



Case Number: _____

WARREN COUNTY
ZONING BOARD OF ADJUSTMENT
VARIANCE APPLICATION

To the Warren County Planning Board of Adjustment

I, _____, hereby petition the Warren County Planning Board of Adjustment for a Variance from the literal provisions of the Warren County Zoning Ordinance because, under the interpretation given to me by the Planner, I am prohibited from using the parcel of land described in the attached form in a manner shown by the plot plan attached to that form. I request a variance from the following provisions of the Ordinance:

So that the above mentioned property can be used in a manner indicated by the plat plan attached to this form, or if the plot plat does not adequately reveal the nature of the Variance, as more fully described herein:

FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE:

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the state enabling act, the Board is required to reach three conclusions as a prerequisite to the issuance of a variance: (1) that there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance, (2) that the variance is in harmony with general purposes and intent of the ordinance and preserves its spirit, and (3) that in the granting of the variance the public safety and welfare have been issued and substantial justice has been done. In the spaces provided below, indicate the "facts" that you intend to show and the "arguments" that you intend to make to convince the Board that it can properly reach these required conclusions.

There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance. The ordinance has set the following general requirements, each of which must be determined in applicant favor to ascertain that in a particular situation “practical difficulties or unnecessary hardships” exist. State facts and arguments in support of each of the following:

- (1) If he/she complies with the provisions of the ordinance, the property owner will endure unnecessary hardship relative to reasonable designated use, which he proposes to make to his property.

- (2) The hardship of which the applicant complains results from the unique circumstances related to the application of the ordinance to applicant’s property and such hardship is peculiar to such property and is sufficient directly by such property. Note: Hardships suffered by the applicant in common with his neighbors does not justify a variance; neither does general need such as a lack of desirable developments or arrangements in the surrounding area. In addition, unique personal or family hardships are irrelevant since a variance, if granted, runs with the land.

- (3) The hardship is not the result of the applicant’s own actions.

- (a) The variance is in harmony with the general purpose and intent of the ordinance. (State facts and arguments to show that the variance requested represents the least possible deviation from the letter of the ordinance that will allow a reasonable use of the land and that the use of the property, if the variance is granted, will not substantially detract from the character of the neighborhood).

(b) The granting of the variance secures the public safety and welfare and does substantial justice to both the property owner and owners of adjacent properties. (State facts and arguments to show that, on balance if the variance is denied, the benefit to the public will be substantially outweighed by the harm suffered by the applicant.

I certify that all of the above information presented by me in this application is accurate to the best of my knowledge, information and belief.

Applicant's Name: _____ (please print)

Applicant's Signature: _____

Mailing Address: _____

Telephone #: _____

Site Plan Submitted with application Yes No

Tax Map Number: _____

Scale of site plan 1" = _____ feet

Date of site plan submittal: _____