



For City Use Only	
Date Received	
Application Fee \$220	
Receipt Number	

## APPLICATION FOR ZONING VARIANCE

(Please type or print plainly with blue ink.)

### GENERAL INFORMATION

**1. Applicant**

Name: \_\_\_\_\_ Telephone: (\_\_\_\_) \_\_\_\_\_

(home address)

Relationship to affected property (please check one):

Owner \_\_\_\_\_ Purchaser \_\_\_\_\_ Lessee \_\_\_\_\_ Other (explain below) \_\_\_\_\_

**2. Owner of Affected Property** (if other than applicant)

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

(home address)

**3. Location of Affected Property:** \_\_\_\_\_

Legal Description: \_\_\_\_\_ (subdivision) \_\_\_\_\_ (block) \_\_\_\_\_ (lot)

*If described by Metes and Bounds, please attach copy of deed.*

### INFORMATION ON REQUESTED VARIANCE

**4. Proposal:** The applicant proposes the following construction and/or use for the above-described property:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Existing and proposed site conditions shall be shown on an attached site plan drawn to a standard engineer's or architect's scale. The site plan shall show, label and dimension all property lines and easements, existing and proposed buildings, parking lot and driveway(s), and fencing. The site plan should also show topography and landscaping if pertinent to the Variance.*

5. **Reason(s) for Variance Request:** The proposed construction and/or use described in Question 4 above would be in violation of Section \_\_\_\_\_ of the Moscow Zoning Ordinance which requires that:

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6. *In order for the Board of Adjustment to issue a Variance, the Board must make findings of compliance with the following five relevant criteria and standards. Please indicate in the spaces provided below what you believe to be justification showing compliance with each of the relevant criteria and standards.*

**Criteria #1.** SPECIAL CONDITIONS AND/OR CIRCUMSTANCES EXIST WHICH ARE PECULIAR TO THE PROPERTY (SUCH AS SIZE, SHAPE, TOPOGRAPHY OR LOCATION) WHICH ARE NOT APPLICABLE TO OTHER PROPERTY SIMILARLY SITUATED IN THE SAME ZONING DISTRICT.

Justification and compliance with criteria #1:

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**Criteria #2.** BECAUSE OF THE AFOREMENTIONED SPECIAL CONDITIONS OF THE PROPERTY, APPLICATION OF THE PROVISIONS OF THIS ZONING CODE WOULD IMPOSE UNDUE HARDSHIP AND WOULD DEPRIVE THE PROPERTY OWNER OF RIGHTS COMMONLY ENJOYED BY OWNERS OF OTHER PROPERTY SIMILARLY SITUATED IN THE SAME ZONING DISTRICT.

Justification for and compliance with criteria #2:

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**Criteria #3.** THE SPECIAL CONDITIONS AND/OR CIRCUMSTANCES LISTED IN CRITERIA #1 ABOVE ARE NOT THE RESULT OF ACTIONS OF THE APPLICANT OR THE PROPERTY OWNER.

Justification for and compliance with criteria #3:

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**Criteria #4.** THAT GRANTING OF THE VARIANCE WILL NOT CONFER A SPECIAL PRIVILEGE TO THE SUBJECT PROPERTY THAT IS DENIED OTHER SIMILARLY SITUATED PROPERTY IN THE SAME ZONING DISTRICT.

Justification for and compliance with criteria #4:

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**Criteria #5.** THAT GRANTING OF THE VARIANCE WILL NOT BE IN CONFLICT WITH THE PUBLIC INTEREST OR INJURIOUS TO PROPERTY OR PERSONS IN THE VICINITY OF THE SUBJECT PROPERTY.

Justification for and compliance with criteria #5:

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Conditions of Approval: In granting any Variance, the Board of Adjustment may prescribe appropriate conditions and safeguards that enable the Board or the Commission to approve the Variance application and ensure the Variance is consistent with the purposes and intents of the Zoning Code.

Compliance:

1. In the event of failure to comply with the plans approved by the Board of Adjustment, or with any conditions of a Variance approval, the permit shall be immediately revoked and shall be automatically null and void.
2. Where plans are submitted and approved as part of the application for a Variance, modifications of the original plans may be required by the Board as a condition of approval.
3. Where plans approved by the Board of Adjustment are modified following such approval, such plan modifications must be submitted to and determined by City staff to be in substantial conformance with the plans approved by the Board. If plan modifications are not in substantial conformance, the plan modifications must be resubmitted to the Board for an additional public hearing as an amendment to the Variance application.

Revocations: If a building permit or occupancy permit pertaining to the Variance is not obtained for the subject property within one (1) year from the date of the Board of Adjustment's final decision, such Variance shall be immediately revoked and shall be automatically null and void.

Application Submittal: This application must be completed and submitted with the below described items to the Moscow Community Development Director at least sixteen (16) days prior to the hearing at which the application is to be considered by the Board of Adjustment, or the application will not be processed. Applicant will be notified by the City Planner as to the time and place of the hearing pertaining to this application.

The following items must be submitted with this application:

1. \$220.00 Application Fee
2. Legal description (deed) of subject property, if it is not subdivision, block and lot.
3. Site Plan (drawn to scale)
4. Floor Plan(s) (drawn to scale), if applicable
5. Elevation Drawing(s) (drawn to scale), if applicable

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Property Owner Signature