



City of Pleasant Hill, Missouri Board of Zoning Adjustment Process

Application

- A variance is defined as a modification of or departure from the provisions of the Unified Development Code (UDC) which, if applied to a specific parcel, would significantly interfere with the use of the particular property.
- An application for a variance must be completed and submitted to the Community Development Department, with the \$250 filing fee, payable to the City of Pleasant Hill.
- The application must include the exact legal description of the property upon which the variance is being requested.
- The application shall be accompanied by at least one set of drawings to clearly indicate the requested variance in relation to the property and/or structures. These could include a plot plan, plat, site plan, survey, and/or building elevation(s). Pictures can be submitted with the application and drawings but cannot replace the drawings. The drawings must be of such detail that it can be clearly read and easily reproduced. If the drawings are larger than 11" by 17", a smaller copy of the drawings shall also be provided.
- Failure to complete all portions of the application may result in an incomplete application.

Public Hearing Process

- State statutes require legal notice of the time and place to be published 15 days prior to the hearing in an official paper.
- Posted sign. The Community Development Department will post a sign on the premises as outlined in Section 24003.5 of the UDC, informing the general public of the time and place of the public hearing.
- Variance applications require a public hearing, allowing the applicant and any other party to present testimony or evidence to the Board. The applicant or his/her representative will be asked to present its case to the Board, FULLY describing the situation and the variance criteria (see Statement of Variance Criteria).
- Any evidence presented to the Board will become public record and must be provided in duplicate to the City or tagged as an exhibit at the hearing.

Board's Authority

- The Board of Zoning Adjustment may grant a variance, only if application of the UDC when applied to a particular property, would significantly interfere with the use of the property or result in practical difficulties for a non-use variance.

Continued on next page



City of Pleasant Hill, Missouri Board of Zoning Adjustment Process

- The Board's authority is limited by the statutes of the State of Missouri and the UDC. The Board may only grant a variance if, in its discretion, each of the variance criteria is met. It is the applicant's responsibility to demonstrate to the Board that each of the criteria have been met. The Board may evaluate the evidence in the record before it, and exercise its discretion on whether each of these criteria have been met on a case by case basis.

The person completing the application must sign below.

SIGNATURE

PRINT NAME HERE

DATE



City of Pleasant Hill, Missouri Non-Use Variance Application Form

Application No. _____ (filled by staff)

APPLICATION IS HEREBY MADE TO THE BOARD OF ADJUSTMENTS OF THE CITY OF PLEASANT HILL, MISSOURI, REQUESTING A VARIANCE TO THE UNIFIED DEVELOPMENT CODE, AS SET FORTH BELOW,

VARIANCE REQUEST (Give description of variance(s) requested and cite the section(s) of the UDC from which variance(s) is/are requested).

PROPERTY ADDRESS

LEGAL DESCRIPTION

APPLICANT _____ PHONE _____
CONTACT PERSON _____ FAX _____
ADDRESS _____ CITY/STATE/ZIP _____
E-MAIL _____

PROPERTY OWNER (if different) _____ PHONE _____
CONTACT PERSON _____ FAX _____
ADDRESS _____ CITY/STATE/ZIP _____
E-MAIL _____



City of Pleasant Hill, Missouri Non-Use Variance Application Form

THIS APPLICATION MUST BE ACCOMPANIED BY:

- Acknowledgement of the Board of Adjustment Process (from this packet).
- One set of drawings to clearly indicate the requested variance in relation to the property and/or structures. These could include plot plan, plat, site plan, survey, and/or building elevation(s). (Note: These drawings must be able to be clearly read as well as easily reproduced. If the drawings are larger than 11" by 17", a smaller copy of the drawings shall also be provided).
- Statement of Non-use Variance Criteria.
- Payment of the filing fee (\$250), payable to the City of Pleasant Hill.

The application must be signed by the legal property owner AND the applicant, if other than the owner. The property owner may grant permission for the filing of the application by means of a signed and notarized affidavit to that effect.

PROPERTY OWNER SIGNATURE

PRINT NAME HERE

DATE

APPLICANT SIGNATURE

PRINT NAME HERE

DATE

FOR OFFICE STAFF:

Receipt # _____

Date Filed _____

Processed By _____

Application # _____



City of Pleasant Hill, Missouri Statement of Variance Criteria (Non-Use)

In accordance with Section 24003.23.i of the Pleasant Hill Unified Development Code, the applicant must meet each of the following requirements to support the granting of the requested variance. Failure to complete each may result in an incomplete application. Explain in detail how this application meets each of the following requirements.

1. The granting of the variance will not adversely affect the rights of adjacent property owners or residents.

2. The granting of the variance will not be opposed to the general spirit and intent of the ordinance from which the variance is sought.

3. The variance requested will not adversely affect the public health, safety, morals, or general welfare of the community.

4. The variance requested arises from a condition which is unique and peculiar to the property in question and which is not ordinarily found in the same zone or district, and further, is not created by an action or actions of the property owner or applicant.



City of Pleasant Hill, Missouri Statement of Variance Criteria (Non-Use)

5. Substantial justice will be done by the granting of this variance.

Further, in accordance with Section 24006.23.i.2(a)(2) of the Pleasant Hill UDC, the applicant must meet each of the following requirements to support the granting of the requested non-use variance. Explain in detail how this application meets each of the following requirements.

Practical difficulties exist that would make it impossible to carry out the strict letter of this code. In making such a finding, the Board of Zoning Adjustment shall consider:

1. How substantial is the requested variation, in relation to the requirement of the specified code?

2. The effect on increased population density, if any, on available public facilities and services, if the variance is allowed.

3. Whether a substantial change will be produced in the character of the neighborhood or a substantial detriment to adjoining properties is created if the variance is allowed.



City of Pleasant Hill, Missouri Statement of Variance Criteria (Non-Use)

4. Whether it is feasible for the applicant to pursue a method, other than a variance, to obviate the practical difficulty.

5. Whether the interests of justice will be served by allowing the variance, in view of the manner in which the difficulty arose in consideration of all of the above factors.

6. Conditions of the land in question and not conditions personal to the landowner (The Board will not consider evidence of the applicant's or landowner's personal financial hardship unrelated to any economic impact on the land).

I hereby certify that all of the foregoing statements contained in any papers and/or plans submitted with this application are true to the best of my knowledge and belief.

This sheet must be signed by the person completing this sheet.

SIGNATURE

PRINT NAME HERE

DATE