



Case No. _____
Application Date _____
Application Fee _____

City of Branson West, Missouri

**APPLICATION
SUBDIVISION VARIANCE**

We, the undersigned, request that the City of Branson West, Missouri Board of Aldermen approve a variance from the application of the requirements of the subdivision provisions of the *Branson West Subdivision Regulations* as requested in this application for the property described below. We attest to the truth and correctness of all facts and information presented with this application and agree to pay all advertising and mail notification costs for the public hearing as required by the *Branson West Subdivision Regulations*. The City of Branson West is authorized to prepare and publish all required legal advertising, and mail notifications, the cost of which is to be billed to the name listed below for payment.

Legal Description of Property (attach additional sheet if needed):

Subdivision Name _____

The variance is requested for a : Major Subdivision_____ Minor Subdivision_____

Section of the *Subdivision Regulations* for which a variance is requested:

Section of the *Design Standards for Public Improvements* for which a variance is requested (if applicable):

Description of the variance requested (attach additional sheet if necessary)_____

Property Owner's Name(s):_____

If Corporation, Corporate Official and Seal:_____

Mailing Address: _____

Telephone Number: _____ Fax Number_____

PROPERTY OWNER'S SIGNATURE:

(If corporation, signature of official)

Applicant's Name (if different than property owner): _____

If Corporation, Corporate Official and Seal: _____

Mailing Address: _____

Telephone Number: _____ Fax Number _____

APPLICANT'S SIGNATURE: (If different than property owner):

(If corporation, signature of official)

BILL ADVERTISING AND NOTIFICATION COSTS TO:

Name _____

Address _____ Telephone _____

Answer the following questions in writing on an attached sheet(s).

1. List the specific provisions of the *Subdivision Regulations* and/or the *Design Standards for Public Improvements* which prevent the proposed construction on or use of the property.
2. List the special conditions or characteristics of the land that prevent compliance with the requirements of the *Subdivision Regulations* and/or the *Design Standards for Public Improvements*.
3. List the particular hardship which would result if the specified provisions of the *Subdivision Regulations* and/or the *Design Standards for Public Improvements* were applied to this property.
4. Indicate the extent to which it would be necessary to vary the requirements or provisions of the *Subdivision Regulations* and/or the *Design Standards for Public Improvements* in order to permit the proposed construction on or use of the property.
5. Explain how the requested variance conforms to each of the following standards set forth in the *Subdivision Regulations*, Section 306.2, for grant of a variance:
 - A. There are special and unusual circumstances or conditions affecting said property such that the strict application of the regulations from which the variance is requested would deprive the owner of reasonable use of said property and is not the mere grant of a privilege, and
 - B. The hardship relates to the applicant's land, rather than personal circumstances, and
 - C. The hardship is not the result of actions of any person having a vested right in the property; and
 - D. The variance will not nullify the intent and purpose of the *Branson West Subdivision Regulations*, and
 - E. The granting of the variance would not be detrimental to the public safety, convenience or welfare, or be injurious to other property in the vicinity.

**CHECKLIST
SUBDIVISION VARIANCE
City of Branson West, Missouri**

This checklist is provided to help you make sure that you submit everything that is required for a complete subdivision variance application. The application must be complete and all items on the checklist must accompany the application before it will be forwarded to the Planning and Zoning Commission. Applications for variance for a minor subdivision may be submitted with the Final Plat; variance applications for major subdivisions may be submitted with the Preliminary Plat. Applications must be submitted no later than 4:30 p.m. to the Branson West City Hall, 30 working days prior to date at which a hearing before the Commission is requested. Please contact the City Clerk at the telephone number below for meeting dates.

APPLICATION FORM:	
	Include legal description of the land involved in the variance request. Attach the legal description on a separate sheet if necessary.
	List name of the proposed subdivision and whether it is a minor or major subdivision.
	Indicate specific section of the <i>Subdivision Regulations</i> for which the variance is requested.
	If applicable, indicate the specific section of the <i>Design Standards for Public Improvements</i> for which the variance is requested.
	Describe the variance that is requested.
	Answer Questions 1 – 5 on the application form.
	List current property owner's name, address, and telephone number. If a corporation, list the corporate official and include the corporate seal.
	Property owner, or if applicable, a corporate official must sign the application.
	If the applicant is different than the property owner, list the applicant's name, address and telephone number. The applicant must sign the application.
PROPERTY OWNERS NOTIFICATION:	
	Provide a list of property owners' names and addresses within 185 feet of the subject property that has been compiled from the records of the Stone County Assessor's Office.
	Provide an addressed, stamped (not metered) business envelope for every property owner listed on the property owners' list.
PLANS AND PLATS:	
	If requesting a variance for a minor subdivision, submit variance application with the Final Plat. If a major subdivision, submit the variance application with the Preliminary Plat.
APPLICATION FEE:	
	If variance application is submitted with the plat application, there is no variance application fee. If variance application is submitted independent of the preliminary plat, then submit the \$50.00 application fee. Applicant also responsible for advertising and notification costs for public hearing. The City will bill applicant for public notification costs.
Note: The Planning and Zoning Commission shall not take action on any case when the applicant or applicant's agent does not appear at the public hearing before the Commission to provide evidence regarding the applicant's request for the variance.	

Submit Applications to:

Branson West City Hall
110 SilverLady Lane
P.O. Box 2229
Branson West, MO 65737
(417) 272-3313