





**Does the proposed use conform to the requested zoning district based on the following:**

Permitted Use within the Land Use Table §455-60 \_\_\_\_\_

Special Use with Land Use Table §455-60 \_\_\_\_\_

Accessory Buildings and Structures §455-42 \_\_\_\_\_

Minimum Lot Width \_\_\_\_\_

Maximum Building Height \_\_\_\_\_

Minimum Front Setback \_\_\_\_\_

Required Side Yard Depth \_\_\_\_\_

Required Rear Yard Depth \_\_\_\_\_

Off-Street Parking §455-38 \_\_\_\_\_

**Non Residential Use Regulations**

Landscaping and Buffer yards §455-36 \_\_\_\_\_

Exterior Lighting §455-37 \_\_\_\_\_

Outdoor Storage §455-40 \_\_\_\_\_

Miscellaneous Use Regulations §455-46 \_\_\_\_\_

**What is the proposed variance of the Zoning code of ordinances requested?**

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**No variance to the provisions of the zoning code of ordinances shall be granted unless the Zoning Board of Appeals finds beyond a reasonable doubt that all the following facts and conditions exist.**

- 1) Preservation of intent. Please describe how your request for a variance is consistent with the purpose and intent of the regulations within the district in which the development is located.**

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- 2) Exceptional circumstances. Please describe how there is exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel that do not apply generally to other properties or uses in the same district, and the granting of the variance would not be of so general or recurrent nature as to suggest that the zoning code should be amended.**

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**3) Economic hardship and self-imposed hardship not grounds for variance. Variance shall not be granted on the basis of economic gain or loss. Please describe how your request for a variance will not result in either an economic gain or loss?**

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**4) Preservation of property rights. Please describe how the variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity.**

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**5) Absence of detriment. Please describe how the variance shall not create substantial detriment to adjacent property and will materially impair or be contrary to the purpose a spirit of the zoning district or the public interest.**

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**ACKNOWLEDGEMENT AND CERTIFICATE OF THE APPLICANT'S  
RESPONSIBILITY FOR ALL CITY'S COSTS AND EXPENSES**

Applicant, \_\_\_\_\_ hereby acknowledges the applicants responsibility for all City's costs and expenses directly or indirectly related to the applicant's request under Article IV 455-31 and Article VIII 455-48

455-9 FEES

- D. Costs recoverable. All costs incurred by the City in the consideration of any requests by an applicant related to this chapter or Chapter 402, Subdivision of Land, shall be recoverable, including, without limitation by enumeration, the following:
  - (1) All professional and technical consultant services and fees retained by the City and rendered in review of any application, including but not limited to the City Engineer, Planner, City Attorney or any other professional or expert hired by the City for purposes of review of the application or pre-submission request.
  - (2) Legal publication costs.
  - (3) Court reporter costs, as deemed necessary by the City Planning Commission.
  - (4) Copy reproduction.
  - (5) Postage.
  - (6) Inspection fees incurred by the City Building Inspector.
  - (7) Document recording (if required).
- E. Billing of costs. The City Clerk shall, on a monthly basis, bill all costs recoverable, other than all professional City Attorney fees, including fees of any designee of the City Attorney, pursuant to this chapter to the applicant, which said costs shall be paid by the applicant within 10 days of receipt of the City's billing. The Common Council may require an applicant to submit an advance deposit against future billings by the City for the recovery of costs provided by this chapter. Surplus deposit shall be returned to the applicant at the conclusion of the project if such deposit exceeds the amount of billings for recoverable costs. Any billed costs from the City unpaid at the expiration of said ten-day period shall bear interest at the rate of 18% per annum.
- F. Billing of attorney fees. The City Attorney shall, on a monthly or quarterly basis, bill all costs recoverable pursuant to this chapter to the applicant, which said costs shall be paid by the applicant within 10 days of receipt of the City Attorney's billing. Any billed costs from the City Attorney unpaid at the expiration of said ten-day period shall bear interest at the rate of 18% per annum.
- G. Conditions of all applications. Notwithstanding anything in the City Code to the contrary, payment in full of all recoverable costs pursuant to this chapter shall be a precondition to the final approval of any application. This precondition shall extend to any City board request for an advance deposit against future billings for recoverable costs as called for herein.

Applicant shall be provided with a signed copy of this document.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Representative of Applicant

Confirmation of Receipt Of  
Original Acknowledgement of Certificate

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ANNE B. UECKER, MMC

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CITY CLERK/TREASURER