

Variance Guide and Application

APPLICATION CHECKLIST:

1. Completed application form
2. Only the owners of the property in question may request the variance. If someone, other than owner, will be handling the variance application we will also need a letter, from the owner of said property, giving them authority to do so.
3. A map of the subject property.
 - The map should show dimensioned property lines, the location of buildings, neighboring land uses, and adjacent property owners.
 - The map should show proposed improvements to the property and showing the variance request.
4. Application Filing Fee - \$200.00 (this fee is to cover publication costs)
5. A legible typed legal description of property to be considered for variance.

PROCEDURE:

1. The application should be filed at City Hall. A completed application must be provided for the variance to be considered. See the application checklist above for a list of needed items to complete an application. No application will be accepted without payment-in-full of the variance application fee.
2. City Staff will review the application and set a date for the public hearing. The public hearing is conducted to allow neighboring property owners to comment on the proposed variance.
3. Notice of the public hearing must be posted in the newspaper at least one time not less than 7 days in advance of the public hearing.
4. Within 30 days of the public hearing the Board of Adjustments (typically immediately following the public hearing) will make a finding to approve or deny the variance application. The finding will be based upon the following facts of the case. To approve the application the board must find the following:
 - Because of the particular physical surroundings, the strict letter of this Zoning Code would result in an undue hardship to the owner, as distinguished from a mere inconvenience.
 - The conditions causing the need for the variance are unique to the property
 - The alleged difficulty is caused by this Code and has not been created by any persons Presently having an interest in the property or by any predecessor in the title
 - The granting of the variance will not harm the public welfare, other property or improvements in the neighborhood in which the property is located.
 - The proposed variance will not impair an adequate supply of light and air to the adjacent property, increase congestion on public streets, or endanger public safety in any way.
 - The proposed variance complies with the intent of restrictions imposed by this code.
5. If denied by the Board of Adjustments, no application for a variance shall be resubmitted within a period of one (1) year from the date of said denial.
6. A variance granted shall lapse and become void after 6 months if no building or construction has begun on the property in question. If building or construction has begun, the variance shall lapse and become void if a building permit tied to the variance is not issued within 6 months or completed within 2 years.

Variance Application

Property Owner:

Name Signature

Spouse:

Name Signature

Property Address: _____

Reason for Variance: _____

Legal Description: _____

Zoning: _____

Are there deed restrictions? [] yes [] no

If yes please explain: _____

The undersigned property owner designates the following agent or attorney to represent the applicant at all hearings:

Name Address City State Phone Number

Property Owner's Signature Spouse's Signature

Property Owner's Mailing Address City State Phone Number

Request for Rezoning/Special Permit
City of Clarksville
Planning & Zoning Commission
Clarksville, AR 72830
Filing Date: _____

Subject: _____ Rezone from _____ zone, to _____ zone
_____ Special Permit in _____ zone, for _____ (use)

Legal Description: (Attach if space is inadequate): _____

Property Location: (Physical Address – Common Description)

Title to this property is vested in _____
(Property Owners Signature)

Property owners address: _____

There are _____, / There are not _____ deed restrictions pertaining to use of this property. Any restrictions are described as follows: _____

Required Attachments:

- A current survey of the subject property shall be attached herewith showing the exact dimensions of each property line and any adjoining right-of-ways,
- a map or diagram showing proposed improvements to the property
- A plat of subject property when property is part of a platted subdivision
- An explanation of the proposed use and the current uses of surrounding properties.

It is understood that a Notice of Public Hearing before the Planning Commission will be published at least 15 days prior to the date of the public hearing, on which is set forth the date and place of the hearing and the existing and proposed change in zoning classification.

Posting of Sign: The City Building Official or his representative will post a sign on the property conspicuous to the public 15 days prior to the date of the public hearing, on which is set forth the date and place of the hearing, and the existing and proposed change in zoning classification or type of special permit requested.

If change is disapproved the Petitioner may appeal such disapproval, provided that he/she states specifically in writing to the City Clerk why he considers Planning Commission's findings to be in error. Such appeal shall be filed with the City Clerk within fifteen days of receipt of notice of Planning Commission's action.

Under penalties of perjury, I declare that I have examined this petition, including accompanying materials and statements, and to the best of my knowledge and belief it is true, correct, and complete.

It is recommended that the petitioner or a legal representative of the petitioner be present at the Commission Meeting.

Filing Fee \$200
Date Received: _____

Signed by Petitioner(s): _____

Phone No.: _____
