

BOWMAN COUNTY

APPLICATION FOR ZONING VARIANCE

County Zoning Commission
104 First Street NW Suite #4
Bowman, North Dakota 58623

Application # _____
Date Issued: _____

INSTRUCTIONS:

Complete form and return the completed application and fee to the address above.
Make check payable to Bowman County.

APPLICATION FEE: \$150.00

Receipt Number: _____

APPLICANT INFORMATION:

Name: _____
Mailing Address: _____
City, State, Zip Code: _____
Phone Number: _____

Legal Description of Property: Lot: ____ Block: ____ Subdivision _____ City: _____
Qtr: _____ Section: _____ Township: _____ Range: _____
Present Zoning of Property: _____
Present Use of Property: _____

Reason for Requesting Variance:

I, the undersigned applicant, do hereby attest that the information contained in this application is truthful and correct to the best of my ability. I further agree to comply with the zoning ordinances and the requirements and conditions of this variance as established by Bowman County.

If any building or structure is erected, constructed, reconstructed, altered, repaired or converted without first obtaining the proper permit, there will be a penalty assessed to the applicant at the rate of ten (10) times the original Permit Fee. If any building, structure or land is found to be in violation of this code, the Code Administrator or any affected citizen or property owner, in addition to other remedies, may institute any appropriate action or proceeding:

- 1) To prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use;
- 2) To restrain, correct, or abate such violations;
- 3) To prevent the occupancy of the building, structure, or land; or

4) To prevent any illegal act to conduct business or use in or about such premises.

A violation of any provision of this code or the regulations and restrictions made herein shall constitute the maintenance of a public nuisance and shall be a Class A Misdemeanor.

Signature of Applicant Printed Name of Applicant Date

Please complete the questions and certification on this form. All questions must be answered completely. If additional space is needed, please attach extra pages to this application.

1. What is the proposed use of the property to include all land and structures: _____

2. What characteristics of your property prevent its being used for any of the uses permitted in your zone?
Too narrow Elevation Soil Too small Slope
Subsurface Too shallow Shape Other reasons N/A
(If Not Applicable (N/A) is selected, you may skip questions 3-7 and begin with question #8)

3. Describe your concerns with the items marked above, giving dimensions where appropriate. _____

4. How do the above site conditions prevent any reasonable use of your land under the terms of the Zoning Ordinance? _____

5. Are the conditions on your property the result of man-made changes (such as the relocation of a road or highway)? _____, if so, describe _____

6. Which of the following types of modifications will allow you a reasonable use of your land?
Change in setback requirement Change in lot coverage requirement
Change in yard restriction Change in height requirement
Change in area requirement

7. Are the conditions of hardship for which you request a variation true only of your property? _____
If not, how many other properties are similarly affected? _____

8. If a change in classification is requested, please indicate:
Agricultural Zone to _____
Commercial Zone to _____
Industrial Zone to _____
Residential Zone to _____

9. A scale drawing must be submitted showing the identity and dimensions of all structures on the parcel with their distances shown from lot lines and setback requirements. (See attached page #4)

All applications must be completed by the landowner and submitted in person or by mail. Applications may be rejected or returned if all supporting materials are not submitted together or the application is not complete. Additional information, deemed necessary by the County Zoning Committee to approve the application, may be requested by the County Zoning Office after the application has been submitted. **No application will be processed, reviewed or scheduled for a public hearing if it is incomplete.**

If the application is a corporation, LLC, an attorney, realtor, or someone other than the owner, the name on the application shall remain consistent throughout the supporting materials submitted. Please contact the Zoning Office if you have any questions.

For Use By the Planning and Zoning Commission

Date application Filed: _____
Date set for Hearing: _____
Date Notice Published in Newspaper: _____
Date Adjacent Property Owners Notified: _____
Date Fee \$150.00 Paid: _____ Cash Check Check # _____

The board shall base its findings on evidence presented in the application, comments received from adjacent property owners and the following conditions before it may approve a request for variance:

- a) The particular surrounding or the topographic condition of the property would result in undue hardship.
- b) The variance request is not based on a desire for economic or other gains.
- c) The alleged difficulty or hardship is caused by the ordinance and has not been created by any person presently having an interest in the property.
- d) The variance shall not be detrimental to the public welfare or injurious to other properties in the area.
- e) The variance shall not be contrary to the interest and purpose of this ordinance.

In light of the evidence presented at the hearing on this case and in conformity with the requirements of the Zoning Ordinance, a variance is:

Granted Denied Granted subject to the following requirements:

Date

President, Planning and Zoning Commission

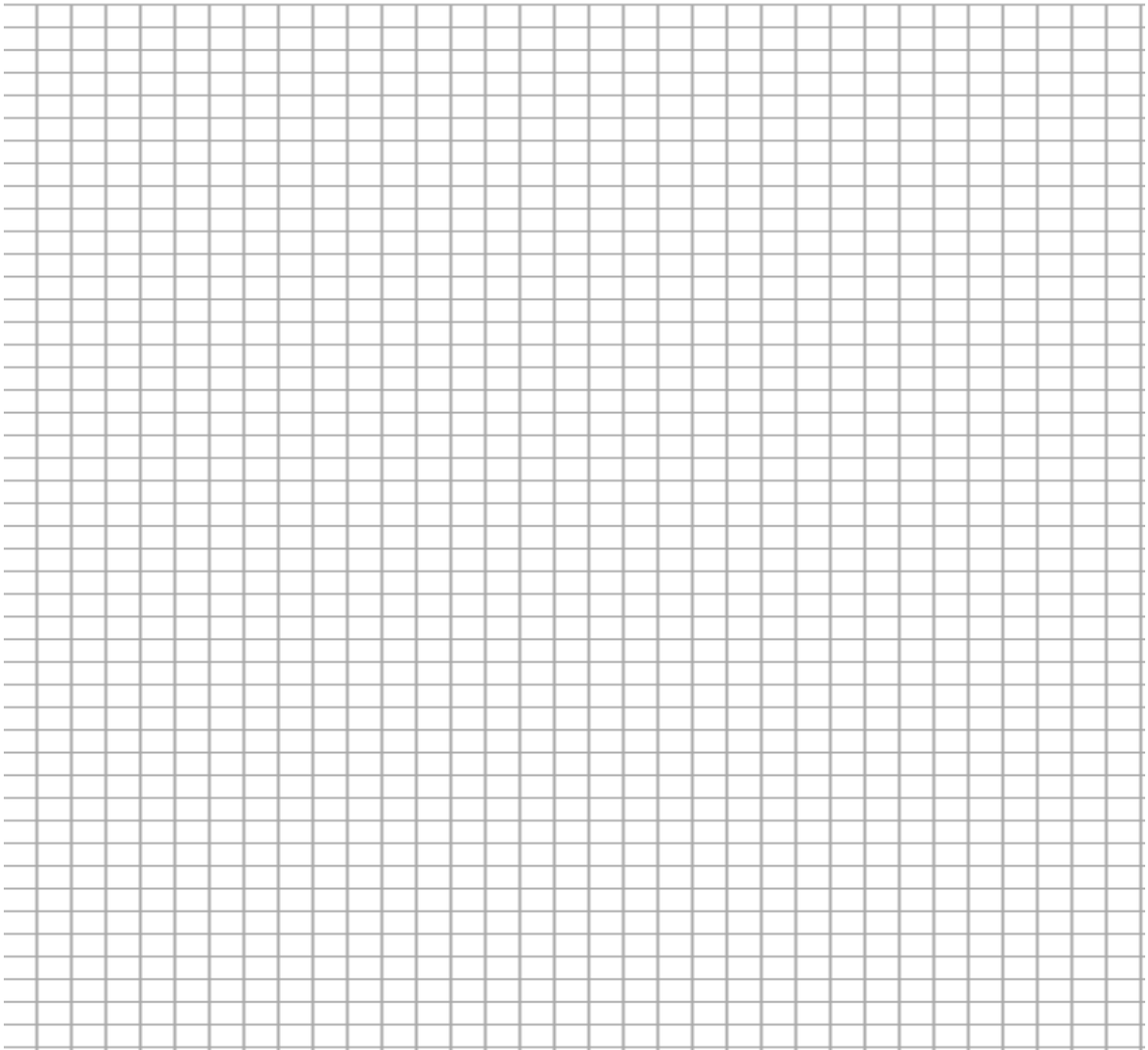
Date

Chairman, Bowman County Commission

BOWMAN COUNTY

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PLOT PLAN



Information needed on the Plot Plan: In order to help your permit process go as quickly as possible, the following information must be clearly shown on your Plot Plan, even if it is not to scale.

- North Arrow
- Adjacent Streets and Approaches
- Setbacks
- Easements
- Show the distance from the proposed structure to your property line in all four directions.
- Also include photocopies of all existing/proposed floor plans, site plans, surveys, etc. with the application.
- Proposed Structure(s), with Dimensions
- Existing Structure(s), with Dimensions
- Septic tank, drain field & distance from structures
- Water well or SW water line locations

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Applicant's Printed Name

Applicant's Printed Name

Applicant Signature

Applicant Signature

Applicant's Printed Name

Applicant's Printed Name

Applicant Signature

Applicant Signature

STATE OF _____)

COUNTY OF _____)

On this _____ day of _____, 20____, before me personally appeared _____ known to me to be the persons who are described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same.

Notary Public
My Commission Expires: _____