

## RESOLUTION TEMPLATE FOR GRANTING USE VARIANCE

Moved by:

Seconded by:

I move the use variance for (applicant name, address or location) for (request)

Be granted on the following reasons:

The applicant has demonstrated all of the following:

- A. The site cannot be reasonably be used for any uses allowed within the current zoning district. (Elaborate)<sup>1</sup>
- B. The condition (or situation) justifying the use variance is unique to the property and not commonly present in the general vicinity and such condition (or situation) makes it impossible to earn a reasonable return on the property. The unique conditions or situations include (State any or all that are applicable):
  - 1. Exceptional Narrowness (Elaborate) and/or
  - 2. Exceptional topographic conditions (Elaborate), and/or
  - 3. The use or development of the property adjoining the subject property creates a unique condition making it impossible to earn a reasonable return on the property (Elaborate) and/or
  - 4. Other (Describe any other extraordinary physical situation affecting the ability to make a reasonable return on the property).
- C. The Use Variance will not alter the essential character of the neighborhood or the intent of the Master Plan, or be a detriment to adjacent properties. (Elaborate).
- D. The capacity and operations of public roads, utilities, other facilities and services will not be significantly compromised. (Elaborate).
- E. The need for the use variance was not self-created. (Elaborate).

Yeas:

Nays:

MOTION CARRIED/FAILED

---

<sup>1</sup> To elaborate, point out any information presented, whether presented by the applicant, City Staff, or someone else that appeared at the meeting or provided comments, which supports the finding.

## RESOLUTION TEMPLATE FOR DENYING USE VARIANCE

Moved by:

Seconded by:

I move the use variance for (applicant name, address or location) for (request)

Be denied on the following reasons:

The applicant has failed to demonstrate the following:

(Since an applicant has to demonstrate “all” the criteria, failure to demonstrate just one or more of the following justifies a denial. When making the motion, point out which of the following criteria have not been demonstrated and elaborate<sup>1</sup> as to why it was not met)

- A. The site cannot be reasonably be used for any uses allowed within the current zoning district.
- B. The condition (or situation) justifying the use variance is unique to the property and not commonly present in the general vicinity or that such condition (or situation) makes it impossible to earn a reasonable return on the property.
- C. The Use Variance will not alter the essential character of the neighborhood or the intent of the Master Plan, or be a detriment to adjacent properties.
- D. The capacity and operations of public roads, utilities, other facilities and services will not be significantly compromised.
- E. The need for the use variance was not self-created.

Yeas:

Nays:

MOTION CARRIED/FAILED

---

<sup>1</sup> To elaborate, point out any information presented, whether presented by the applicant, City Staff, or someone else that appeared at the meeting or provided comments, which supports the finding that the specific criterion has not been met.