

2008-04-17

City of Tontitown, Arkansas
Variance /Appeal from Staff Interpretation
Application & Checklist

Available on-line at: <http://tontitown.com/pdfs/varianceper.pdf>

Please fill out this form completely, supplying all necessary information and documentation to support your request.
Your application will not be placed on the Board of Adjustment agenda until this information is furnished.

FOR STAFF USE ONLY	<i>Fee: Refer to http://tontitown.com/pdfs/planfees.pdf</i>
Date Application Submitted: _____	
Forward Date to NWRPC: _____	
Date Accepted as Complete: _____	

Request: *Select one.*

- Appeal from an administrative decision of the zoning administrator (interpretation of zoning regulations.)
- Request for a variance from certain zoning requirements. Section _____ (Please list section)

Representative:

Name: _____ Day Phone: _____
Business Name: _____ Fax #: _____
Address: _____ E-mail: _____

Property Owner:

Name: _____ Day Phone: _____
Business Name: _____ Fax #: _____
Address: _____ E-mail: _____

Property Description:

Site Address and Parcel Number: _____

Zoning Designation: _____

Date which structure was built (if applicable): _____ Acreage: _____

Building Size in square feet: Existing _____ Proposed: _____

Applicant/Representative: I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

√ _____ Date: _____

Property Owner/Authorized Agent: I certify under penalty of perjury that I am the owner of the property that is subject of this application and that I have read this application and consent to its filing. (If signed by the authorized agent, a letter from the property owner must be provided indicating that the agent is authorized to act on his/her behalf.)

√ _____ Date: _____

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Checklist:

- 1. Completed application form.
- 2. Payment of the application fee: Refer to <http://tontitown.com/pdfs/planfees.pdf>
- 3. Submit 5 copies of the site plan drawn to scale showing all existing and proposed structures dimensioned from the structure to the property line, as well as a digital copy in PDF format. Existing setbacks and required setbacks must also be shown on the site plan. The site plan should be on 8 1/2 X 11 or 11 x 17 sized paper.
- 4. A copy of the deed or survey of the property.
- 5. Written explanation of the appeal **on separate sheet** demonstrating each of the following 3 criteria:
 - A. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands structures, or buildings in the same district.
 - B. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.
 - C. That the special conditions and circumstances do not result from the actions of the applicant.

Note: No non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted or non-conforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

Please note: Depending on the nature of the variance request, additional information may include, but is not limited to: photographs or an architect's drawing renderings or a proposed building plan as deemed necessary by the Planning Department staff and / or the Board of Adjustment.

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