

CITY OF LANDER
VARIANCE REQUEST
INSTRUCTION SHEET
NON REFUNDABLE FEE - \$500.00

1. Answer All Questions - Answers should be clear, readable and contain all the necessary information. **Petition forms which are not legible will not be accepted.**
2. An example of the information asked for in Question 4 would be: "between 2nd & 3rd Streets on the north side of E-Z Street" or "the northwest corner of the intersection of Cattle Drive and Lois Lane".
3. Question 5 is self-explanatory, simply note what you are requesting. For example, "reduce the side yard setback by 3', from 12' to 9'.
4. For Question 6, carefully read the standards which apply to all variance requests. **These standards must be met before the Board of Adjustment can grant a variance.** On a separate sheet of paper, outline to the Board of Adjustment your reasons for wanting the variance and how those reasons meet the standards mentioned.
5. **A plot plan or drawing must be submitted.** The graphic must be a straight-edged drawn plan (a drawing to scale is preferred but not necessary) delineating the property lines and dimensions, adjacent street(s) and name(s) of that/those street(s), a north arrow, the location of the building(s) on the parcel, the area being requested for a variation.
6. A list of all **property owners, not renters**, and their mailing addresses, within 400 feet of your property must accompany this application. You can obtain this information **from the Fremont County Assessor's office, 332-1117.**
7. The following are the procedures for processing a variance petition:
 - a) Review the request with the City Staff. At this point, you will receive the necessary forms and instructions for filling out and filing said forms.
 - b) The Board of Adjustment meets the second Thursday of the month. By ordinance, a legal notice regarding the case must be published in a newspaper of general circulation at least fifteen (15) days prior to the public hearing. Our office requires submission of all completed material at least twenty-one (21) days prior to the meeting date in order to meet this publication requirement. There will be no exception from the twenty-one (21) day filing deadline date.
 - c) **The petitioner and/or a designated representative must be present at the public hearing to give testimony and answer questions regarding the request. Please see the attached *Rules of Procedure for the Lander Board of Adjustments*. If no one is present at the hearing, the request may be denied at the discretion of the Board.**
 - d) All public hearings are held by the Board in the City Council Chamber, 240 Lincoln Street, starting at 6:30 p.m.
 - e) After the case is heard, the Board will deliberate the facts of the case and make their decision. You will be notified of their decision in writing no later than thirty (30) days after the date of the public hearing.

Your meeting date will be: _____

Return form by: _____

**CITY OF LANDER
VARIANCE APPLICATION**

CASE # _____ V

(For Office Use Only)

Date Received: _____ Board Action: _____

Fee: _____ Date of Action: _____

Hearing Date: _____

Variance Request Is From What Section of the Ordinance: _____

Date Notices Sent: _____

1. Name of Applicant: _____

Address: _____ Phone: _____

Interest in Property: _____

2. Owner (Indicate if different than above) _____

Address: _____ Phone: _____

3. Legal Description of Property: _____

4. Street Address of Property: _____

5. State Specifically The Changes You Are Asking For: _____

6. On a separate sheet of paper please answer fully and completely the questions set forth below: These address those conditions as prescribed by ordinance that must exist in order for the Board of Adjustment to consider granting a variance request.

- a) Please state whether or not the proposed use is a permitted use in the zoning district, and specify the permitted use specifically enumerated in the zoning district which applies;
- b) Please state what extraordinary circumstances exist in your case, such that literal enforcement of the provisions of the code will result in unnecessary hardship. Also, specify what hardships will result if the variance is not granted.
- c) Please state whether or not the extraordinary circumstances were created by the applicant and if not, what created them. Do the circumstances represent the general condition of the district in which your property is located.
- d) Please state whether or not the granting of this variance will substantially or permanently injure any adjacent, conforming property. If not, state the effect the variance, if granted, would have on any such adjacent, conforming property.
- e) Will the variance alter the character of the district in which this property lies. If not, please explain the reasoning for your answer.
- f) Please state whether the variance sought is the minimum variance and least modification that will afford the relief sought. Please state any other relief that may alleviate the condition that exists.

- g) Please state how the variance, if granted, would be in harmony with the spirit of the ordinance and what effect, if any, it will have on the public health, safety or welfare.
7. Please submit a plot plan or drawing of the property showing the existing condition of said property and the area of the proposed variance.

Signature of Applicant Date

Signature of Owner, if different Date