

Variance Case No. \_\_\_\_\_

Date Filed \_\_\_\_\_

**BOARD OF ADJUSTMENT  
APPLICATION**

NAME OF APPLICANT: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_

NAME OF AUTHORIZED AGENT: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_

Relationship of applicant to property:  Owner  Tenant  Lessee  
 Other \_\_\_\_\_

The Board of Adjustment operates in accordance with Statutes of the State of Nebraska 19-907 through 19-910 and 19-912.

The Board of Adjustment shall, subject to such conditions and safeguards as may be established by the legislative body, have only the following powers:

1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official or agency based on or made in the enforcement of any zoning regulation or any regulation relating to the location or soundness of structures;
2. To hear and decide, in accordance with the provisions of any zoning regulation, requests for interpretation of any map, or for decisions upon other special questions upon which the board is authorized by any such regulation to pass; and
3. Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the zoning regulations, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or conditions of such piece of property, the strict application of any enacted regulation under this act would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon the owner of such property, to authorize, upon an appeal relating to the property, a variance from such strict application so as to relieve such difficulties of hardship, if such relief may be granted without substantial detriment to the public good and without impairing the intent and purpose of any ordinance or resolution.

**SECTION I.**

Item 1 and 2 are appeals based on an alleged administrative or agency error, or interpretation of a map.

If your application involved either #1 or #2, check the number:  1  2

Attach in written detail the exact problem as you see it. Please skip to **SECTION III**, signatures required.

**SECTION II.**

If you request authorization from the Board under #3, they can hear the matter if it falls under the outlined criteria in #3 of the State Statutes. No such variance shall be authorized by the board unless it finds that:

- a. The strict application of the zoning regulation would produce undue hardship;
- b. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity;
- c. The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance; and (d) the granting of such variance is based upon reason of demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit or caprice. No variance shall be authorized unless the board finds that the condition or situation of the property concerned or the intended use of the property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the zoning regulations.

The variance is requested from the requirements set out in Section \_\_\_\_\_ of the Zoning Regulations of Norfolk City Code for property addressed as \_\_\_\_\_

and legally described as

and which is presently zoned as \_\_\_\_\_

(Give metes and bounds description below or on attached sheet)

Provide a brief statement explaining the variance request.

**OUTLINE HARDSHIP AS EXPLAINED ABOVE IN ANSWERING THE FOLLOWING QUESTIONS**

A. Is the lot exceptionally narrow, shallow or shaped?

B. Does the property have exceptional topographic conditions or other extraordinary and exceptional conditions wherein the strict application of the regulations would:

a. Result in peculiar and exceptional practical difficulties:

\_\_\_\_\_  
\_\_\_\_\_

b. Result In exceptional and undue hardship:

\_\_\_\_\_  
\_\_\_\_\_

C. Would the variance be a substantial detriment to the public good? \_\_\_\_\_

D. Would the variance substantially impair the intent and purpose of the zoning ordinance? \_\_\_\_\_

E. Is the hardship not shared generally by other properties in the same zoning district and the same vicinity?

a. Explain \_\_\_\_\_

F. Would authorization of variance be a substantial detriment to adjacent property and the character of the district?

a. Explain \_\_\_\_\_

G. Explain how the request is based upon reason of demonstrable and exceptional hardship as distinguished for purposes of convenience, profit or caprice.

\_\_\_\_\_  
\_\_\_\_\_

Provide a sketch or graphic and include the property lines of the application area, existing and proposed structures, appropriate dimensions, and any other information that would be helpful to the Board in evaluating the request.

**SECTION III.**

The applicant/agent hereby declares that all information submitted is true to the best of his knowledge and that all information required for this request has been included.

\_\_\_\_\_  
APPLICANT

\_\_\_\_\_  
AUTHORIZED AGENT