



# VARIANCE APPLICATION REQUEST

CITY OF  
**Siloam Springs**

NOTE: COMPLETE SECTIONS IN WHITE.

Application #	Date	Reviewed By
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**Subject Property Address** \_\_\_\_\_

Owner/Developer _____	Address _____
Phone _____	Fax _____ E-mail _____

Agent for Owner _____	Address _____
Phone _____	Fax _____ E-mail _____

Zoning District \_\_\_\_\_

Present Use \_\_\_\_\_ Proposed Use \_\_\_\_\_

Legal Description	Lot	Block	Addition
Specific Variance Requested			

Application Fee	Account Number: 08-01-475000-000	Cost \$100.00
Legal Notification	Statement of Hardship	
Tech Review Date:	Board of Adjustment Date:	

**APPLICANT:** I, THE UNDERSIGNED APPLICANT, DO HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAW AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW.

I/We, \_\_\_\_\_, ("Owner") am/are all of the owner(s) of real property ("Property") generally located at \_\_\_\_\_, consisting of approximately \_\_\_ acres, as shown in the evidence of ownership, *Exhibit A*, attached to this Agreement, and made a part hereto as though set out word for word herein.

The Property is subject to the regulatory programs of the City of Siloam Springs, Arkansas. For purposes of this

Waiver, "regulatory programs" shall be defined as set forth in Act 1002 of 2015. I/We have requested that the City take/approve the land use action ("Requested Action") herein set forth: \_\_\_\_\_

I/We acknowledge that as the request is processed for approval, changes may be made to the details and requirements for approval of the request. Some of these changes may materially alter the request, so that the final approval may be substantially different than originally requested. I hereby acknowledge and agree that this waiver shall include and apply to any and all such changes, regardless of execution of an additional waiver applicable thereto.

I/We acknowledge that the Requested Action may alter my/our rights to use, divide, sell or possess our Property, and that, by signing this Agreement, I/we hereby agree to waive any and all claims for diminution in value for the Property which may arise pursuant to Act 1002 of 2015 or otherwise as a result of the City's actions, including but not limited to approvals, denials or conditions of approvals with respect to the above-described Requested Action.

I/we hereby further understand that the City is acting in reliance upon my/our representations in this waiver.

## APPLICATION AND WAIVER OF CLAIMS FOR DIMUNITION OF VALUE SIGNATURE

\_\_\_\_\_  
PROPERTY OWNER

\_\_\_\_\_  
DATE

BOA APPROVED	DENIED
BOA SIGNATURE	



STATEMENT OF HARDSHIP

Name: \_\_\_\_\_ Circle one: Agent for Owner / Owner

Address or description of property:  
\_\_\_\_\_

The Board of Adjustment and/or Board of Directors may approve a variance development permit **only** after determining from the evidence and arguments presented that the conditions listed below do exist. Please describe how your request satisfies each of these conditions.

1. The need for this variance arises from a uniqueness of the property not frequently occurring in the zoning district:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. This uniqueness of the property was not caused, allowed, or known prior to purchase by the owner or has existed for a minimum of fifteen (15) years:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. If approved, this variance will not burden the present or future use of neighboring properties and will not damage any property value or quality of life in the neighborhood:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## Variance Approval Process

All referenced documents and guides are located on the City's website, [www.siloamsprings.com](http://www.siloamsprings.com), look under the Planning Division.

Application	Legal Notice**	Technical Review Meeting 2:00 pm	Board of Adjustment 4:00 pm
<i>Number of Calendar Days*</i>	N/A	<b>15 - 21</b>	<b>23 - 27</b>
<b>VARIANCE</b>	1	2	<b>3- PROCESS COMPLETE</b>

*\*For exact timing, please see the development calendar.*

*Read dates across from left to right on the application submittal date.*

Basic Application Steps: Note: these steps differ slightly from those of the Development Procedures Manual (DPM).

- STEP 1.** Set up pre-application meeting with City staff, due prior to formal submittal.
- STEP 2.** Acquire a survey or map of the property describing what it is you are wanting done. The survey need to contain all items shown on the land use change checklist chart on page 43 of the DPM.
- STEP 3.** Submit Application. **DUE THE FIRST BUSINESS DAY OF THE MONTH**
  - A. Turn in Application form to Brian Phillips – Planning Division
  - B. Turn in a Statement of Hardship form (attached to the application)
  - C. Payment of \$100.00
  - D. Email a exhibits, maps, or other evidence for your request to [bphillips@siloamsprings.com](mailto:bphillips@siloamsprings.com)
- STEP 4.** Perform legal notification and provide documentation. See Brian Phillips for details, or consult the DPM.
- STEP 5.** Final exhibit submittal. City staff will email you if changes are needed to your exhibits or Statement of Hardship. When this process is completed, submit final copies to the Planning Division. This is due 8 days prior to the Planning Commission's review.
- STEP 6.** Board of Adjustment Review. Attend the Board of Adjustment to respond to any questions the Board may have on your variance. See the Development Calendar for the meeting date.
- STEP 7.** (If applicable) Building or planning permit issuance. Once your variance is approved, you may proceed with a building, or related permit, associated with your request.