



APPLICANT INFORMATION

Date: _____

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Email: _____

Contact Person: _____

NONCONFORMING, NONCOMPLYING, or VARIANCE APPLICATION

NonConforming or NonComplying Application Fee Amount: \$ _____

Variance Application Fee Amount: \$ _____

Determination of Legal Nonconforming Use/Structure/Other Nonconformity OR Variance

Location/Address of the Use/Structure/Nonconformity: _____

Previous Zoning District and Current Zoning District: _____

Total Acreage (square feet or acres) of Site: _____

Name of Property Owners: _____

Signature of Applicant(s): _____

Fairview City Office Use Only

Date Received:	Date Determined Complete:	Fees Paid:

PROPERTY OWNER AFFIDAVIT

STATE OF UTAH }
 }ss
COUNTY OF SANPETE}

I (we), _____, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

(Property Owner)

(Property Owner)

Subscribed and sworn to me this _____ day of _____, 20_____.

(Notary)

My commission expires: _____

AGENT AUTHORIZATION AFFIDAVIT

I (we), _____, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s), _____, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Dated this _____ day of _____, 20 _____, personally appeared before me _____, the signer(s) of the agent authorization who duly acknowledged to me that they executed the same.

(Notary)

My commission expires: _____

Nonconforming/Noncomplying Application Requirements:

- ❑ All Determination of Existence of a Legal Nonconforming Use, Legal Noncomplying Structure, or other Legal Nonconformity Applications shall include and provide the following information:
 - A complete Determination of a Legal Nonconforming Use/Legal Noncomplying Structure/Other Legal Nonconformity Application, as provided by the City, accompanied by application fees.
 - The Applicant(s) shall have the burden to clearly establish the existence of a legal nonconforming use, noncomplying structure, lot, sign, or other nonconformity on the date of adoption of the Fairview City Zoning Ordinance, or prior enactments thereof. The Applicant(s) shall provide any other information, as may be determined necessary to establish the legal existence of a nonconforming use, noncomplying structure, or other nonconformity.

Requirements and Standards for Consideration of a Variance Application:

- ❑ All Variance Applications shall include and provide the following information:
 - A complete Variance Application, as provided by the City, accompanied by application fees.
 - Two (2) 11 inch x 17 inch size copies of a Site Plan, identifying the location of all uses, buildings and structures.
 - Provide a written narrative describing how the proposed variance will comply with all of the approval standards required for a Variance Application. The Land Use Authority shall not approve a variance unless, based upon the evidence presented, it finds that all of the following apply:
 - a. Literal enforcement of the provisions of the Fairview City Zoning Ordinance would cause an unreasonable hardship for the applicant and the applicant has demonstrated that the hardship is located on, or associated with, the property for which the variance is sought, and is peculiar to the property rather than conditions general to the immediate area.
 - b. The identified hardship is not self-imposed.
 - c. The identified hardship is not economic in nature.
 - d. There exist special circumstances attached to the property that do not apply to other properties in the same zoning district.
 - e. The variance is essential to the enjoyment of a property right possessed by other property in the same zoning district.
 - f. The granting of the variance will not be contrary to the public interest.

FIGURE 2-1
Procedures for Determination of Application Completeness

