

## SUBMITTAL REQUIREMENTS FOR VARIANCE

- \_\_\_\_\_ 1. **Both application forms** must be filled out completely, including all contact information for all parties listed. The **property owner must sign** the application, or the written and **signed certification** of the owner permitting a representative to sign on the owner's behalf must be on or with the application **and be notarized**.
  
- \_\_\_\_\_ 2. A **written description** of the proposal along with a justification letter explaining how the project is supported by Section 8.080 and Section 8.080.C Standards for Variances.
  
- \_\_\_\_\_ 3. **Fee** of \$100.00.
  
- \_\_\_\_\_ 4. **10 copies of the Plan showing:**
  - a. Title block containing name of project, name of owner(s), address of site, and summary of variance request
  - b. Zone of lot
  - c. Acreage of site
  - d. North Arrow
  - e. Scale bar with scale labeled (must be engineering scale)
  - f. Lot with dimensions (and bearings, if known)
  - g. Footprint of all structures including sheds and garages, with dimensions.
  - h. Distance from all structures (existing and proposed) to nearest property lines.
  - i. Label fences, if any.
  - j. Label neighboring properties within 200' of lot with owner names, addresses, zones.
  - k. Area of Variance request highlighted.
  
- \_\_\_\_\_ 5. A **Compact Disc (CD)** with a digital version of the site plan, or **email** plan to City Planner before deadline.
  
- \_\_\_\_\_ 4. **Meet the deadline** by submitting at the office of the City Planner by 2:00 pm on Monday, four weeks prior to the planning commission meeting. The **Submittal Log Book** must be filled in by the applicant/representative/runner in order for a submittal to be considered as meeting the deadline.
  
- \_\_\_\_\_ 5. The above application must be **supported by any other information** or data as might be deemed necessary by the La Vergne Board of Zoning Appeals.
  
- \_\_\_\_\_ 6. **Any submittal without all of the above information will not be accepted by the City of La Vergne for processing.**

X.

Date:

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Signature of City Planner verifying that all submittal requirements have been met

#### 8.080. Variances.

The purpose of this variance is to modify the strict application of the specific requirements of this ordinance in the case of exceptionally irregular, narrow, shallow, or steep lots, or other exceptional physical conditions, whereby such strict application would result in practical difficulty or unnecessary hardship which would deprive an owner of the reasonable use of his land. The variance shall be used only where it is necessary to overcome some obstacle which is preventing an owner from using his property under this ordinance.

#### 8.080C. Standards for Variances

In granting a variance, the Board shall ascertain that the following criteria are met:

1. Variances shall be granted only where special circumstances or conditions, fully described in the finding of the Board, do not apply generally in the district.
2. Variances shall not be granted to allow a use otherwise excluded from the particular district in which requested.
3. For reasons fully set forth in the findings of the Board, the aforesaid circumstances or conditions are such that the strict application of the provisions of this ordinance would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variance. There must be a deprivation of beneficial use of land.
4. The granting of any variance shall be in harmony with the general purpose and intent of this ordinance and shall not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the comprehensive plan for development.
5. In reviewing an application for a variance, the burden of showing that the variance should be granted shall be upon the persons applying therefore.
6. Variances must return to the planning commission for site approval and be accompanied by a written explanation from the Board of Zoning Appeals stating the reason the variances was granted or was not granted.