



APPLICATION for a **VARIANCE REQUEST** within COALVILLE CITY:

For Office Use Only:	
Application Date: _____	
PC Approval Date: _____	CC Approval Date: _____
Community Development Director Review Date: _____	Initial: _____
Expiration Date: _____	Denial Date: _____
Fee Paid: \$ _____	Receipt #: _____

Project Name: _____

Project Address or Area: _____

Name of Owner: _____
Address of Owner: _____
Phone: _____ Cell: _____
Email: _____ Fax: _____

Check box if same as owner

Name of Applicant: _____

Address of Applicant: _____

Phone: _____ **Cell:** _____

Email: _____ **Fax:** _____

PROCESS: The applicant submits an application, with all the required information and fees, to Coalville City. The City Staff will prepare a staff report evaluating the variance. The Appeal Authority (previously known as the Board of Adjustments) will hold a public hearing. At the close of the public hearing, the Appeal Authority shall render its decision, granting approval, granting approval with conditions, or denying the variance.

Please include with the application:

1. A site plan in electronic format showing the following: (No hand drawn site plans will be accepted unless the site plan is for an accessory building or the Community Development Director has given permission for submission.)
 - a. Applicant's name;
 - b. Site address;
 - c. Property boundaries and dimensions;
 - d. Layout of existing and proposed buildings, parking, landscaping, and utilities; and
 - e. Adjoining property lines and uses within one hundred (100) feet of the subject property.
2. An elevation plan drawn to scale showing all elevations of existing and proposed structures.
3. When the variance involves building height, a streetscape plan showing the height of all buildings within one hundred fifty (150) feet of the subject property.
4. When a variance involves grade changes a topographical drawing prepared by a licensed surveyor, showing existing topography in dashed lines at two-foot intervals and showing the proposed grade in solid lines at two-foot intervals.
5. When a variance involves retaining walls, a plan showing all retaining walls, including their height relative to proposed grades. Any retaining wall over four (4) feet in height must be stamped by a licensed engineer.
6. Any other information identified to be pertinent to the requested variance.

Fee: Filing fee of \$200 + Notification and Publication Costs is required at the time of application.

Notice: Additional information may be required by the project planner to ensure adequate information is provided for staff analysis. All information submitted as part of the application may be copied and made public including professional architectural or engineering drawings which will be made available to decision makers, public and any interested party.

If you have any questions regarding the requirements of this application, please contact the Community Development Director prior to submitting the petition.

File the complete application at:

Coalville City Hall
10 North Main Street
Coalville, Utah 84017

Signature of Property Owner or Representative: _____ Date: _____

Please provide the following information. Attach additional sheets if necessary.

Describe your proposed construction and specifically how it would not meet the zoning ordinance.

What is the specific feature or features of the proposed use, construction or development that require a variance?

What is the specific Title of the Coalville City Zoning Ordinance from which a variance is sought, and the precise variance being sought?

What are the characteristics of the subject property, which do not generally apply to other properties in the same zoning district, which prevent compliance with the provisions of the above stated Title and result in unnecessary hardship? For example, size, grade of lot, etc.

What is the minimum variation needed to permit the proposed use, construction or development?

Would the variance uphold the general zoning plan and not negatively affect the public interest?

No Yes

Please explain your reasoning.

Variance Request Information:

WHAT IS A VARIANCE REQUEST

The Coalville City Zoning Ordinance defines a variance as a reasonable deviation from provisions of the ordinance regulating the size, area, bulk or location of a building or structure on a lot. Variances are intended to provide relief to property owners in cases where the ordinance imposes undue hardship or practical difficulties to the property owner in the use of land. The hardships must not have been created by the actions or omissions of the landowner, or a previous landowner.

STANDARDS FOR A VARIANCE

1. The Appeal Authority may grant a variance only if:
 - a. Literal enforcement of this Title would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of this Title;
 - b. There are special circumstances attached to the property that do not generally apply to other properties in the same zoning district;
 - 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 this Title is observed and substantial justice done.
2. The Appeal Authority may find an unreasonable hardship exists only if the alleged hardship is located on or associated with the property for which the variance is sought and comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood. The Appeal Authority may not find an unreasonable hardship exists if the hardship is self-imposed or economic.
3. The Appeal Authority may find that special circumstances exist only if the special circumstances relate to the hardship complained of and deprive the property of privileges granted to other properties in the same zoning district.
4. An applicant shall bear the burden of proving that all of the conditions justifying a variance have been met.
5. Variances run with the land.
6. A use variance may not be granted.
7. In granting a variance, the Appeal Authority may impose additional requirements on an applicant that will mitigate any harmful affects of the variance, or serve the purpose of the standard or requirement that is waived or modified.
8. A variance more restrictive than that requested may be authorized when the record supports the applicant's right to some relief but not to the extent requested.