

Appeal and Variance Application Board of Zoning Adjustment

FEE \$250
(+PH AMT.)

Under Section 405.115 and 405.125 of the City of Oak Grove Unified Development Code, commonly referred to as the UDC, Board of Zoning Adjustment, the following information is required upon submission of a request for appeal to the City of Oak Grove Missouri. Notice of Public Hearing is required and the expense of that is to be incurred by the applicant which will be invoiced accordingly.

Date of Application: _____

Type of Application: _____ Appeal _____ Use Variance _____ Area Variance

Name of Applicant: _____

Address of Applicant: _____

Telephone: _____ Email: _____

Name of Property Owner: _____

Address: _____

Telephone: _____ Email: _____

Current Zoning of Property: _____

Existing Land Use: _____

Attach documentation in support of the below criteria with your application for review by the Board of Zoning Adjustment.

1. *Appeal.* The Board of Zoning Adjustment shall be authorized to hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official of the City in the administration or enforcement of this Unified Development Code.

2. *Use variances.* A variance that would have the effect of allowing a use that the underlying zoning district prohibits may be granted by the Board of Zoning Adjustment upon an affirmative finding that all of the following conditions have been met. The Board of Zoning and Adjustment shall make a determination on each condition, and its findings shall be entered in the official record.

- a) The requested variance arises from conditions that are unique to the subject property, that are not ordinarily found in the same zoning district and that are not a result of the owner's intentional action;
- b) The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents;
- c) The strict application of the provisions of the zoning regulations that the variance is requested will constitute unnecessary hardship upon the property owner represented in the application;
- d) The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

3. *Area variances.* A variance that does not have the effect of allowing a use that the underlying zoning district prohibits may be granted by the Board of Zoning Adjustment upon an affirmative finding that all of the following conditions have been met. The Board of Zoning Adjustment shall make a determination on each condition, and its findings shall be entered in the official record.

- a) The requested variance arises from conditions that are unique to the subject property, that are not ordinarily found in the same zoning district and that are not a result of the owner's intentional action;
- b) The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents;
- c) The strict application of the provisions of the zoning regulations of that the variance is requested will constitute a practical difficulty because the property cannot be used for an otherwise permitted use without coming into conflict with applicable site development standards; and
- d) The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

Staff Use Only

Date of BZA Meeting Scheduled: _____

Location of Meeting: City Hall, 2110 S. Broadway, Oak Grove, MO 64075
Lower Level Board Chambers

Date Received by City of Oak Grove: _____

Fee Amount: \$250.00

Date Paid: _____ Cash/Check/Card Receipt No.: _____