

**Altoona Board of Adjustment
Variance - Application Form**

Reference #:

Date Submitted:

Accepted by:

Fee Paid:

Variance Requested:

Name of Project:

Property Owner:

Address:

Phone:

Email:

Applicant: (if different from property owner)

Address:

Phone:

Email:

PROJECT INFORMATION:

Project/ Property Address (if known):

Project Size:

acres/square feet

Project Location: (Layperson Terms)

Zoning District:

Bulk Regulations: Front yard:

Rear yard:

Side yard:

LEGAL DESCRIPTION (Plat & Lot #):

I request a variance from zoning requirements for:

Front yard: ___ Rear yard: ___ Side yard: ___ Fence: ___ Sign: ___

Parking: ___ Height: ___ Other: ___ explain:

Statement of Hardship:

How do the above site conditions prevent reasonable use of the land under the terms of the City of Altoona Zoning Ordinance?

Are the conditions of the hardship for which the request of a variance true only of the
aforementioned property? _____ If not, how many other properties are similarly
affected?

Will the grant of a variance in the form requested remain in accordance with the
neighborhood and not contrary to the intent and purpose of the Zoning Ordinance?
Explain

CERTIFICATION:

An application may be filed only by the owner(s) of the property or by a person with the power of
attorney from the owner authorizing the application, or by the attorney-at-law representing the
owner. Indicate your authority.

I/we _____ being duly sworn,
depose and say that I/we, am/are the owner/owners of part (or all) of the property involved and
that this application has been prepared in compliance with the requirements of the City of
Altoona Municipal Code as printed herein and that the statements and information above
referred to are in all respects true and correct to the best of my/our knowledge. In addition, I/we
authorize the City of Altoona to erect and install a notification sign on the subject property to
inform the general public of the upcoming public hearing pursuant to Chapter 170.04.

Signature

(please print)

Mailing Address:

On this _____ day of _____, _____, before me, the undersigned, a Notary Public in
and for said state, personally appeared _____, to me known to be the identical
person named in and who executed the foregoing instrument, and acknowledged that such person
executed the same as the voluntary act and deed of such person.

Notary Public in and for
_____ County and _____ State

Notice to Applicants

A variance is a zoning adjustment, which permits minor changes of district requirements where individual properties are uniquely burdened by the strict application of the law. The power a variance is limited to minimum changes to overcome the inequality inherent in the property. Use variances are strictly prohibited.

A variance recognizes that the same district requirements do not affect all property owners equally: it was invented to permit minor changes to allow hardship properties to enjoy equal opportunities with properties similarly zoned. The owner must prove that their land is affected by special or unique circumstances. The circumstances must result in an uncommon hardship and unequal treatment under the strict application of the Zoning Ordinance. Where the hardship extends to other properties, a variance cannot be granted. The remedy for general hardship is a change of the map or the text of the Zoning Ordinance.

The owner must prove that the combination of the Zoning Ordinance and the uncommon conditions of your property prevents you from making reasonable use of your land as permitted by your present zoning district. Since zoning regulates land and not people, the following conditions cannot be considered pertinent to the application or a variance.

1. Proof that a variance would increase financial return from the land.
2. Personal hardship
3. Self-imposed hardship (Recognition of conditions created after the enactment of the Zoning Ordinance would encourage and condone violation of the law.)

No variance may be granted which would adversely affect surrounding property or the general neighborhood. All variances must be in harmony and intended spirit with the intent and purposes of the Zoning Ordinance.

No appeal can be accepted for filing unless all of the required information is presented with the completed application and filed with the Zoning Department at Altoona City Hall. The Board of Adjustment hearing cannot be held until 10 days after a Public Hearing notice has been published in the local newspaper. Board of Adjustment meetings are held on the first Tuesday of each month if needed. The completed application and accompanying materials must be received by the first Tuesday of the month to hold the hearing on the first Tuesday of the next month.

Required Information Includes

- _____ Completed Application, with notarized signature of owner(s).
- _____ Statement indicating the reasons for my appeal.
- _____ 8.5x11 drawing showing the proposed variance requested, drawn to scale. Larger sheets are acceptable if applicant will also furnish reduced copy. The site plan must also show all easements on the property.
- _____ Payment of a non-refundable filing fee of \$50, for residential, \$100 for commercial and industrial, and \$150 for a conditional use permit, which will cover filing and publication costs.