

BOARD OF ZONING ADJUSTMENT APPLICATION

DEPARTMENT OF BUILDING SAFETY

341 Gunter Ave • Guntersville, AL 35976
256-571-7564 • Fax 256.571.7568

Applicant Name: _____

Mailing Address: _____

Contact Number: _____

Email: _____

For Office Use Only

Current Zoning: _____

Action Taken: Approved/ Denied

Date Taken: _____

NOTES:

1. **A COPY OF THE DEED TO THE SUBJECT PROPERTY MUST BE SUBMITTED WITH THIS APPLICATION.** If the applicant is not the owner, then a letter allowing the applicant to act as an "authorized agent" must be on file. All associated fees will be charged to the applicant unless otherwise arranged.
2. The applicant is responsible for providing the Department with the names and addresses of all adjoining property owners, including those across a street or railroad right-of-way, as shown in the public records of Marshall County. Failure to provide complete and up-to-date information could invalidate any change in zoning granted under this application.

Site Address: _____ Current Zoning District _____

Current Use: _____

Proposed Use: _____

General Location: _____

Type of Action Required: ☐ Variance ☐ Appeal of Administrative Decision ☐ Special Exception

Please list and describe all requested variances, appeals and/or special exceptions:

1. _____
2. _____
3. _____

In addition to this request, does the subject property and/or proposed development require any other official action by the City?

If so, please specify:

☐ Rezoning ☐ Conditional Use Approval ☐ Other _____
☐ Site Plan Approval ☐ Subdivision Plat Approval

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge. I understand that any variance or reversal of administrative decision granted under this request shall apply to the subject property only, and is contingent upon any special conditions established by the Board of Zoning Adjustment. Any regulation, interpretation, or policy of the City of Guntersville which is not addressed in this application shall remain in full force with property.

Applicant's Signature: _____ Date: _____

Applicant's Name (Please Print) _____

Received By: _____ Date: _____

Article 13-Paragraph 13-4.B Standards for variances. No variance in the strict application of the provisions of the Zoning Ordinance shall be granted by the Board of Zoning Adjustment unless it finds that the following requirements and standards are satisfied. In general, the power to authorize a variance from the terms of the Zoning Ordinance shall be sparingly exercised. It is the intent of the Zoning Ordinance that the variance be used only to overcome some exceptional physical condition of a parcel of land which poses practical difficulty to its development and prevents its owner from using the property as intended by the Zoning Ordinance. Any variance granted shall be the minimum adjustment necessary for the reasonable use of the land.

The applicant must prove that the variance shall be in harmony with the general purpose and intent of the regulations imposed by this Ordinance on the district in which it is located and shall not be injurious to the neighborhood or otherwise detrimental to public welfare. Please use the space provided below to address the standards outlined.

- A. The granting of the variance shall be in harmony with the general purpose and intent of the regulations imposed by the Zoning Ordinance on the district in which it is located and shall not be injurious to the neighborhood or otherwise detrimental to the public welfare.

- B. The granting of the variance will not permit the establishment of any use which is not permitted in the district.

- C. There must be proof of unique circumstances: there must exist special circumstances or conditions, fully described in the findings, applicable to the land or buildings for which the variance is sought, which circumstances or conditions are peculiar to such land or buildings and do not apply generally to land or buildings in the district, and which circumstances or conditions are such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of such land or building.

Please Attach Additional Pages, as Needed

D. There must be proof of unnecessary hardship. It is not sufficient proof of hardship to show that greater profit would result if the variance were granted. Furthermore, the hardship complained of cannot be self-created; nor can it be established on this basis by one who purchases with or without knowledge of the restrictions; it must result from the application of this Ordinance; it must be suffered directly by the property in question; and evidence of other variances granted under similar circumstances shall not be considered.

E. That the granting of the variance is necessary for the reasonable use of land or building and that the variance as granted by the Board of Zoning Adjustment is the minimum variance that will accomplish this purpose.

F. That the proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.

G. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.

The Board may prescribe any safeguard that it deems necessary to secure substantially the objectives of the regulations or provisions to which the variance applies.

PROPERTY OWNERS WITHIN 300 FEET
CITY OF GUNTERSVILLE DEPARTMENT OF BUILDING SAFETY

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Note: The applicant must provide the names and addresses of the **OWNERS** of all properties within 300 feet of the subject property, as listed in the records of the County Tax Assessor. These names and addresses must be listed below (attach additional sheets if necessary)

Tax Parcel # _____ Owner's Name: _____ Address: _____ _____	Tax Parcel # _____ Owner's Name: _____ Address: _____ _____
Tax Parcel # _____ Owner's Name: _____ Address: _____ _____	Tax Parcel # _____ Owner's Name: _____ Address: _____ _____
Tax Parcel # _____ Owner's Name: _____ Address: _____ _____	Tax Parcel # _____ Owner's Name: _____ Address: _____ _____
Tax Parcel # _____ Owner's Name: _____ Address: _____ _____	Tax Parcel # _____ Owner's Name: _____ Address: _____ _____
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