



City of Whitefish
 Planning & Building Department
 418 E 2nd Street | PO Box 158
 Whitefish, MT 59937
 Phone: 406-863-2410

File #: _____
 Date: _____
 Intake Staff: _____
 Check #: _____
 Amount: _____
 Acct #: 1000 101000 341062
 Date Complete: _____

VARIANCE APPLICATION

FEE ATTACHED \$ _____
 (see current fee schedule)

Variances are granted only when specific conditions can be met. Applicants are advised to carefully read this application packet in its entirety before completing the form. The Board of Adjustment cannot approve a variance request unless, in their judgment, each of the eight (8) criteria are either met or are not pertinent to the specific application. As such, applicants are advised to pay special attention to the portion of the application seeking explanations as to how the applicant believes the criteria are either met or are not pertinent to the specific application. Please be aware the application fee is not refunded if the request is denied.

INSTRUCTIONS:

- A pre-application meeting with city staff is required. Date of pre-application meeting: _____
- Submit the application fee, completed application and appropriate attachments to the Whitefish Planning & Building Department a minimum of **forty five (45) days prior** to the Board of Adjustment or City Council meeting at which this application will be heard.
- Staff will notice property owners within 150-feet of the subject property and place a legal notice in the *Whitefish Pilot* concerning the variance request prior to the public hearing.
- The regularly scheduled meeting of the Board of Adjustment is the first Tuesday of each month at 6:00 PM in the City Council Chambers at 418 E 2nd Street.
- Sign variance requests, heard by the City Council, are the first or third Mondays of the month at 7:10 PM in the City Council Chambers at 418 E 2nd Street.
- Decisions of the Board of Adjustment are final unless appealed to District Court.

1. PROJECT INFORMATION:

Project Address: _____
 Assessor's Tract No.(s) _____ Lot No(s) _____
 Block # _____ Subdivision Name _____
 Section _____ Township _____ Range _____

I hereby certify that the information contained or accompanied in this application is true and correct to the best of my knowledge. The signing of this application signifies approval for the Whitefish staff to be present on the property for routine monitoring and inspection during the approval and development process.

Owner's Signature

Date

Print Name

Applicant's Signature

Date

Print Name

Representative's Signature

Date

Print Name

**May be signed by the applicant or representative, authorization letter from owner must be attached. If there are multiple owners, a letter authorizing one owner to be the authorized representative for all must be included.

2. APPLICATION CONTENTS:

Attached ALL ITEMS MUST BE INCLUDED - INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

- One (1) printed copy and one (1) electronic copy of the application and supplemental materials
- Written description how the project meets the criteria in Section E
- Site Plan, drawn to scale, which shows in detail the lot dimensions, property lines and pin location. Identify the front rear and sides of your property. Show the location of all existing structures and their location relative to the property lines. Identify all easements and their location
- Show the location of your requested variance requirement, including dimensions and location relative to the front, side or rear yards
- Any other additional information requested during the pre-application process

When all application materials are submitted to the Planning & Building Department, the application will be scheduled for public hearing before the Board of Adjustment or City Council depending on the variance request.

SIGN VARIANCE:

- One (1) printed copy and one (1) electronic copy of the application and supplemental materials
- Written description how the project meets the criteria in Section E
- A diagram, drawing or picture of the proposed or subject sign, along with its dimensions, method of mounting the sign to the ground or wall, the overall height measured from the natural grade of the ground and the landscaping plan relevant to the sign
- Site plan of the property showing the location of the proposed or subject sign
- Description of the materials to be used to construct the proposed sign
- Diagrams and written description of the lighting plan for the proposed sign
- Any other additional information requested during the pre-application process

When all application materials are submitted to the Planning & Building Department, the application will be scheduled for public hearing before the Board of Adjustment or City Council depending on the variance request.

C. OWNER/APPLICANT INFORMATION

OWNER(S) OF RECORD:

Name: _____ Phone: _____

Mailing Address: _____

City, State, Zip: _____

Email: _____

APPLICANT (if different than above):

Name: _____ Phone: _____

Mailing Address: _____

City, State, Zip: _____

Email: _____

TECHNICAL/PROFESSIONAL:

Name: _____ Phone: _____

Mailing Address: _____

City, State, Zip: _____

Email: _____

D. WHICH ZONING REGULATION IS THE APPLICANT REQUESTING A VARIANCE FROM?

1. What is the extent of the variation?

2. Why?

PRESENT USE OF THE PROPERTY: _____

E. REVIEW CRITERIA: “No variance shall be granted unless the Board finds all the following conditions are met or found to be not pertinent to the particular case.” Respond to the following criteria.

1. Explain how the regulation limits the reasonable use of the property.
2. Explain how the regulation deprives the applicant of rights enjoyed by other properties similarly situated in the district.
3. Explain how the hardship is the result of lot size, shape, topography, or other circumstances over which the applicant has no control.
4. Explain how the hardship is peculiar to the applicant’s property.
5. Explain how the hardship was not created by the applicant.

6. Explain how the hardship is not economic (when a reasonable or viable alternative exists).

7. Explain how granting the variance will not adversely affect the neighboring properties or the public.

8. Explain how the variance requested is the minimum variance which will alleviate the hardship.

9. Explain how granting the variance will not confer a special privilege that is denied other similar properties in the district.