

Revised 9/04

**TOWN OF BUENA VISTA  
APPLICATION FOR VARIANCE  
Code Section – Article IV, Section 16-62**

**For Town Use Only**

Date App. Received: \_\_\_\_\_

Fee \$: \_\_\_\_\_

Deposit Paid \$: \_\_\_\_\_

**Important - Please Read The Following Information Carefully**

*It is the applicant's responsibility to obtain, read and understand all of the relevant sections of the Buena Vista Municipal Code applicable to this procedure. Please keep in mind that more than one section of the code may apply to your application. These regulations are available through the Town of Buena Vista municipal offices at a nominal cost. If you do not understand portions of the Code concerning your application, please ask questions. Failure to complete the application, submit **all** of the required materials or answer questions completely and accurately may result in a delay and processing or a rejection of the application as incomplete. All fees must be paid in full at the time of application. Public meetings or public hearings will **not** be scheduled for an application until it is deemed complete by the Town. Each applicant should take the time necessary to submit a complete and comprehensive application. Town staff is available to direct the applicant to appropriate sources of information. **Please note that the existence of nonconforming land, buildings or structures in the same neighborhood or district, or of permitted or nonconforming uses in other districts, shall not constitute a reason for granting variance.***

**APPLICANT**

Date: \_\_\_\_\_

Name: \_\_\_\_\_ Owner  \*Agent

*\*If the applicant is not the owner of the subject property, a notarized letter signed by the property owner shall be submitted with the application authorizing the agent to act on the owner's behalf.*

Mailing Address: \_\_\_\_\_

Mailing Address for Notices, if different from above: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

**PROPERTY SUBJECT TO APPLICATION**

Street Address: \_\_\_\_\_

Practical Property Description: \_\_\_\_\_

Legal Description (may attach): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Acreage or Square Feet of Parcel: \_\_\_\_\_ Existing Zoning: \_\_\_\_\_

Surrounding Zoning – North: \_\_\_\_\_, South: \_\_\_\_\_, East: \_\_\_\_\_, West: \_\_\_\_\_,

Present Use of Subject Property: \_\_\_\_\_

Uses Surrounding Subject Parcel - North: \_\_\_\_\_, South: \_\_\_\_\_, East: \_\_\_\_\_,

West: \_\_\_\_\_

Property owner(s) if different from applicant:

Name	Mailing Address	Telephone
1.		
2.		
3.		

Attach additional sheets if necessary.

Please describe in detail the proposed variance (use additional sheets as necessary & include reference(s) to applicable section(s) of the municipal code). \_\_\_\_\_

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Complete,  Incomplete – Comments: \_\_\_\_\_

**The Application Shall Completely Address Each of the Following 3 Items (Attach additional sheets if necessary):**

1) Describe in detail how the proposed variance is the minimum needed to make possible the reasonable use of the subject land, building or structure;

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Complete,  Incomplete – Comments: \_\_\_\_\_

2) Explain and justify how the proposed variance is necessary to relieve a hardship or practical difficulty imposed by the strict application of the subject regulation(s).

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Complete,  Incomplete – Comments: \_\_\_\_\_

3) Explain how the variance is not a request to permit a use of land, building or structure that is not permitted by right or by special use permit in the applicable zone district:

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Complete,  Incomplete – Comments: \_\_\_\_\_

**The Application Shall Describe How 2 of the Following 3 Standards Have Been Substantially Met - Choose 2 Out of the Following Three Items & Cross-out the Standard Not Used. (Attach additional sheets if necessary):**

1) Describe in detail the extraordinary or exceptional conditions pertaining to the particular structure, place or property in question that are not applicable to other lands or structures in the same district;

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Complete,  Incomplete – Comments: \_\_\_\_\_

2) Explain and describe how the requested variance will be in harmony with the purpose and intent of this Chapter and will not adversely impact adjacent properties, the neighborhood or the general welfare of the Town of Buena Vista;

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Complete,  Incomplete – Comments: \_\_\_\_\_

3) Explain how the extraordinary and exceptional circumstances pertaining to the variance **ARE NOT** the result of the actions of the applicant;

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Complete,  Incomplete – Comments: \_\_\_\_\_

All information set forth above is true and accurate to the best of my information, knowledge and belief.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Additional Applicant Signature (if applicable): \_\_\_\_\_ Date: \_\_\_\_\_

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**Application Checklist**

- Application deemed complete      Date: \_\_\_\_\_      By: \_\_\_\_\_
  - Vicinity map
  - Site plan drawn to scale showing detail of proposed variance, including as necessary, building footprint, setbacks, property boundary lines, building elevations etc.
  - Proof of ownership (deed) for subject property.
  - Written authorization from property owner(s) authorizing agent to act on their behalf (if applicable)
  - List of the owners of all property that abut or adjoin the subject property (excluding public rights-of-way) including name & mailing address.
  - Fee
  - Other \_\_\_\_\_
  - Comments: \_\_\_\_\_
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