

## REQUESTED VARIANCE INFORMATION

**Written justification of the requested variance** with reasons why the Applicant believes the proposed variance is appropriate. Before the Zoning Board of Appeals can grant a variance, they must find that the following criteria have been satisfied. Describe how your request meets the following criteria, as required by Section 70-327 Village Ordinance, a copy of which is attached.

What exceptional or extraordinary circumstances or special factors are present which apply only to the subject property? The response to this question shall clearly indicate how the subject property contains factors that are not present on other properties in the same zoning district.

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- The hardship or difficulty shall be peculiar to the subject property and different from that of other properties and not one that affects all properties similarly. Such a hardship or difficulty shall have arisen because of the unusual shape of the original acreage parcel; unusual topography or elevation; or because the property was created before the passage of the current, applicable zoning regulations, or will not accommodate a structure of reasonable design for a permitted use if all area, yard, green space, and setback requirements are observed;
- Loss of profit or pecuniary hardship shall not, in and of itself, be grounds for a variance;
- Self-imposed hardship shall not be grounds for a variance. Reductions resulting from the sale of portions of a property reducing the remainder of said property below buildable size or cutting-off existing access to a public right-of-way or deed restrictions imposed by the owner's predecessor in title are considered to be such self-imposed hardships;
- Violations by, or variances granted to, neighboring properties shall not justify a variance;

- The alleged hardship shall not be one that would have existed in the absence of a zoning ordinance. (For example, if a lot were unbuildable because of topography in the absence of any or all setback requirements.)

In what manner do the factors identified in 1., above, prohibit the development of the subject property in a manner similar to that of other properties under the same zoning district? The response to this question shall clearly indicate how the requested variance is essential to make the subject property developable so that property rights enjoyed by the owners of similar properties can be enjoyed by the owners of the subject property.

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Would the granting of the proposed variance be of substantial detriment to adjacent properties? The response to this question shall clearly indicate how the proposed variance will have no substantial impact on adjacent properties.

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Would the granting of the proposed variance as depicted on the required site plan, result in a substantial or undue adverse impact on the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the intent, provisions, and policies of this Chapter, the Master Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant

to official notice by the City or other governmental agency having jurisdiction to guide growth and development? The response to this question shall clearly indicate how the proposed variance will have no substantial impact on such long-range planning matters.

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Have the factors causing the variance request been created by the act of the applicant or previous property owner or their agent (for example: previous development decisions such as building placement, floor plan, or orientation, lotting pattern, or grading) after the effective date of this Chapter. The response to this question shall clearly indicate that such factors existed prior to the effective date of this Chapter and were not created by action of the Applicant, a previous property owner, or their agent.

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Verification by applicant: I, \_\_\_\_\_, owner for which relief is sought, certify that the application and the above information is truthful and accurate to the best of my ability. My signature on this application grants permission for Village Officials to access the site of the requested variance for the sole purpose of obtaining information relevant to the variance request.

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

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

Consideration for Approval:    Granted _____                      Denied _____
_____ Date _____
Chairman, Village of Roberts Zoning Board of Appeals