



**CITY OF NEWBERRY
VARIANCE PETITION**

Name of Applicant(s): _____

Address: _____

City, State, Zip Code: _____

Telephone: _____

Title Holder's Representative (Agent), if applicable: _____

Address: _____

City, State, Zip Code: _____

Telephone: _____

A Variance is requested in conformity with the Land Development Regulations to permit a variance of _____ on the property described below, and in conformity with the site plan dated _____.

LOCATION AND USE

Legal Description:

Total acreage of land to be considered under this petition: _____

Future Land Use Plan Map Category: _____

Zoning District : _____

VARIANCE
PETITION

A previous petition for a variance:

_____ was made with respect to these premises, Petition No.

_____ was not made with respect to these premises.

I hereby certify that all of the above statements and the statements contained in any documents or plans submitted herewith are true and correct to the best of my knowledge and belief.

If title holder(s) are represented by an agent, a letter of such designation from the title holder(s) addressed to the Land Development Regulation Administrator must be attached.

Applicant/Agent Name (Type or Print Name)

Applicant/Agent Signature

Date

FOR OFFICE USE ONLY

Date Filed: _____

Variance Petition No. _____

Fee Amount: _____

Receipt No.: _____

Date of Board of Adjustment Public Hearing: _____

Date Notice published: _____

Newspaper: _____

Board of Adjustment decision: _____

(Granted/Denied)

NOTICE TO APPLICANTS

FOR

VARIANCES

1. A variance is a relaxation of the terms of the land development regulations where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property or structures thereon so that the spirit of the land development regulations shall be observed and substantial justice done. Establishment or expansion of a use otherwise prohibited or not permitted shall not be allowed by variance.
2. The following criteria must be met in order to grant a Variance.
 - a. 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 zoning district;
 - b. The special conditions and circumstances do not result from the actions of the applicant;
 - c. Granting the variance requested will not confer on the applicant any special privilege that is denied by the land development regulations to other lands, buildings or structures in the same zoning district;
 - d. Literal interpretation of the provisions of the land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development regulations and would work unnecessary and undue hardship on the applicant;
 - e. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure; and
 - f. The granting of the variance will be in harmony with the general intent and purpose of the land development regulations, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.