

City of Bethany
Board of Adjustment Variance Request

Date: _____

Owner Information

Name: _____ Phone: _____
Address _____ City: _____ State: _____

Property Information

Address/General Location: _____
Subdivision: _____ Lot: _____ Block: _____
Lot Size: _____ Zoning: _____ Use: _____
Legal Description: _____

Requested Variance

Variance to Section(s): _____
Current Requirements: _____

Detailed Description of Request: _____

*Please provide a diagram or plat map with dimensions.

Owner's Signature: _____

The Undersigned are All of the owners of the lots abutting the aforementioned property, as follows:
Signature(s): if a multiple persons jointly own a property, ALL parties must sign the petition. If all abutting property owners do not sign the petition, it is a much Lengthier process.

Lot(s) No. _____
Name: _____
Address: _____

Lot(s) No. _____
Name: _____
Address: _____

Lot(s) No. _____
Name: _____
Address: _____

Lot(s) No. _____
 Name: _____
 Address: _____

Lot(s) No. _____
 Name: _____
 Address: _____

*Attach additional sheet if necessary.

Variance Request Procedure (Section 405.120 Subsection 3)

- a. A written application for a variance is submitted demonstrating:**
- 1) That Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
 - 2) That literal interpretation of the provisions of this Chapter would deprive the applicant of rights commonly enjoyed by the other properties in the same district under the terms of this Chapter;
 - 3) That the special conditions and circumstances do not result from the actions of the applicant;
 - 4) That granting the variance requested will not confer on the applicant any special privilege that is denied by this Chapter to other lands, structures, or buildings in the same district. No non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted or non-conforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.
- b. Notice of public hearing shall be given at least fifteen (15) days in advance of public hearing by publication in a newspaper of general circulation in the City;
 - c. The public hearing shall be held and any party may appear in person, or by agent or by attorney;
 - d. The Board of adjustment shall make findings that the requirements of (3)(a) have been met by the applicant for a variance;
 - e. The Board of Adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure;
 - f. The Board of Adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this Chapter, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.
 - g. In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this Chapter. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Title and punishable under Section 405.170 of this Chapter.
 - h. Under no circumstances shall the Board of Adjustment grant a variance to allow a use not permissible under the terms of this Chapter in the district involved, or any use expressly or by implication prohibited by the terms of this Chapter in said district.

For Office Use Only

Date Received: _____

Date of Notice: _____

Hearing Date: _____

Decision: _____

Comments: _____

