



## BOARD OF ADJUSTMENTS VARIANCE APPLICATION

PROPERTY INFORMATION	
Legal Address:	
Legal Description:	
Present Zoning:	
Variance Being Requested Description:	

OWNER INFORMATION		
Owner Name:	Phone #:	
Address:		
City:	State:	Zip:

APPLICANT/AGENT INFORMATION		
Applicant Name:	Phone #:	
Address:		
City:	State:	Zip:

\* If applicant is different than property owner a **Notarized Letter of Authorization** must be attached to the application

PROPERTY OWNER/AGENT AUTHORIZATION		
<p><b>Property Owner Consent/Agent Authorization:</b> By my signature, I hereby affirm that I am the property owner of record, or if the applicant is an organization or business entity, that authorization has been granted to represent the owner, organization or business in this application. I certify that the preceding information is complete and accurate, and it is understood that I agree to the application being requested for this property. Additionally, my signature below indicates my awareness of the fee required at the time of the application submittal and any additional fees as noted in the City's fee schedule. This fee is non-refundable even in the event of application withdrawal. I have the power to authorize and hereby grant permission for City of Dickinson officials to enter the property on official business as part of the application process</p>		
_____ Signature of Contractor/Authorized Agent	_____ Printed Name	_____ Application Date

FOR OFFICE USE ONLY	
Variance Number: _____	Fees Due: _____
Date Submitted: _____	Payment: _____
Plan Reviewer: _____	Date: _____ <input type="checkbox"/> <b>Approved</b> <input type="checkbox"/> <b>Denied</b>
Board Of Adjustments Meeting Date: _____	<input type="checkbox"/> <b>Approved</b> <input type="checkbox"/> <b>Denied</b>



## BOARD OF ADJUSTMENTS VARIANCE APPLICATION

### Attach These Items With Completed Application:

- Map from Central Appraisal District with 200' radius
- List of owners within 200' (from Central Appraisal District)
  - Existing Site Plan
- Site Plan with Requested Variance Shown
- \$525.00 Fee

### Submit Immediately *AFTER* Notices Have Been postmarked:

- Sign & Address Affidavit

### Bring these items to the Board of Adjustment Meeting:

- Return receipts of mailed notice, including envelopes that are returned

### What is a variance?

A variance is a deviation from the property development standards for the district where development is proposed.

### Who may request a variance?

A variance may be requested by the owner of the property or another person having written, notarized authorization to act as the agent of the property owner.

### How long does a variance request take?

Many factors influence the amount of time required to complete a variance request. A good estimate is 5-6 weeks from the pre-application conference. The Board of Adjustments has a Regular Meeting time of the First Monday of the month, however the Board of Adjustments does not meet on a regular basis, because of this fact please allow for time and consideration in an effort to ensure staff can have a quorum for the meetings.

### How do I submit a request?

The City of Dickinson will supply the application form and staff will assist you in completing it. When several owners are involved, one person should be authorized (by notarized letter) to act as the signatory and applicant.

### What is the cost of a variance request?

A non-refundable fee of \$525.00 must accompany a completed Board of Adjustment Variance application. In some instances, staff, the Planning & Zoning Commission or City Council may require technical studies (engineering, noise, traffic, impact, etc.). The cost for these studies is borne by the applicant. The breakdown of the \$525.00 is as follows:

- \$250.00 Non-refundable Application Fee
- \$250.00 Newspaper Notice Fee
- 25.00/Variance Sign, to be placed every 200' of public street frontage



## BOARD OF ADJUSTMENTS VARIANCE APPLICATION

### **What is the purpose of the public hearings?**

Zoning regulations are established to protect the public health, safety and general welfare of all citizens. The public hearing process gives all residents to express how they feel the proposed variance could affect them positively or negatively.

### **What key information should be presented?**

- Present Zoning or Use of Property
- Special circumstances that are peculiar to the land or structure
- Proof these special circumstances are not self-imposed or the result of the applicant's actions
- Description of compatibility of proposed variance with the surrounding area
- Evidence variance will not adversely affect the health, safety or welfare of the public
- Other facts that may affect a decision

### **Who should present the proposal at the public hearings?**

The owner should be present at the public hearings. The owner, applicant or an agent may make the presentation to the Board of Adjustments.

### **Conditions for considering variances:**

To approve an application for a variance, the board shall make an affirmative finding that each of the following criteria is met:

- Special circumstances exist that are peculiar to the land or structure.
- These special circumstances are not self-imposed or the result of the actions of the applicant.
- Literal interpretation and enforcement of the terms and provisions of this chapter would cause an unnecessary and undue hardship.
- Granting the variance is a minimum action that will make use of the land or structure which is not contrary to the public interest and which would carry out the spirit of this chapter and would result in substantial justice.
- Such variance will not alter the essential character of the district in which it is located or the property for which the variance is sought.
- Such variance will not authorize a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.
- The variance will not adversely affect the health, safety or welfare of the public.