



Department of Public Works

ZONING VARIANCE

Procedures for requesting a Zoning Variance

1. Submit completed Zoning Variance Application as well as ten (10) copies of the following:
 - a. A site plan of the property, drawn to scale, showing the location of all of the structures located on the property. The site plan should show the distances between the existing structure and the property line as well as the proposed structure and the property line.
 - b. Elevations, drawn to scale, depicting the proposed structure including the height and width of the proposed structure.

All required information shall be provided with the Zoning Variance application. If the information is not provided, the application will be considered incomplete and will be returned to the applicant for completion.

2. A filing deposit in the amount of \$200.00 will be required at the time of the filing of the application with the Department of Public Works' Code Enforcement Officer. This deposit will be applied to the actual cost of the hearing. Costs will be assessed for the purpose of meeting the City's expenses for publication of notice of hearing, counsel fees, reporter fees, and other expenses generated by this application. The applicant hereby agrees to reimburse the City for all costs in excess of the filing deposit. The City Clerk will refund to the applicant any portion of the filing deposit which is not expended for hearing costs.
3. After all the above requested items, including the filing deposit, have been submitted and approved by the Department of Public Works, the applicant will be placed on the agenda for a hearing before the Board of Adjustment. The Board of Adjustment meets once a month.
4. When applying to the Board of Adjustment, the applicant must show that applying a literal enforcement of the provisions of the regulations will result in an unnecessary hardship. The applicant shall show that by reason of the exceptional narrowness, shallowness or shape of the specific piece of property the homeowner is unable to use his property in the zoning district in a manner similar to other property in the surrounding neighborhood. A request for variance may be granted if the Board of Adjustment finds that all the following criteria has been met:
 - a. The variance requested arises from a condition that is unique to the property, is not ordinarily found in the same zone or district and has not been created by an action of the property owner or applicant.
 - b. That applying the literal interpretations of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.

- c. That special conditions and circumstances do not result from the actions of the applicant.
 - d. That granting the variance requested will not confer on the applicant any special privilege denied by the ordinance on other properties in the same district under the terms of this ordinance.
 - e. In granting a variance the Board may impose conditions to reduce or minimize any potentially injurious effect of such variance upon other property in the neighborhood.
5. In determining whether the evidence presented by the applicant supports the conditions stated above, the Board of Adjustment considers the extent to which the evidence demonstrates that:
 - a. The particular physical surroundings, shape or topographical conditions of the property would result in a severe hardship for the owner or occupant if the ordinance were literally enforced.
 - b. The request for a variance is not based exclusively upon the desire of the homeowner or applicant to secure a greater financial return from the property.
 - c. The granting of the variance will not be detrimental or injurious to other property improvements in the neighborhood in which the property is located.
 - d. The proposed variance will not impair an adequate supply of light 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 neighborhood.
 6. The Board of Adjustment consists of five (5) members. A minimum of four (4) members must approve the variance request.
 7. No variance granted by the Board of Adjustment shall be valid for a period longer than ninety (90) days' from the date upon which the variance is granted.
 8. Information regarding application to the Board of Adjustment can be obtained from the Code Enforcement Officer at 314-729-4724.



DEPARTMENT OF PUBLIC WORKS
One Detjen Dr. Crestwood, MO 63126
Telephone: 314-729-4724 Fax: 314-729-4729

APPLICATION FOR ZONING VARIANCE

Date: _____

Application is hereby made to the City of Crestwood Board of Adjustment for its consideration of a variance from the regulations and restrictions of the Zoning Regulations of the City of Crestwood as they pertain to the land presently Zoned _____, and is located at (address) _____.

The exact legal description of the property is as follows (may be attached): _____

The Department of Public Works denied Applicant's request for a permit to construct a _____

The applicant (name) _____, hereby requests a variance to allow _____

Practical difficulties or unnecessary hardships for which the Board of Adjustment should grant the variance are: _____

Applicant Information:

Name: _____ (printed) _____ (signature)

Address: _____ Phone #: _____

Owner(s) Information - If Other Than Applicant:

Name: _____ (printed) _____ (signature)

Address: _____ Phone #: _____

===== **OFFICE USE ONLY** =====

Date Reviewed: _____

City Engineer's Review of Drawings _____

Payment and/or Filing Deposit Section

Date Deposit Filed: _____

Initial Filing Deposit of \$200.00 received by: _____ (name and title)