

APPLICATION FOR VARIANCE FROM BOARD OF ADJUSTMENT

VARIANCE: A relaxation of a restriction of the City's Zoning Ordinance, granted by the Board of Adjustment (BOA), where, by reason of extraordinary or exceptional situation, condition or circumstance of a particular property, the literal enforcement of the restriction of the City's Zoning Ordinance would result in unnecessary hardship.

The Board of Adjustment, upon **application**, statutory **notice**, and **public hearing** may grant a variance from the terms of the City's Zoning Ordinance. The applicant shall be responsible for all postage and administrative costs associated with the provision of statutory notice.

- A. Variances shall not be detrimental to surrounding properties or the public good or be contrary to the spirit, purposes and intent of the Zoning Ordinance. or the Comprehensive Plan.
- B. Variances shall be based on site specific factors unique to a lot or parcel that are atypical from other surrounding properties, such as, but not limited to, reasons of lot width, depth, shape, topography, or other extraordinary or exceptional situation, condition, or circumstance peculiar to a property and not created by any actions of the applicant.
- C. The condition shall cause the literal enforcement of the Zoning Ordinance. to result in an unnecessary hardship.
- D. The Board shall not take any action that effectively results in allowing a use not permitted in the zoning district.

HOW TO APPLY: A request for a variance shall be initiated by the filing of this application and shall be set for public hearing in accordance with all statutory requirements; the variance application shall include:

| | APPLICANT INITIAL | COG INITIAL | SUBMITTAL MATERIALS |
|---|----------------------|----------------|--|
| 1 | | | COMPLETED AND SIGNED APPLICATION |
| 2 | | | SITE PLAN, DRAWN TO SCALE, SHOWING LOCATION OF ALL BUILDINGS, PARKING, AND OTHER PERTINENT DATA CONCERNING THE VARIANCE REQUEST |
| 3 | | | LEGAL DESCRIPTION (8.5 X 11 AND ELECTRONIC: WORD.DOC OR PDF) |
| 4 | | | LIST OF PROPERTY OWNERS WITHIN 300 FOOT RADIUS OF OUTER BOUNDARIES OF SUBJECT SITE, AS WELL AS 2 COPIES OF ADDRESSED ADHESIVE ENVELOPE LABELS FOR SUCH PROPERTY OWNERS AS LISTED IN THE OFFICE OF COUNTY CLERK COMPILED BY A FULLY BONDED ABSTRACT AND TITLE COMPANY |
| 5 | | | \$125 PROCESSING FEE + \$2.00 FOR EACH REQUIRED PUBLIC HEARING NOTICE ¹ |

¹ An application for a variance requires the public hearing notice be published in newspaper of general circulation; the Tulsa World will contact you, the applicant, to collect the publication fee prior to publication, failure to pay could result in delay of the public hearing.

The Board shall hold the public hearing and, upon the concurring vote of three members, may grant a variance after finding:

- A. That, by reasons of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure, or building involved, the literal enforcement of the terms of this Zoning Ordinance would result in unnecessary hardship.
- B. That such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district.
- C. That the variance will not be detrimental to the public good or adversely affect the use or value of surrounding properties and will not impair the purposes, spirit and intent of this Zoning Ordinance or the Comprehensive Plan.
- D. The condition for which the variance is requested was not created by any actions of the applicant.

In granting a variance, the Board may make appropriate conditions or safeguards and may require a bond or other guarantee necessary to enforce compliance with the conditions.

A. APPLICANT/PROPERTY OWNER

| | APPLICANT | PROPERTY OWNER |
|----------------|-----------|----------------|
| NAME | | |
| ADDRESS | | |
| CITY/STATE/ZIP | | |
| PHONE | | |
| EMAIL | | |

B. SUBJECT PROPERTY

STREET ADDRESS: _____

PLAT NAME: _____ LOT NO. ____ BLOCK NO. ____

ZONING OR PUD NO.: _____ PRESENT USE: _____

If the property has not been platted, is a legal address attached? YES ☐

Has a variance previously been approved at subject site? YES ☐ BOA Case No. _____ NO ☐

C. VARIANCE REQUEST INFORMATION

| | COG ZONING ORDINANCE: CHAPTER/TITLE/SECTION | VARIANCE REQUESTED | HARDSHIP/FACTORS PREVENTING DEVELOPMENT OF PROPERTY IN ACCORDANCE WITH THE ZONING ORDINANCE ² |
|------|---|---|---|
| E.G. | TABLE 11-4-8 NON-RESIDENTIAL DEVELOPMENT STANDARDS | REDUCE REQUIRE LOT WIDTH IN CG FROM 150 FEET TO 140 FEET | NEED 10 FEET OF FRONTAGE TO ACCOMMODATE PUBLIC INFRASTRUCTURE EASEMENT |
| 1 | | | |
| 2 | | | |
| 3 | | | |

I, the undersigned applicant, certify information contained within this application is true and correct.

APPLICANT SIGNATURE: _____ DATE: _____

PROPERTY OWNER SIGNATURE: _____ DATE: _____

If your request is denied you may (1) appeal to District Court or (2) submit a new application after a minimum of six months, providing the request is different, or the physical facts in the area have changed.

² Applicant may prepare a memo or letter demonstrating the hardship and factors preventing the development of the property in accordance with the zoning ordinance and attach to variance application submittal

D. APPLICATION FEES

| | |
|--|--|
| Request for variance fee: | \$125.00 |
| \$2.00 per property owner on Title/Abstract report | (_____) X \$2.00 = _____ |
| Publication in <i>Tulsa World Legal Notices</i> fee | <i>Tulsa World</i> to invoice applicant |
| TOTAL: | \$ _____ |

THE BOARD, MEETING TIME, AND PLACE

THE BOARD OF ADJUSTMENT CONSIST OF FIVE MEMBERS WHO ARE RESIDENTS OF THE CITY. THE BOARD HAS POWER TO HEAR APPEALS FROM DETERMINATIONS OF THE CITY PLANNER OR BUILDING OFFICIAL IN ADMINISTERING AND ENFORCING THE ZONING CODE, GRANT SPECIAL EXCEPTIONS AND VARIANCES, AND MAKE INTERPRETATIONS OF THE OFFICIAL ZONING MAP AND TEXT OF THE ZONING ORDINANCE.

THE CITY OF GLENPOOL BOARD OF ADJUSTMENT MEETS AT 6:00 PM ON THE 2ND (SECOND) MONDAY OF EVERY MONTH, BE SURE TO CHECK THE OFFICIAL MEETING CALENDAR TO CONFIRM (MEETINGS ARE SOMETIMES SHIFTED TO ACCOMMODATE CITY RECOGNIZED HOLIDAYS).

MEETING ARE HELD AT THE GLENPOOL CITY HALL, COUNCIL CHAMBERS ON THE 3RD FLOOR, 12205 S. YUKON AVENUE, GLENPOOL, OK 74033

FOR ADDITIONAL INFORMATION, PLEASE CALL THE CITY OF GLENPOOL COMMUNITY DEVELOPMENT DEPARTMENT AT 918-209-4610 OR VISIT THE CITY'S WEBSITE: <https://www.glenpoolonline.com/>.