

TOWN OF WILBUR
APPLICATION FOR VARIANCE

(For office use only)

Application No. _____
Date of Filing _____
Date of Hearing _____
Date _____
Fee Received _____
Council Action _____

Addition _____
Block/Lot _____
Area Map _____
Rec'd by _____
Findings of Fact _____
Zone _____

NOTE TO APPLICANT: Before preparing this application, read the information on Page 4 of this form.

Name of Applicant: _____

Mailing Address: _____

Phone number: Work _____ Home _____ Date of Filing _____

TO THE HEARING EXAMINER:

The undersigned applicant(s) is/are the legal owner of the property described as follows:

(Give legal description, including lots, block, tract, etc.)

The property for which this application is made is located at: (Give street address, if any, or location by reference to streets, alleys, property lines, etc.)

Above described property was acquired by applicant on the ____ day of _____, _____.
The present zoning of subject property is: _____

If not the owner, property interest of applicant _____ (renter, contract purchaser, etc.)
Name of Owner _____ Address of Owner _____

REQUEST: Applicant requests a variance on the above described property for the following reasons:
(State what is intended to be done on the property, why that action does not conform with existing zoning regulations, and what adjustment is sought.)

For the Town Council to grant a variance, the Public Hearings Officer must be shown by the applicant that all the following criteria are satisfied: 1). That special or unique circumstances are present on the property, 2). That the neighborhood character would not be altered and, further, that the use or development of the adjacent property would not be impaired, 3). That the granting of the variance would not be materially detrimental to the public welfare or injure property or improvements in the vicinity or zone in which the property is located, and 4). That the granting of the variance would not conflict with the Town of Wilbur Comprehensive Land Use Plan.

Supply the following information accurately and completely. **THE BURDEN OF PROOF SHALL BE THE SOLE RESPONSIBILITY OF THE APPLICANTS TO SHOW THE CRITERIA ARE SATISFIED.**

1. Describe the special circumstances applicable to the lot or tract (e.g. size, shape, topography, or location of the lot; surroundings; trees or vegetation; other physical conditions).

2. Explain why the variance would neither alter the character of the neighborhood nor impair the use or development of adjacent property.

3. Explain why the variance would not be detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated.

4. Explain why the variance would not conflict with the general purposes and objectives of the Town of Wilbur Comprehensive Land Use Plan.

Does the above requested meet the criteria as set forth in the Zoning Ordinance? _____ yes _____ no.

PLEASE READ

A variance is the means by which property owners are granted modifications from the strict application of zoning code provisions. In the Town of Wilbur, the Hearings Officer receives the application, holds the public hearing and makes a recommendation to the Town Council. The Town Council then reviews the recommendation of the Hearings Officer and makes the decision as to approval or denial of the request.

The public hearing will be held within 20 days of receipt of the completed application. The Hearings Officer will make his/her recommendation to the Council within 10 days and the Council will then have 30 days in which to reach a decision.

REQUIREMENTS FOR FILING AN APPLICATION FOR A VARIANCE

- | | | |
|---------------------|----------|------------------------------------|
| 1. Filing Fee | \$150.00 | 4. Plot Plans |
| 2. Application Form | | 5. Photographs, and other exhibits |
| 3. Map | | 6. SEPA Checklist (if required) |

1. The Town of Wilbur requires the applicant to pay a \$150.00 non-refundable fee for the first hearing when the variance application is filed. A \$75.00 fee is required for each additional hearing. Additional hearing fees shall be paid prior to hearing date.

2. In preparing your application, all questions must be answered accurately and neatly. This is an official document and must be kept in good order. The application must be filled out completely and signed by the owner(s) of property before a Notary Public. The property owners may be obtained from the Lincoln County Assessor's office in Davenport. Signatures of contiguous property owners within one hundred feet from the boundary of the property will be sent notice of the public hearing.

3. A map of the area showing each lot within 300 feet of the exterior boundaries of the subject property and the zoning application of the area must accompany the application.

4. Two (2) PLOT PLANS showing the exact dimensions of the property to an appropriate engineer's scale (1" = 50', etc.), all existing and proposed buildings or improvements and their setbacks, tree and ground cover, adjoining streets, watercourses, roads and highways, access points, fencing, ingress, egress, and any other information that will illustrate your proposal must be included with the application. If new building construction is involved, a floor plan showing conditions and proposed changes must be submitted. Plot plans should be done in ink on un-ruled paper. Five (5) foot contours and a profile (cross-section) must be shown on each plot plan when an alleged topographical hardship exists.

5. Photographs of the subject property on a scale large enough to illustrate the variance request are helpful to the Hearings Officer and may be submitted with this application.

6. A SEPA checklist may be required by the Hearings Officer.

7. Upon approval of variance, applicant is required to pay Lincoln County document recording fees.

When the above requirements are met, file the application, map, plot plans and filing fee with the Clerk's Office. The application must be complete in every respect (all questions answered) before it can be certified as received.

Please use this page for any extra information.

