



Community Development Department

.....PRESERVING THE PAST; PLANNING THE FUTURE

VARIANCE PROCEDURE AND APPLICATION

The following information is provided with this “Application for Variance” to assist you in completing and submitting your application for consideration by the Board of Adjustment (BOA). Your Community Development Department contact is Nancy Warring, Assistant Planner. Her phone number is 918-338-4243 and email: newarring@cityofbartlesville.org.

The **BOA** meets on the fourth Thursday of each month at 5:00 p.m. in the City Council Chambers, City Hall, 401 South Johnstone Avenue, Bartlesville, Oklahoma. Your application, completed in its entirety, must be submitted *30 days prior to the next scheduled meeting*.

- City BOA meeting is scheduled for_____.

THE REQUIREMENTS OF A COMPLETED APPLICATION:

- A non-refundable application fee of \$50.00
- The Application Form
- Supplemental information (example attached). In order for the BOA to approve a request for a variance, they are required to find:
 1. The application of the ordinance provisions to the property would create an unnecessary hardship (other than financial).
 2. Conditions exist (topography, shallowness of the lot, shape of the lot, etc.) which are peculiar to the lot.
 3. Approving the variance would not cause substantial detriment to the public good or impair achieving the purposes of the ordinance, and
 4. Granting the variance would be the minimum necessary to alleviate the unnecessary hardship.
- Plot Plan

Vicinity Sketch showing boundary lines and dimensions, adjoining streets, rights-of-ways, existing utilities and location of existing and proposed structures. (example attached).

- Property Owner Information
 1. A complete list of property owners and their mailing addresses who are located within 300 feet of the perimeter boundary of the property, as reflected by the tax rolls in the office of the County Treasurer for Washington County, Oklahoma, and the last recorded conveyance in the office of the County Clerk for Washington County, Oklahoma.
 - a. The preferred method for obtaining this information is for you, the applicant, to contract with a title company of your choice to research the records at the Washington County Courthouse.
 - b. If you wish to research the records yourself, attached is a copy of a certificate that must be completed and signed by you certifying that the list of property owners and addresses is correct.
 2. **This information is to be typed or legibly printed on self-stick mailing labels.** Failure to provide such addresses on mailing labels shall render the application incomplete for processing, and the application shall be returned to you.

APPLICANT REQUIREMENTS ONCE THE APPLICATION HAS BEEN ACCEPTED:

- The applicant and/or his or her agent **must be present at the meeting** in order for the matter to be considered.
- The applicant and/or agent should be prepared to make a presentation and/or answer questions at the BOA Hearing.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.



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APPLICATION FOR VARIANCE

Case No.:	_____
Date Received:	_____
Hearing Date:	_____
Zoning District:	_____

NAME OF APPLICANT: _____ **Daytime Phone:** _____

Address of Applicant: _____ **Email:** _____

Location of property for which variance is requested (address and legal description or legal description and general location): _____

Type of Variance Requested: _____

Reason Variance is Sought: _____

The following items are attached:

- | | <u>Attached</u> |
|--|--------------------------|
| 1. Application fee of \$50.00 | <input type="checkbox"/> |
| 2. Supplemental information – Criteria for Request | <input type="checkbox"/> |
| 3. Plot Plan – Vicinity sketch | <input type="checkbox"/> |
| 4. List of names and addresses of all property owners within 300 feet of the perimeter boundary of the property | <input type="checkbox"/> |
| 5. Self-stick mailing labels, either typed or legibly printed, of names and addresses of all property owners within 300-feet of the perimeter boundary of the property | <input type="checkbox"/> |
| 6. Surrounding Property Owner Certification (if applicable) | <input type="checkbox"/> |

SIGNED (Applicant): _____

SIGNATURE (Property Owner if different that Applicant) _____



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SUPPLEMENTAL INFORMATION FOR VARIANCE REQUEST

The Board of Adjustment (BOA) is an appointed administrative body clothed with quasi-judicial powers to determine if an ordinance in a particular case should be “adjusted”. Because their powers are derived from State enabling legislation, the BOA is limited in its authority.

A variance is a modification of the literal provisions of a zoning ordinance, granted when strict enforcement of the zoning ordinance would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted.

To grant a variance, the BOA must conclude that all four criteria are met:

1. The application of the regulation to the particular piece of property would create an unnecessary hardship;
2. Such conditions are peculiar to the particular piece of property involved;
3. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the ordinance or the comprehensive plan; and
4. The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.

As the applicant, you are required to complete the following section and include it with your application. Failure to do so will render your application incomplete for processing, and the application will be returned to you.

CRITERIA FOR GRANTING A VARIANCE:

1. The application of the regulation to the particular piece of property would create an unnecessary hardship.

2. Such conditions are peculiar to the particular piece of property involved.

3. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the ordinance or the comprehensive plan.

4. The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.



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SURROUNDING PROPERTY OWNER CERTIFICATION

The undersigned, _____, does hereby certify that the attached is a complete and correct list of property owners within 300 feet of the property described below as reflected by the tax rolls in the office of the County Treasurer for Washington County, Oklahoma and the last recorded conveyance in the office of the County Clerk for Washington County, Oklahoma.

Dated this _____ day of _____, _____.

Signature

Typed or Printed Name

Legal description of property:

