



Community Development
 110 South Main Street
 Springville, UT 84663

801.491.7861
 www.springville.org

**BOARD OF ADJUSTMENT
 VARIANCE REQUEST**

REVIEW FEE \$265

Cash or Check Only (GL# 405)

VARIANCES - A variance is a device that grants a property owner relief from certain provisions of the land use ordinances of Springville City Code found in both Title 11 the Development Code and Title 14 the Subdivision Regulations, when, because of the particular physical surroundings, shape, or topographical conditions of the property, compliance would result in a particular hardship upon the owner, as distinguished from an inconvenience or a desire to reduce financial difficulties.

APPLICANT INFORMATION (Please Print)			
Name:			
Street Address:			Phone:
City:	State:	Zip	Mobile:
Email:			
PROPERTY OWNER INFORMATION (If different from applicant above)			
Name:			
Street Address:			Phone:
City:	State:	Zip	Mobile:
Email:			
VARIANCE REQUEST			
Ordinance Section from which variance is requested:			
Please describe the Variance requested:			

The Board of Adjustment meets as needed at 110 South Main Street in the Council Chambers of the City Civic Center. The Board will meet every month if there is at least one item on the agenda on the 3rd Wednesday of the month. Your application will need to be submitted at least 14 days before the next Board of Adjustment meeting.

Members of the Board of Adjustment shall base any decision in a matter coming before the Board solely on those facts established in the record during the public hearing(s) held by the Board of Adjustment, and members shall refrain from communication of any sort with any interested party regarding a matter then pending before the Board.

I, _____ hereby certify that I have read and understand this application and that all representations made and material submitted with this application, including the fact of ownership of the subject property, are true and correct to the best of my knowledge, information and belief.

 Applicant Signature

 Date

The Board of Adjustment may only grant a variance if the following criteria can be met pursuant to Section 10-9a-702 of Utah Code Annotated 1953, as amended:

- a) Literal enforcement of the land use ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinance;

NOTE: In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship, the Board of Adjustment may not find an unreasonable hardship unless the alleged hardship:

- i. is located on or associated with the property for which the variance is sought; and
- ii. comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.

NOTE: In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship, the Board of Adjustment may not find an unreasonable hardship if the hardship is self-imposed or economic.

- b) There are special circumstances attached to the property that do not generally apply to other properties in the same district;

NOTE: In determining whether or not there are special circumstances attached to the property, the Board of Adjustment may find that special circumstances exist only if the special circumstances:

- i. relate to the hardship complained of; and
- ii. deprive the property of privileges granted to other properties in the same zone.

- c) Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zoning district;
- d) The variance will not substantially affect the general plan and will not be contrary to the public interest; and
- e) The spirit of the zoning ordinance is observed and substantial justice done.

- The applicant shall bear the burden of proving that all of the conditions justifying a variance have been met.
- Variances run with the land.
- The Board of Adjustment may not grant a use variance.
- In granting a variance, the Board of Adjustment may impose additional requirements on the applicant that will:
 - a) mitigate any harmful effects of the variance; or
 - b) serve the purpose of the standard or requirement that is waived or modified.
- If a variance is granted by the Board of Adjustment, alterations must begin six months from the date the variance is granted, otherwise, the variance shall be null and void. The Board of Adjustment may grant one six (6) month extension if the petitioner can show adequate cause that circumstances necessitate a time extension.

In addition to this application, please provide any applicable information as well as the following:

- A scaled plot plan (no larger than 11" x 17") indicating property lines, existing buildings, distances from buildings to property line, and proposed building or structure with distance to property lines and existing buildings.