

AGENDA



Thursday, January 10, 2008

**Public Hearings and Possible Actions
RECOMMENDATION FOR COUNCIL ACTION****Item No. 106**

Subject: Conduct a public hearing and consider an ordinance amending Section 25-1-211 of the City Code to authorize the waiver of application fees for a zoning variance from the Board of Adjustment if at least eighty percent of the property owners located within 300 feet of the subject property support the variance.

Fiscal Note: Fiscal impact is unknown at this time. Planning Commission would like to revisit this issue if necessary in the future.

For More Information: Bobby Ray, 974-3056; Jessica King, 974-2728 Susan Walker, 974-2202;

Boards and Commission Action: Recommended by the Planning Commission.

On June 9, 2005, Council approved a resolution directing the City Manager to initiate a Code amendment waiving application fees for a zoning variance from the Board of Adjustment if at least 80% percent of the property owners located within 300 feet of the property for which a variance is requested do not oppose approval of the variance.

The fee for a Board of Adjustment (BOA) variance is \$360, which includes a notification fee of \$165 required to notify all property owners within a 300 foot radius of the subject property and a \$55 fee required for posting a sign on the property to inform surrounding properties of a variance request. The remainder of the fee, \$140, is related to administrative costs involved in processing the variance.

To verify that an applicant has the support of 80% of the surrounding property owners, the applicant will be required to obtain the signature of each noticed owner supporting the variance. The applicant would then submit the completed form to the building official prior to the BOA meeting.