



THE CITY OF WAYNESVILLE

Public Works/Building Department

100 Tremont Center
Waynesville, MO. 65583
Phone: (573) 774-6171

VARIANCE APPLICATION		
APPLICANT INFORMATION		
Applicant Name:	Date:	Appeal No:
Applicant's Address:	Phone:	
VARIANCE INFORMATION		
Location of Property (if different from above):		
Parcel ID No:	Zoned:	
Name:	Organization & Title	
APPLICANT STATEMENT		
<p>I, _____, hereby petition the Board of adjustment for a VARIANCE from the literal provisions of the City of Waynesville Zoning Ordinance because it prohibits the use of the parcel of land described above shown by the attached plot plan. I request a variance from the following provisions of the ordinance:</p>		
<p>So that the property can be used in a manner indicated by the attached plot plan or, if the plot plan does not adequately reveal the nature of the variance, as more fully described herein:</p>		
<p><i>The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under State enabling statutes, the Board is required to agree with three (3) relevant factors before it may issue a variance. Those factors are:</i></p> <ol style="list-style-type: none"><i>1. the applicant would suffer "unnecessary hardships" in carrying out the strict letter of the regulation.</i><i>2. the variance would be in harmony with the intent of the regulation and preserve its spirit; and</i><i>3. by granting the variance, the essential character of the neighborhood will not be altered, the public safety and welfare will be assured and a grant of the variance will result in substantial justice for parties.</i>		
4. APPLICANT RESPONSE TO RELEVANT FACTORS		
<p>A. <i>There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the Regulation.</i> The courts have developed three (3) rules to determine whether "Practical Difficulties" or "Unnecessary Hardships" exist in a particular situation. State facts and arguments in support of each of the following:</p> <ol style="list-style-type: none">1. If the owner of the property complies with the provisions of the regulation, he/she can secure no reasonable return from or make no reasonable use of his property. Note: It is not sufficient that failure to grant the variance simply makes the property less valuable. <p>Applicant's Response:</p>		

Applicant Response Continued. Pg 2

2. The hardship of which the applicant complains results from unique circumstances related to the applicant's land.

Note: Hardship suffered by the applicant in common with his neighbors do not justify a variance. Also, unique personal or family hardships are irrelevant since a variance, if granted, runs with the land. Hardship in this sense means only a physical problem with the land, i.e., a ditch which runs through the property.

Applicant's Response:

3. The hardship is not the result of the applicant's own actions or was inherited with the applicant's prior knowledge.

Applicant's Response:

In the space 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 three (3) conclusions:

1. *The variance is in harmony with the general purpose and intent of the regulation and preserves its spirit.*

State facts and arguments to show that the variance requested represents the least possible deviation from the letter of the regulation that will allow a reasonable use of the land and that the use of Property, if the variance is granted, will not substantially detract from the character of the neighborhood.

Applicant's Response:

2. *The granting of the variance secures the public safety and welfare and does substantial justice.*

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.

Applicant's Response:

NOTE: The applicant and/or their agents or parties of interest are prohibited from any contact in relation to this matter with any member of the Board of Adjustment members or Planning & Zoning Commission members prior to the Public Hearing.

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

Respectfully submitted this _____ day of _____, 20_____.

Printed Name of Applicant

Signature of Applicant

Date

5. ADJACENT PROPERTY OWNERS

In order to process your application, owners within 185 feet of your property must be given notice of your intent to seek a variance. (RsMO 89.060) **Note: Where the property is bound by a street, alley, stream or similar boundary, the land owner across such a boundary shall also be considered an adjoining land owner. Adjacent Property Owners can be found a <https://pulaskigis.integritygis.com> or by contacting the County Assessor's Office at (573) 774-4717.**

Be sure to list each owner's name, the parcel ID of the property and the owner's entire address. If no address is available, please make a note to that effect.

~ ACCURACY IS VERY IMPORTANT. IF SOMEONE WITHIN 185 FEET OF THE PROPERTY IN WHICH YOU ARE SEEKING A VARIANCE IS NOT NOTIFIED OF YOUR INTENT, THE REQUEST MAY BE VOIDED EVEN IF THE BOARD VOTES IN YOUR FAVOR. ~

The City of Waynesville is not responsible for inaccurate or incomplete adjacent property owner lists.

[illegible]

FOR OFFICE USE ONLY

Please check one (1) of the following: ☐ New/Initial Application ☐ Request for Appeal on Variance

Received By

Date _____

Date of Appeal (if applicable) _____