



# PLANNING + NEIGHBORHOOD SERVICES

## Land Use Review

Non-Use Variance Application Requirements

### Non-Use Variance Application Requirements

This checklist is intended to assist in preparing a complete plan that will address all City development standards, requirements, and review criteria. The following information must be included with the plan submittal. If justified, the City may except any requirement. The Land Use Review Division may require additional information in accordance with City Code Section 7.5.403: *All documents should be neat and legible; inaccurate, incomplete, and poorly completed documents may be rejected.*

Please submit via the Planning Department's [online submittal system](#).

#### Submittal Checklist

##### General Requirements

- [General Applicant and Owner Acknowledgement Form](#)

A Project Statement identifying the following:

- 1. A clear description of the proposed development. If this is an amendment, describe the changes proposed from the currently approved plan; and
  - 2. A Justification based on the review criteria (below) addressing why the proposed project should be approved.
- A Site Plan that has all items in the "Plan Content Requirements" section

#### Plan Content Requirements

##### Overall Page Layout

Include the following information in a legend on the site plan:

- North Arrow
- Property Address
- Name, address, and phone number of applicant/owner
- Legal Description
- Indication of standardized scale used both fractional and bar scale (i.e., 1" = 20')
- Tax Schedule Number
- Zone district
- Lot size in square feet
- Square footage of existing and proposed structures including house, garage, shed, etc.
- Lot coverage calculation – Show a calculation of the existing and proposed improvements and their respective square footage as a percentage.
- Front yard lot coverage – show the percentage of the front yard covered by driveway or carport structures.



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- Include a note that states “The nonuse variance request is to allow \_\_\_\_\_ where \_\_\_\_\_ is allowed per City Code \_\_\_\_\_.”

### Site Plan Contents

- Size and location of all existing easements
- Setbacks of all existing and proposed structures from property lines
- Existing and proposed structures and dimensions
- Other improvements (i.e., driveways, parking areas, sidewalks, curb lines, fences, etc.)
- Height of all existing and proposed structures. Provide a structure elevation/typical if the request affects building height to any extent.
- Label the square footage of all structures on the drawing of the structure

Property lines and dimensions- The City does not have to provide property line information; the applicant is responsible to show accurate property lines as part of the application. If there is a question about the location of the property lines, the applicant should hire a surveyor to determine the location of the property lines. The dimensions and property lines shown on the site plan must match the exact location where the structure is built. Structures that are not built according to the provided and approved plan are subject to enforcement action.

- A vicinity map showing the parcel outlined with the adjacent streets noted

### Requirements Only if Applicable

- Type, dimension, and size of administrative relief for signage
- Elevation drawing of proposed sign for administrative relief for signage
- Number of existing and proposed off-street parking spaces and parking ratio used

## Review Criteria

### 7.5.526.E Nonuse Variance Review Criteria:

#### E. Criteria for Approval

A Non-Use Variance may be approved if the Planning Commission determines that:

1. The application complies with any standards for the use in Part 7.3.3 (Use-Specific Standards);
2. The property has extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zone district;
3. That the extraordinary or exceptional physical condition of the property will not allow a reasonable use of the property in its current zone in the absence of relief;
4. That the granting of the Non-Use Variance will not have an adverse impact upon surrounding properties; and