

# Spring City Municipal Corporation

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## Board of Adjustments Appeal

Any person, organization, corporation or unit or department of government which has been aggrieved by a decision allegedly made in error by the zoning administrator or is requesting approval of a special exception, variance or other action upon which the board is authorized to act, may do so by filing a formal request in writing with the board; provided, any appeal from a decision made by the zoning administrator shall be made by filing an application with the board within a period not to exceed forty five (45) days from the date of the contested action.

To authorize upon appeal such variance from the terms of this title as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of this title will result in unnecessary hardship; provided, that the spirit of this title shall be observed and substantial justice done. Before any variance may be authorized, however, it shall be shown that:

1. The variance will not substantially affect the comprehensive plan of zoning in the city and that adherence to the strict letter of this title will cause difficulties and hardships, the imposition of which upon the petitioner is unnecessary in order to carry out the general purpose of the plan. (Ord. 2005-03, 9-8-2005)

2. There are special circumstances attached to the property covered by the application which do not generally apply to the other property in the same zone. (Ord. 2014-01, 5-15-2014)

3. Because of said special circumstances, the property covered by the application is deprived of privileges possessed by other properties in the same zone; and that the granting of the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone.

I, \_\_\_\_\_, **Planing & Zoning Administrator** on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, verify that \_\_\_\_\_'s permit was denied because of the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (continue on back if necessary)

I, \_\_\_\_\_, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, request a variance from the Spring City Board of Adjustment because of the following: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_ (continue on back if necessary)

The Spring City Board of Adjustment, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in response to \_\_\_\_\_'s request for a variance do hereby give the following response: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_ (continue on back if necessary)

**signed by Board of Adjustment Chairperson** \_\_\_\_\_