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**CITY OF RUSHFORD  
APPLICATION FOR VARIANCE FROM  
PROVISIONS OF ZONING ORDINANCE**

Date Filed At City Hall

NAME OF APPLICANT: \_\_\_\_\_

ADDRESS of APPLICANT: \_\_\_\_\_

PROPERTY AT \_\_\_\_\_ LOT # \_\_\_\_\_ BLOCK \_\_\_\_\_ ADDITION \_\_\_\_\_ Current Zoning \_\_\_\_\_

This APPLICATION FOR VARIANCE shall be filed with the Zoning Administrator, who shall refer all applications to the Board of Appeals and Adjustments. The Board of Appeals and Adjustments shall review the application and recommend such conditions so as to adjust the hardship or deny the request within 60 days of receipt of the referral. The City Council shall review the Board of Appeals and Adjustments recommendations and the APPLICATION FOR VARIANCE at the next regular scheduled meeting of the City Council. The City Council may take up to 60 days to render a decision on the APPLICATION FOR VARIANCE.

REASON FOR REQUESTING: VARIANCE OR CONDITONAL USE PERMIT OR REZONING (indicate request)

- (A) Variances may be granted when it is established that there are practical difficulties in complying with the zoning ordinance.
- (B) Variances may be granted when the variance is consistent with the comprehensive plan.
- (C) Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance.
- (D) The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.
- (E) The plight of the landowner is due to circumstances unique to the property not created by the landowner.
- (F) The variance will not alter the essential character of the locality.

1. I am requesting a variance to: \_\_\_\_\_

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

2. Statement showing practical difficulties or reason listed above for requesting a variance: \_\_\_\_\_

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

3. STRUCTURE:  
Type of Building and Type of Construction? (✓ Check all that apply.)

Single Family Dwelling: _____	Multi Family Dwelling: _____	Number of Units? _____
Accessory Building: _____	Commercial Building: _____	Industrial: _____
MFG Home: _____	Other: _____	

All New: _____	Addition: _____	Remodel: _____	Demolition: _____	Move: _____
Re-shingle: _____	Deck: _____	Garage: _____		
Other (Describe): _____				

4. Attach one plot plan to scale showing present and proposed improvements.

**CERTIFICATE**

I certify that I am the applicant named herein; that I have familiarized myself with the rules and regulations with respect to preparing and filing this application, that the foregoing statements and answers herein contained and the information on the attached maps or plot plans and any other papers submitted herewith are in all respects true and accurate to the best of my knowledge and behalf.

SIGNATURE \_\_\_\_\_ DATE: \_\_\_\_\_ PHONE: \_\_\_\_\_

**THIS SIDE OF THE APPLICATION TO BE COMPLETED BY CITY OFFICIALS**

1. Current Zoning of Property? \_\_\_\_\_

Zoning Requirements

ALLOWABLE

PROPOSED

APPROVED

Front Yard Setback .....

Side Yard Setback .....

Back Yard Setback.....

Area.....

Height.....

Other.....

.....

	ALLOWABLE	PROPOSED	APPROVED
Front Yard Setback .....			
Side Yard Setback .....			
Back Yard Setback.....			
Area.....			
Height.....			
Other.....			
.....			

2. FINDING OF FACT: In considering all requests and taking subsequent action, the Board of Appeals and Adjustments and The Rushford City Council shall make a finding of fact:

- A. The variance is in harmony with the purpose and intent of the ordinance yes \_\_\_ no \_\_\_
- B. The variance is consistent with the comprehensive plan. yes \_\_\_ no \_\_\_
- C. The variance puts property to use in a reasonable manner. yes \_\_\_ no \_\_\_
- D. There are unique circumstances not created by the landowner. yes \_\_\_ no \_\_\_
- E. The variance will not alter the essential character of the locality. yes \_\_\_ no \_\_\_

3. STAFF COMMENTS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

4. BOARD OF APPEALS AND ADJUSTMENTS ACTION : APPROVE: \_\_\_\_\_ DENY: \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

5. CONDITIONS TO APPROVED VARIANCE / CONDITIONAL USE PERMIT / REZONE  
 (Conditions may be imposed on granting of variances if those conditions are directly related to and bear a rough proportionality to the impact created by the variance.)

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

6. REASONS FOR DENIAL OF VARIANCE / CONDITIONAL USE PERMIT / REZONE

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

7. CITY COUNCIL ACTION : APPROVE: \_\_\_\_\_ DENY: \_\_\_\_\_ DATE: \_\_\_\_\_

**ACCEPTANCE OF CONDITIONS OF VARIANCE**

I understand and agree to abide by the conditions as set forth by the granting of this variance and also understand that failure to comply with the conditions of the variance constitutes failure to comply with the Zoning Ordinance which will result in the following: halting of construction, order to take corrective action, being charged with a misdemeanor offense, subject to fines and reimbursement of prosecution costs.

\_\_\_\_\_  
 To be signed by the applicant after City Council Action Date \_\_\_\_\_