

PLEASE READ THESE INSTRUCTIONS CAREFULLY
APPLICATION INSTRUCTIONS FOR VARIANCE REQUEST
ZONING BOARD OF APPEALS

Board of Appeals meetings are held on the 2nd and 4th Wednesday of each month at Walker City Hall Commission Chambers, 4243 Remembrance Road, N.W., starting at 7:00 p.m. Fee for each **variance request is \$150.00**. A special meeting can be applied for to be held on a night other than the regular meeting night. **The fee for this request is \$350.00.**

A **variance request** must be in the office of the Building Department at least thirty (30) **days prior to the meeting date** and scheduling will be based on date completed application is received. The variance, if granted, is not effective for five (5) days after the date of the meeting.

The site plan will be submitted with the application. If the site plan is readily reproducible by a copy machine and does not exceed 11" x 14" in size, one (1) copy of the plan can be submitted. **If the site plan is not readily reproducible or exceeds 11" x 14" in size, eleven (11) copies of the plan must be submitted with the application. THE APPLICATION MUST BE IN TYPEWRITTEN FORM ONLY TO BE COMPLETE.**

Notices of said meeting are mailed to all residents within a 300-foot radius of the property involved in the variance request.

The Building Department will not schedule for a hearing on any incomplete application. The statements below (a) through (d) and (e) for a use variance must be completed on the application in order to constitute a completed application.

The Board may grant a variance from the provisions or requirements of the Zoning Ordinance if the Board of Appeals finds from reasonable evidence that all the following facts and conditions exist.

SECTION 94-59 – GRANTING OF VARIANCES

- (a) That there are exceptional or extraordinary circumstances or conditions applying to the property in question as to the intended use of the property that do not apply generally to other properties in the same zoning district.
- (b) That such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in that same zoning district and in the vicinity. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.
- (c) That authorizing such variance will not be of substantial detriment to adjacent property, and will not materially impair the intent and purposes of this Ordinance to the public interest.
- (d) That the condition or situation of the piece of property or the intended use of said property, for which the variance is sought, is not of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such condition or situation.
- (e) With respect to the use variance that the property for which a variance is sought cannot reasonably be used in a manner consistent with existing zoning.

NOTES: Applicant or representative must be present at meeting in order for the Board of Appeals to hear meeting.

In case of cancellation of meeting by applicants, a written letter of intent to cancel or withdraw application should be submitted to the Building Department of the City of Walker. Otherwise the Building Department should be contacted by phone of intent to cancel application.