



*Town of Alpine*

# VARIANCE PERMIT APPLICATION

Application Process takes at least 30 days for public notice  
Please plan accordingly

\*Failure to complete any one of the steps warrants cancellation of permit request.  
Applications are valid for 180 days from the date they were submitted to the Town Office.  
There are no refunds on variance application fees.

*Board of Adjustments meets prior to the Planning & Zoning Meeting the  
2<sup>nd</sup> Tuesday of the month at 7:0pm as necessary.*

*The Property Owner must be present for your permit to be approved!*





# VARIANCE APPLICATION PROCESS

## VARIANCE PERMIT APPROVAL PROCESS:

STEP 1 -- A Variance Packet is submitted and all fees paid.

STEP 2 -- The needed notifications are completed.

STEP 3 -- The Board of Adjustments reviews your request; approves, approves with conditions or denies.

### **STEP 1: Your Variance Packet must include:**

- A variance application must be completed with all applicable areas filled in. Application must be signed and dated.
- A detailed explanation as to why the variance should be granted. **Please refer to the attached Wyoming State Statutes §15-1-608 regarding requirements for the granting of a Variance.** \*\*\*Be prepared during your public hearing to prove how your variance request will comply with the State Statutes. Example verbiage is also attached.
- All applicable items and fees must be turned in at the time of submittal. Applications are valid for 180 days from time of submittal. Failure to provide the necessary items warrants cancellation of your application.

### **STEP 2: Notification is required for 30 days:**

- Please allow 30 days prior to a meeting for advertisement. You must pay to advertise your hearing in the legal section for 1 week prior to your public hearing. The Town will arrange the advertisement and the newspaper will bill the owner.
- Notices will be sent to property owners within a 500 foot radius of your property.
- A notice will also be posted, by the Town, on the property for 30 days prior to your hearing.

### **STEP 3: Board of Adjustments Reviews:**

- The Board of Adjustments will meet, prior to the Planning & Zoning Commission, on the 2<sup>nd</sup> Tuesdays of every month at 7:00 p.m., as needed. Your meeting will be scheduled on the Tuesday meeting following the 30 day notice. Call the Town Office and speak with the P&Z secretary if you have any questions at, 654-7757.
- As the property owner, you are obligated to attend your public hearing. You may not send a representative in your place.
- Property owners may appear at the public hearing to voice their opinion.
- If your permit is approved by the Board of Adjustments the P&Z Secretary will mail you your permit to the address you provided with your variance packet.

*By signing below, I acknowledge that I have read the above instructions, understand them, and agree to follow all Town of Alpine requirements.*

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Date



# VARIANCE Permit APPLICATION

## Owner Information:

Owner:	Phone:
Mailing Address:	
Physical Address:	
Legal Description (Lot#, Block, Tract & Subdivision)	

Variance Request:	Current Zoning:
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## Property Owners within a 500ft radius of property: (use separate sheet if needed)

Owner:	Mailing Address:
Owner:	Mailing Address:
Owner:	Mailing Address:
Owner:	Mailing Address:
Owner:	Mailing Address:
Owner:	Mailing Address:
Owner:	Mailing Address:
Owner:	Mailing Address:
Owner:	Mailing Address:
Owner:	Mailing Address:
Owner:	Mailing Address:
Owner:	Mailing Address:
Owner:	Mailing Address:
Owner:	Mailing Address:
Owner:	Mailing Address:

Signature of Owner or Authorized Representative:	Date:
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## FOR TOWN USE ONLY

Date Received:	Permit #:
Permit Fees:	Paid Fees (chk #/cash):



## Town of Alpine

# WYOMING STATE STATUTES FOR VARIANCE REQUEST

\*\*\*Review §15-1-608 of the Wyoming State Statutes regarding requirements for the granting of a Variance (see below). Be prepared during the public hearing to compare your Variance request with this Statute. Be able to prove how your variance request will comply with the State Statutes.

**Pursuant to §15-1-608 of the Wyoming State Statutes, no adjustment in the strict application of any provision of an ordinance may be granted unless:**

- (A) *There are special circumstances or conditions, fully described in the board's findings, which are peculiar to the land or building for which the adjustment is sought and do not apply generally to land or buildings in the neighborhood, and have not resulted from any act of the applicant subsequent to the adoption of the ordinance;*
- (B) *For reasons fully set forth in the board's findings, the circumstances or conditions are such that the strict application of the provisions of the ordinance would deprive the applicant of the reasonable use of the land or building, the granting of the adjustment is necessary for the reasonable use thereof and the adjustment as granted is the minimum adjustment that will accomplish this purpose; and*
- (C) *The granting of the adjustment is in harmony with the general purposes and intent of the ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

**The Town of Alpine Land Use & Development Code also requires:**

- (A) *The special circumstances or conditions have not resulted from any act of the applicant that was intended to circumvent the Land Use & Development Code.*

## SECTION A - EXAMPLE VERBIAGE OF VARIANCE REQUEST

*(Note: This document is for the purposes of serving as an example only; it is not to be all inclusive or indicate that the variance will be allowed)*

### STATE THE VARIANCE REQUEST:

- 1) List section(s) of zoning ordinance concerned.
- 2) Provide description and purpose of use restriction(s) sought to be varied. For example: (a) reduction in front set-back requirements from 35 feet to 28 feet, and (b) increase in unit density for apartment buildings from 300 square feet to 1000 square feet.
- 3) Statement of variance sought. For example, to obtain a waiver of the uses permitted in a residential zone by permitting three-family occupancy of the property and to obtain a waiver of all provisions.

### STATE THE REASONS FOR THE VARIANCE REQUEST:

- 1) The strict application of the above-referenced sections of the zoning ordinance(s) would result in practical difficulties or unnecessary hardship inconsistent with the general intent of the zoning ordinance(s) of the Town of Alpine.
- 2) The exceptional or extraordinary circumstances or conditions applying to  (insert legal description of the property involved in request)  that do not apply generally to other properties or uses in the same zoning district or subdivision are  (specify) .
- 3) The granting of the variance(s) sought will not be a substantial detriment to the public interest or to the property or improvements in the zoning ordinance of the Town of Alpine because  (specify) .
- 4) Section of zoning ordinance proposed for variance.
- 5) Circumstances or changed conditions that justify the proposed variance.
- 6) The proposed amendment will clarify or improve the ordinance for the following reason(s):  (please specify) .