



Applying for a Variance Instructions Town of Clear Lake – Board of Zoning Appeals

1. VARIANCE TYPE:

Pick one (1) of the following applications that pertain to your request and complete with step 2:

- Development Standards Variance (BZA-02)
- Use Variance (BZA-03)

2. SUBMITTAL REQUIREMENTS: Provide one (1) copy of the following items:

- Drawings, to scale, of the proposed project including all exterior elevations
- Site plan, to scale, showing property lines, existing improvements, and proposed improvements
- Exterior materials list
- Certified boundary survey
- Copy of the property deed (or deeds)
- Sewer acceptance letter from the Town (if requesting a new sanitary sewer connection)
- Other information, including interior drawings, as requested for a thorough review of the proposed project

3. FEE: Pay the Variance Application fee per the Town's Fee Schedule, as amended by the Town Council.

4. MEETING: Once all of the submittal requirements have been met and the application fee paid, the variance request will be placed on the agenda of the next Board of Zoning Appeals meeting that is at least **28 days** away. The meeting date for your variance is _____.

5. SITE PREP: At least 10 days before the meeting, please stake your property lines and the corners of the proposed project. The public hearing sign will also be posted at this time but the Zoning Administrator.

6. GENERAL INFORMATION:

- You must attend the meeting to present the application and answer questions. If no one is at the meeting to present your request, the Board may dismiss it.
- Everyone giving testimony to the Board of Zoning Appeals shall be deemed to have given the testimony under oath.
- The burden is on YOU to supply all information necessary for a clear understanding of the request.
- Statements made at the meeting regarding operation, siting, or other details shall be binding agreements between you and the Board of Zoning Appeals. Likewise, drawings, displays, or documents presenting illustrating details shall also be binding as to their content and representation.

7. ADDITIONAL INFORMATION:

- For additional information on the Board of Zoning Appeals, the Variance process, or meeting procedures, please reference the Board of Zoning Appeals *Rules of Procedure* and *Town's Unified Development Ordinance*, Article 9. Both documents are available upon request and on the Town's website (www.townofclearlake.org).
- **Development Variance:** If your variance is granted, a permit must be issued within one (1) year of the variance approval or the variance will expire.
- **Use Variance:** If your variance is granted, a permit must be issued within one (1) year of the variance approval or the variance will expire. The variance may be subject to a commitment or condition for duration, but otherwise shall run with the land until the use is vacated for one (1) year consecutively or until the use conforms with the Unified Development Ordinance, as written.
- Once the project is complete, the Board of Zoning Appeals will create a "Certificate of Action Taken" to officially document the variance that was granted and have it recorded in the Office of the Steuben County Recorder.