

**Village of Fall Creek  
VARIANCE PETITION APPLICATION**

§ 268-95. **VARIANCES.** Purpose. The Zoning Board of Appeals may vary the regulations of this chapter in harmony with its general purpose and intent, but only in specific instances where the Board makes a finding of fact based on the standards prescribed in Subsection E. The Board may upon appeal in specific cases grant such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the chapter will result in unnecessary hardship and so that the spirit and intent of this chapter shall be observed and substantial justice done. The Board may impose conditions when granting variances to ensure that the variance is the minimum necessary to avoid undue hardship, ensure compliance with the limitations of the variance granted and to protect adjacent properties. For purposes of this section "unnecessary hardship" shall be defined to mean an unusual or extreme decrease in the adaptability of the property to the uses permitted in the zoning district which is caused by conditions unique to the particular property as distinguished from those applicable to most or all property in the same zoning district.

**USE VARIANCE:** Under NO circumstances shall the Board have the power to grant a variance for any use that is not permitted under the zoning district.

**AREA VARIANCE:** Variances permitted under this section shall be limited to so-called area variances which are limited to height, bulk, setbacks, area and yard requirements only.

The application for a variance shall be filed with the **ZONING ADMINISTRATOR**.

Today's Date \_\_\_\_\_

Address, or description of property involved: \_\_\_\_\_

Property Tax ID Number: 127- \_\_\_\_\_

Describe the petition you are requesting: \_\_\_\_\_

Name - Address - Phone Number of  
Person or Corporation filing for petition:

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

Name - Address - Phone Number of Property Owner  
(if different from petitioner):

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

Complete one:

As Owner, I do hereby certify that the above information is true and correct to the best of my knowledge.

\_\_\_\_\_  
Owner's Signature

As Authorized Agent, I do hereby certify that the above information is true and correct to the best of my knowledge.

\_\_\_\_\_  
Authorized Agent's Signature

**FILING FEE:**      \$75.00

Date Paid \_\_\_\_\_

Payment Received By \_\_\_\_\_

