



424 N. Sappington Road Glendale, Missouri 63122 (314) 965-3600 fax (314) 965-4772

APPEAL TO THE BOARD OF ADJUSTMENT

APPLICANT: _____ DATE: _____

PROPERTY OWNER: _____ ZONING DISTRICT: _____

ADDRESS of PROPERTY: _____ Glendale, MO 63122

TELEPHONE: Day (____) _____ Home (____) _____

Section 1: Basis for Granting Variances:

A variance can only be granted when the strict application of the zoning regulations of Chapter 400 of the Glendale Municipal Code would result in peculiar and exceptional practical difficulties or exceptional and undue hardship upon the owner of such property by reason of at least one of the following:

- a. *Area Variances.* When, by reason of exceptional narrowness, shallowness or shape of a specific piece of property on April 24, 1963, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, which condition is not generally prevalent in the neighborhood, the strict application of the area regulations of this Chapter would result in peculiar and exceptional practical difficulties or exceptional and undue hardship upon the owner of such property, the Board is hereby empowered to authorize upon an appeal relating to such property, a variation from such strict application so as to relieve such difficulty or hardships.
- b. *Use Variances.* The Board of Adjustment is empowered to grant use variances only upon findings that all of the following five factors are established:
 1. The applicant will be deprived of all beneficial use of the property under any of the permitted uses in the zoning district in which the property is located, all beneficial use being lost only where the property is not suitable for any use permitted in the City's zoning ordinance for that zoning district; and
 2. The applicant has sufficiently demonstrated unnecessary hardship by expert testimony and/or documentation and not mere conclusionary or lay opinion that the property in question cannot yield a reasonable return if used only for a purpose or purposes permitted in the zoning district in which that property is located; and
 3. The plight of the owner is due to exceptional or unique circumstances and not due to general conditions in the neighborhood; and
 4. The use to be authorized by the variance would not alter the essential character of the neighborhood; and
 5. The proposed use to be authorized by the use variance would not constitute a change in the district map, impair an adequate supply of light and air to adjacent property, increase congestion in public streets, increase the danger of fire, materially diminish or impair established property values within the surrounding area and would not in any other respect impair the public health, safety, comfort, morals and welfare of the City.

For details of the Board's authority to grant a variance, see Sections 400.910-400.970 of the Glendale Code.

Please note that the desire to use certain space, whether interior or exterior, in a particular manner is not a basis for the Board to grant a variance.

