

**Public Works- Community Development Division**

**City of Watertown**

23 Second Street NE, P.O. Box 910  
Watertown, SD 57201-0910

Phone: (605) 882-6202

Fax: (605) 882-5264

Web: www.watertownsd.us

**APPLICATION FOR VARIANCE**

Variance # \_\_\_\_\_

*Applicant is required to be present at the meeting. If applicant is not present, Board may deny or postpone request.*

**Ordinance Reference: 21.0202**

Applicant:		Applicant is (check one): Owner    Agent    Developer		
Name of Primary Contact Person:		Primary Contact Phone:		
Primary Mail Address:	City:	State:	Zip:	
Primary Email Address:		Cc Email Address:		
Variance Address:		Zoning District:		
Legal Description:				

*Describe the special conditions and circumstances which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district:* \_\_\_\_\_

*Do these special conditions and circumstances result from the actions of the applicant? Check YES or NO*

*Would granting the variances requested give the applicant any special privilege that is denied by this ordinance to other lands, structures or buildings in the same district? Check YES or NO*

**Unnecessary Hardship:** A hardship that is substantial and of compelling force, not merely for reasons of convenience or profit must be identified by the Board when granting a variance. Unnecessary hardship is demonstrated when the land in question cannot yield a reasonable return without the variance, or the plight of the owner is due to unique circumstances and not to the general conditions in the neighborhood. Hardship description required to be completed below.

*Describe the hardship which will result if variance is denied:* \_\_\_\_\_

Applicant must fill in the table below as completely as possible, using a separate column for each requested variance. If more than four variances are requested, additional pages may be used.

Requested Variances	#1	#2	#3	#4
<b>Description</b> (i.e. front setback, height, parking spaces, material, etc.)				
<b>Ordinance Section and Requirement</b> from which relief is requested				
<b>Addresses of other sites</b> in the district utilizing variance from the same provision				

I, the undersigned, do hereby affirm the above statements are true and correct and agree to comply with the provisions of the ordinances of the City of Watertown and the approved plans and specifications accompanying this application.

Signature: \_\_\_\_\_ Date \_\_\_\_\_  
 Owner     Agent     Developer

Received by: \_\_\_\_\_ Date \_\_\_\_\_  
 Community Development Division

*Applicant is required to be present at the meeting and speak on behalf of the request.*

**Public Works- Community Development Division**

**City of Watertown**

23 Second Street NE, P.O. Box 910  
Watertown, SD 57201-0910

Phone: (605) 882-6202

Fax: (605) 882-5264

Web: www.watertownsd.us

**APPLICATION FOR  
VARIANCE**

Variance # \_\_\_\_\_

**FOR STAFF USE ONLY:**

Power and Duty of the Board of Adjustment: To authorize such variance from the terms of the 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. (21.0202 2.c):

In granting a variance, the Board of Adjustment shall ascertain that the following 21.0202 2.c.(1) criteria are met:

Check True or False		Criteria which must be met
<input type="checkbox"/>	<input type="checkbox"/>	Special circumstances or conditions do not apply generally in the district
<input type="checkbox"/>	<input type="checkbox"/>	Use is not otherwise excluded from the particular district.
<input type="checkbox"/>	<input type="checkbox"/>	Strict application of the provisions of the Zoning Ordinance would deprive the applicant of any reasonable use of the land.
<input type="checkbox"/>	<input type="checkbox"/>	Variance granted is the minimum adjustment necessary for reasonable use of the land.
<input type="checkbox"/>	<input type="checkbox"/>	Variance is in harmony with the general purposes and intent of this title and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the comprehensive plan for development.

In granting a variance, the Board of Adjustment shall ascertain that the following 21.0202 2.c.(2) criteria are met:

Check True or False		The Applicant has demonstrated the following
<input type="checkbox"/>	<input type="checkbox"/>	Granting of the building permit will not be contrary to the public interest.
<input type="checkbox"/>	<input type="checkbox"/>	Literal enforcement of this title will result in unnecessary hardship.
<input type="checkbox"/>	<input type="checkbox"/>	By granting the building permit contrary to the provisions of this title, the spirit of this title will be observed.
<input type="checkbox"/>	<input type="checkbox"/>	By granting the permit, substantial justice will be done.

In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with the ordinance.

Under no circumstances shall the Board of Adjustment grant a variance to allow a use not permissible under the terms of this ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this ordinance in said district.

\_\_\_\_\_ Public Notice of Hearing    \_\_\_\_\_ Adjacent Land Owner Notice (Certified Mailing Invoiced To Applicant)  
\_\_\_\_\_ Application Total Fee's: \$200 (\$160 Processing, \$40 Publication)

**Board of Adjustment:**

Date of Public Hearing: \_\_\_\_\_ Action on Variance (check one): APPROVED    OR DENIED

Conditions prescribed by Board: \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

Board of Adjustment Chairman