



# City of Bay Minette

## Variance Application

301 D'Olive Street · Bay Minette, Alabama 36507

Phone (251) 580-1650 · COBM\_Planning@ci.bay-minette.al.us

Office Use Only

V - \_\_\_\_\_

Fee: \$250

Paid:  Credit Card  Cash

Check. # \_\_\_\_\_

Are you the property owner?  Yes  No

(If you are not the property owner you must submit an Agent Authorization Form signed by the property owner)

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

### Site Information

Property Address: \_\_\_\_\_

or Property Location: \_\_\_\_\_

\*Parcel No.: \_\_\_\_\_ \*PPIN No.: \_\_\_\_\_

*\*Parcel or PPIN information must be completed*

Current Zoning: \_\_\_\_\_

The purpose of this Variance is to allow:

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

What are the conditions which prevent you from using this property in accordance with the zoning ordinance?

*\*Variance ordinance excerpt is included in packet*

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

I, the undersigned applicant, understands that payment of these fees does not entitle me to approval of this variance and that no refund of these fees will be made. I have reviewed a copy of the applicable zoning regulations and understand that I must be present on the date of the meeting.

Signature of Applicant (Owner of Property or Authorized Agent)

Date

### Submittal Requirements

\_\_\_\_\_ Application

\_\_\_\_\_ Fee

\_\_\_\_\_ Agent Authorization Form (if applicant is not the owner)

\_\_\_\_\_ Complete Legal Description of Property

\_\_\_\_\_ Plot Plan or Survey – indicating any existing structures, proposed structures, and setbacks from property lines



## City of Bay Minette Variance Ordinance Excerpt

**3. *Variances; conditions governing applications; procedures.*** To authorize upon request in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship. **A variance from the terms of this ordinance shall not be granted by the board of adjustment unless and until:**

- a. A written application for a variance is submitted demonstrating:
  - i. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or other buildings in the same district;
  - ii. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance;
  - iii. That the special conditions and circumstances do not result from the actions of the applicant;
  - iv. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.
  - v. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no prohibited/permitted or nonconforming use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.