



Town of Springerville Application for Variance or Appeal

Name of applicant(s)
(Applicant must be the legal owner or show
power of attorney)

Applicant mailing address

Applicant telephone number(s)

Parcel number(s) (attach legal description)

Property address

Zoning classification

Reason variance is being requested (check all
that apply):

Lot coverage ___ Lot size ___ Lot width ___
Parking ___ Setbacks ___ Height and area
requirements ___ Nonconforming use ___
Accessory or special use ___ Sign ___ Fence
___ Landscaping ___

Administrative decision being appealed: _____

See Page 2 for required documentation.

Signature of applicant(s)

Date

Fee: \$200.00
Received by: _____
Date: _____

Hearing date: _____
Notice date: _____
Action: _____

All documentation requested MUST be submitted before an application is complete.

Town of Springerville Requirements for Variance or Appeal

The following items must be submitted before a variance or appeal is considered:

- Application and legal description or parcel ID number for site
- Payment of the filing fee as required by current fee schedule for the Town
- Site plan drawn to scale, at least 8½" by 11", showing lot dimensions, all buildings, structures, signs and other pertinent information.
- Vicinity map showing properties within 150' of site (Apache County Assessor's Map acceptable)
- Letter of explanation regarding proposed use, and statement of hardship (if applicable)

Upon receipt of a completed application, the Zoning Administrator shall schedule a hearing by the Board of Adjustments within thirty (30) days and shall give notice of hearing by publication of a notice in the official newspaper of the Town and by posting the property affected not less than fifteen (15) days prior to the hearing. The notice shall set forth the time and place of the hearing and include a general explanation of the matter to be considered.

Variations

Any aggrieved person may appeal to the Board of Adjustment for a variance from the terms of the Zoning Ordinance only because of special circumstances applicable to property, including its size, shape, topography, location or surroundings, the strict application of the zoning ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district.

A variance shall not be granted unless the alleged hardship caused by literal interpretation of the provision of this Ordinance results in more than personal inconvenience and/or financial hardship, and is not the result of actions of the appellant.

In granting a variance, the Board may impose such conditions and safeguards as are appropriate to ensure that the purpose and intent of the Zoning Ordinance will be fulfilled.

No non-conforming use or violation of this Ordinance with respect to neighboring lands, structures or buildings in the same zoning district, and no permitted use of lands, structure or buildings in other zoning districts shall be considered grounds for granting a variance.

Appeals

Appeals to the Board of Adjustment concerning interpretation or administration of the Zoning Ordinance may be taken by any person aggrieved or by any officer or department of the Town affected by any decision of the Zoning Administrator.

The appeal stays all proceedings in the matter appealed from, unless the Zoning Administrator certifies to the Board that, by reason of the facts stated in the certification, a stay would in his opinion cause imminent peril to life or property. In such case, proceedings shall not be stayed, except by a restraining order granted by the Board, or by a court of record on application and notice to the Zoning Administrator.

The Board may reverse, affirm or modify the order, requirement or decision of the Zoning Administrator appealed.

Any party may appear at the hearing in person or by agent or attorney. Parties shall have the right to present their case by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination of witnesses as may be required for a full and true disclosure of the facts.

All documentation requested MUST be submitted before an application is complete.