

# **VARIANCE APPLICATION**

## **TITLE 12 – ZONING, SECTION 12-21-130**

12-12, Variance: A modification granted by the Board of Adjustment to a zoning requirement for height, bulk, area, width, setback, separation, or other numerical or quantitative requirement for building or structure or other site improvements. 12-21-130(a), Variance procedures are intended to provide a narrowly circumscribed means by which relief may be granted from particular unforeseen applications of the provisions of this Title that create unreasonable hardships.



## **COMMUNITY DEVELOPMENT DEPARTMENT**

655 North 1250 West

Centerville, Utah 84014

Phone: (801) 292-8232 • Fax: (801) 292-8251

## VARIANCE REQUIREMENTS

The applicant shall be required to submit the following information to the Community Development Department, 655 North 1250 West. Additional information may be requested after the formal application is received.

1. Application	A completed Variance Application must be submitted to the Community Development Department at 655 North 1250 West.
2. Description of the Variance	Description of the Variance location, why a variance is needed and how much of a variance is requested. Remember to give a Zoning Code reference
3. Explanation	An explanation of how the application satisfies the variance standards set forth in section 12-21-130(e) of this section.
4. Plot Plan	A plot plan showing: Applicants name, site address, property boundaries and dimensions, layout of existing and proposed buildings (Including height), buildings within 150 feet, parking, landscaping and utilities, adjoining property lines and uses within 100 feet of the subject property, an elevation plan drawn to scale showing elevations of existing and proposed structures. Topographic map may be requested
5. Other information	Any other information reasonably determined by the Zoning Administrator or Board of Adjustment to be pertinent to a requested variance.
6. Fees	\$250.00 Board of Adjustment fee, plus any additional costs that may accrue for legal and/or engineering services.

## PROCEDURES FOR A VARIANCE

1.	Submit the Variance Application, to the Community Development office located at, 655 N. 1250 W.
2.	After the application is found to be complete, staff reports will be written. The Board of Adjustment will schedule and hold a public meeting. You will also be notified of the time and place of the public meeting.
3.	After consideration the Board of Adjustment will approve, approve with conditions or deny the application. After the Board of Adjustment makes a decision the Zoning Administrator will send you written notice of the decision.
4.	<b>12-21-150(e) Approval standards, the Board of Adjustment may grant a variance if :</b> <ol style="list-style-type: none"> <li>a. <b>Literal enforcement of any provision of this title would cause an unreasonable hardship for applicant that is not necessary to carry out the general purpose of this tile;</b></li> <li>b. <b>There are special circumstances attached to the property that do not generally apply to other properties in the same zoning district;</b></li> <li>c. <b>Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zoning district;</b></li> <li>d. <b>The variance will not substantially affect the General Plan and will not be contrary to the public interest;</b></li> <li>e. <b>The spirit of the Zoning Ordinance is observed and substantial justice done.</b></li> </ol>
5.	The Board of Adjustment may not find unreasonable hardship unless it is located on or associated with the property and comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood. The Board of Adjustment may not find an unreasonable hardship exists if the hardship is self-imposed or economic
6.	The Board of Adjustment may find that special circumstances exist only if the special circumstances relate to the hardship complained of and deprives the property of privileges granted to other properties in the same zone
7.	The Board of adjustment may impose additional requirements that will mitigate any harmful affects of the variance. A variance more restrictive than what you have requested may be authorized when the record supports your right to some relief, but not to the extent requested.
8.	If you or any person is adversely affected by a final decision by the Board of Adjustment regarding a variance you may appeal that decision to the district court as provided in Utah Code Ann. 10-9a-801, as amended.
9.	Other approval or construction applications may apply. A Variance has no expiration date and runs with the land.

## CENTERVILLE CITY FEE SCHEDULE

<b>BOARD OF ADJUSTMENT</b>	<b>√ If Yes</b>	<b>FEE</b>	<b>DEPOSIT</b>
• APPEAL OF PLANNING & ZONING APPLICATION		½ ORIGINAL FEE	N/A
• VARIANCE		\$ 250.00	+ LEGAL & ENG
• ALL OTHERS		\$ 250.00	+ LEGAL & ENG
<b>CONDITIONAL USE PERMIT</b>	<b>√ If Yes</b>	<b>FEE</b>	<b>DEPOSIT</b>
• STANDARD OR TEMPORARY		\$ 300.00	N/A
• HOME OCCUPATION		\$ 150.00	N/A
<b>TEMPORARY USE PERMIT</b>	<b>√ If Yes</b>	<b>FEE</b>	<b>DEPOSIT</b>
• STANDARD		\$ 250.00	N/A
<b>GENERAL PLAN AMENDMENT</b>	<b>√ If Yes</b>	<b>FEE</b>	<b>DEPOSIT</b>
• LAND USE MAP		\$ 300.00	N/A
• TEXT CHANGE		N/A	\$ 250.00 <sup>1</sup>
<b>LOT SPLITS</b>	<b>√ If Yes</b>	<b>FEE</b>	<b>DEPOSIT</b>
• WITHOUT OFF-SITE IMPROVEMENTS		\$ 250.00	\$ 250.00 <sup>2</sup>
• WITH OFF-SITE IMPROVEMENTS		\$ 400.00	\$ 500.00 <sup>2</sup>
<b>PLAT AMENDMENT</b>	<b>√ If Yes</b>	<b>FEE</b>	<b>DEPOSIT</b>
• AMEND SUBDIVISION PLAT		\$ 300.00	\$ 500.00 <sup>2</sup>
<b>SITE PLAN - CONCEPTUAL</b>	<b>√ If Yes</b>	<b>FEE</b>	<b>DEPOSIT</b>
• WITHOUT OFF-SITE IMPROVEMENTS		\$ 250.00	\$ 250.00 <sup>2</sup>
• WITH OFF-SITE IMPROVEMENTS		\$ 250.00	\$ 500.00 <sup>2</sup>
<b>SITE PLAN – FINAL</b>	<b>√ If Yes</b>	<b>FEE</b>	<b>DEPOSIT</b>
• WITHOUT OFF-SITE IMPROVEMENTS		\$ 250.00	\$ 250.00 <sup>2</sup>
• WITH OFF-SITE IMPROVEMENTS		\$ 250.00	\$ 500.00 <sup>2</sup>
<b>SITE PLAN - AMENDED</b>	<b>√ If Yes</b>	<b>FEE</b>	<b>DEPOSIT</b>
• WITHOUT OFF-SITE IMPROVEMENTS		\$ 250.00	\$ 250.00 <sup>2</sup>
• WITH OFF-SITE IMPROVEMENTS		\$ 250.00	\$ 500.00 <sup>2</sup>
<b>SUBDIVISION DEVELOPMENT</b>	<b>√ If Yes</b>	<b>FEE</b>	<b>DEPOSIT</b>
• CONCEPTUAL PLAT		\$ 400.00	\$ 500.00 <sup>2</sup>
• HILLSIDE OVERLAY AREA		\$ 1,200.00	\$ 1,500.00 <sup>2</sup>
• PRELIMINARY PLAT		\$ 400.00	\$ 500.00 <sup>2</sup>
• FINAL PLAT		\$ 400.00	\$ 500.00 <sup>2</sup>
<b>ZONE MAP AMENDMENT (REZONE)</b>	<b>√ If Yes</b>	<b>FEE</b>	<b>DEPOSIT</b>
• AMEND ZONING ON PROPERTY		\$ 400.00	+ LEGAL & ENG
<b>AMENDING CITY ORDINANCE</b>	<b>√ If Yes</b>	<b>FEE</b>	<b>DEPOSIT</b>
• ZONE TEXT CHANGE		N/A	\$ 250.00 <sup>1</sup>
<b>LAND USE AUTHORITY</b>	<b>√ If Yes</b>	<b>FEE</b>	<b>DEPOSIT</b>
• Exchange of Title		\$ 125.00	\$ 250.00 <sup>2</sup>

<sup>1</sup> Plus any legal, engineering and/or staff costs associated with the project

<sup>2</sup> Plus any legal and/or engineering associated with the project

Deposits will be applied towards the cost of required engineering and/or legal services invoiced directly to the City. Developers will be refunded or billed any difference without markup. Final approval of those matters requiring a professional services deposit or payment of professional services will be conditioned upon the applicant making full payment for professional services costs incurred by the City to that date



# CENTERVILLE CITY

## BOARD OF ADJUSTMENT VARIANCE APPLICATION

655 North 1250 West • Centerville, Utah 84014  
Phone 801-292-8232 Fax 801-292-8251

**NAME OF PROJECT** \_\_\_\_\_

**PROJECT ADDRESS** \_\_\_\_\_

**ZONING** \_\_\_\_\_ **PARCEL #(S)** \_\_\_\_\_ **ACREAGE** \_\_\_\_\_

**PROPOSED USE OF PROPERTY** \_\_\_\_\_

**APPLICANT**

NAME \_\_\_\_\_ COMPANY NAME \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_ CITY / ST / ZIP \_\_\_\_\_

PHONE \_\_\_\_\_ FAX \_\_\_\_\_ EMAIL \_\_\_\_\_

**SIGNATURE OF APPLICANT** \_\_\_\_\_ **DATE** \_\_\_\_\_

**AGENT INFORMATION**

NAME \_\_\_\_\_ COMPANY NAME \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_ CITY / ST / ZIP \_\_\_\_\_

PHONE \_\_\_\_\_ FAX \_\_\_\_\_ EMAIL \_\_\_\_\_

**SIGNATURE OF AGENT** \_\_\_\_\_ **DATE** \_\_\_\_\_

**VARIANCE REQUEST**

***FEE AND DEPOSIT MUST ACCOMPANY THIS APPLICATION – SEE ATTACHED FEE SCHEDULE***

Date Rec'd		Rec'd / Initials		Assigned Project Name	
Fee/Deposit Attached	Y or N	Amount Fee Paid	<b>\$ 250.00</b>	Amount of Deposit Paid	<b>ACTUAL LEGAL AND ENG COSTS</b> Check #: