

Variance Application

The Board of Adjustment must approve all variances from the City of Washington's zoning code. Appeals to the Board of Adjustment may be taken by any person *aggrieved* (Section 475.030, A, 1), or by an officer, department of board, other than the Board of Adjustment, or Bureau of the City affected by any decision of the City Engineer.

Notice of appeal shall be accompanied by a fee of sixty dollars (\$60.00). No appeal shall be allowed unless the appeal fee has been paid to the City (Section 475.030, A, 2). All appeals to the Board of Adjustment must also be accompanied by a completed application, a legal description of the property for which the variance is being requested and a site plan showing lot dimensions, setbacks, etc.

Pursuant to Section 475.040, the Board of Adjustment has the following powers:

1. *Powers relative to errors.* To hear and decide appeals where it is alleged there is an error in any order, requirement, decisions or determination made by an administrative official in the enforcement of this Title (Section 475.040, 1).
2. *Powers relating to variations.* Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the original adoption of the regulations, or by reasons of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property which conditions are not generally prevalent in the neighborhood, the strict application of the area regulations of this Title would result in peculiar and exceptional difficulties to, or exceptional and undue hardship upon, the owner of such property, the Board is hereby empowered to authorize upon an appeal relating to such property, a variation from such strict application so as to relieve such difficulties or hardships (Section 475.040, 2).
3. *Powers relative to exceptions.* Upon appeal, the Board is hereby empowered to permit the following exceptions:
 - a. To permit the extension of a District where the boundary line of a District divides a lot in single ownership as shown of record.
 - b. To permit the reconstruction of a non-conforming building which has been damaged by explosion, fire, act of God, or by the public enemy to the extent of less than seventy-five percent (75%) of its

value where the Board shall find some compelling public necessity requiring a continuance of the non-conforming use.

- c. To permit the erection and use of a building or the use of premises in any location for a public service corporation for public utility purposes which the Board deems reasonably necessary for the public convenience or welfare.
- d. To add to the permitted uses in the "C" Commercial and "M" Industrial Districts when the Board has determined that a use is comparable to those already permitted in such District.
- e. To interpret the provisions of this Title where the street layout actually on the ground varies from the street layout as shown on the map fixing the several Districts, which map is on file in the office of the City Clerk.
- f. To vary the parking regulations of this Title whenever the character or use of the building is such as to make unnecessary the full provision of parking facilities or where such regulations would impose an unreasonable hardship upon the use of the lot, as contrasted with merely granting an advantage or a convenience.
- g. To vary such other regulations as shall appear in the Zoning Ordinance of the City of Washington, Missouri, where such variance is necessary to prevent exceptional and undue hardship upon the owner of such property, to the extent authorized by Missouri Law (Section 475.040, 3).

All decisions by the Board of Adjustment require a vote of four members of the Board to reverse any order, requirement, decision, or determination of the City Engineer, or to decide in favor of the applicant on any matter upon which it is required. All decisions by the Board of Adjustment will be passed in the form of a resolution, filed in the Engineering Department and sent to the applicant.

**Variance Application
Applicant Information**

Applicant Name _____ Daytime phone _____

Address of Applicant _____

Address of Variance (if different from above)

Existing Zoning District Classification _____

Has an application for a building permit been filed with the City Building Official?

Yes _____ No _____

Variance narratives—please provide written responses to the following questions:

1. List the particular provision or requirement of the zoning code which prevents the proposed construction on, or use of, the property.

2. Describe the special conditions, circumstances or characteristics of the land, building or structure that prevent compliance with the requirements of the zoning code.

3. Detail the particular hardship which would result if the specified provision or requirements were to be applied to the subject property.

4. To what extent is it necessary to vary the requirements of the zoning code in order to permit the proposed construction on, or use of, the property.

I certify that the information contained herein is complete and accurate to the best of my knowledge.

Signature _____ Date _____

Name (please print) _____