your knowledge, are the conditions of hardship for which you request a Variation true only of your property?
- ❑ Yes
- ❑ No If no, how many other properties in your immediate vicinity to the best of your knowledge are similarly affected?_____

_____

_____

26) Explain why in your opinion the grant of the Variation requested will be in harmony with the neighborhood and not contrary to the intent and purpose of the Zoning Ordinance. (Use additional pages if necessary)

_____

_____

_____

_____

_____

_____

_____

I (we) certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief.

I (we) consent to the entry in or upon the premises described in this application by any authorized official of the Village of Whitehouse for the purpose of securing information, posting, maintaining and removing such notices as may be required by law.

_____ _____

(Signature) Owner (Date)

_____ _____

(Signature) Applicant (Date)