

LINCOLN COUNTY BOARD OF ZONING APPEALS
Planning & Zoning 112 Main Ave., S-Rm 107 Fayetteville, TN 37334 | 931-438-5186

VARIANCE APPLICATION

FEE \$150.00 Made payable to Lincoln County Planning & Zoning. Applicant is responsible for certified notices. Planning Dept. will supply information for notifications.

GENERAL REQUIREMENT REVIEW:

Purpose of a variance is to modify the strict application of the specific requirements of this resolution in the case of exceptionally irregular, narrow, shallow, or steep lots, or other exceptional physical conditions, whereby such strict application would result in practical difficulty or unnecessary hardship which would deprive an owner of the reasonable use of his land. Variances shall be granted from zoning restrictions such as heights, setback and lot density where such variances are reasonable and necessary to assure unobstructed access to direct sunlight. Variances shall not be granted which would cause an unreasonable obstruction of direct sunlight to adjacent property if there is a reasonable probability of utilization of passive or active solar radiation on said adjacent property. The variance shall be used only where necessary to overcome some obstacle which is preventing an owner from using his property under this resolution.

APPLICANT TO COMPLETE THIS AREA: (PLEASE PRINT)

DATE: _____ APPLICANT: _____

PHONE: _____ EMAIL: _____

APPLICANT MAILING ADDRESS:

(STREET ADDRESS) (CITY) (ST) (ZIP)

LOCATION OF PROPERTY BEING PRESENTED BEFORE THE BOARD:

(STREET ADDRESS) (CITY) (ST) (ZIP)

IS THE APPLICANT ALSO THE PROPERTY OWNER? YES NO

IF NOT, WRITTEN AND **NOTARIZED** APPROVAL FROM THE PROPERTY OWNER SHALL BE SUBMITTED WITH APPLICATION. OWNER'S APPROVAL SHALL INDICATE SUPPORT OF APPEAL AND PROMOTE UNCONDITIONAL AGREEMENT OF APPLICANT'S REQUEST. APPLICATION WILL NOT BE ACCEPTED WITHOUT OWNER'S APPROVAL AND SUPPORT LETTER.

BRIEFLY DESCRIBE THE REASON FOR THIS APPLICATION: (Use additional sheets if necessary)

APPLICANT'S SIGNATURE / DATE

OFFICIAL USE ONLY:

RECEIVED: _____ WRITTEN DENIAL PROVIDED APPLICANT: YES NO

ZONING DISTRICT: _____ TAX MAP #: _____ GROUP: _____ PARCEL: _____

APPLICATION COMPLETE: YES NO

COMMENTS:

STANDARDS FOR VARIANCE: (In granting a variance, the Board shall ascertain that the following criteria are met)

1. Variances shall be granted only where special circumstances or conditions, fully described in the finding of the Board, do not apply generally in the district.
2. Variances shall not be granted to allow a use otherwise excluded from the particular district in which requested.
3. For reasons fully set forth in the findings of the Board, the aforesaid circumstances or conditions are such that the strict application of the provisions of this resolution would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variance. There must be a deprivation of beneficial use of land.
4. The granting of any variance shall be in harmony with the general purposes and intent of this resolution and shall not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the comprehensive plan for development.
5. In reviewing an application for a variance, the burden of showing that the variance should be granted shall be upon the persons applying therefore.
6. Variances shall not be granted within any flood prone area if an increase in the level of the 100-year flood would result from the proposed development.

REVIEW COMMENTS OF PLANNING & ZONING DIRECTOR:
