



## City of Whittier Variance Application

**Why Apply?** A variance is needed when a property has unique conditions that make it hard to follow the usual zoning rules. Property owners apply for a variance to get permission to do something a little different than what's normally allowed. This helps ensure the property can be used in a fair way without causing problems for the neighborhood.

This completed application is to be submitted to the City Clerk's Office no later than three weeks in advance of the next regularly scheduled Planning and Zoning Commission meeting. The next scheduled meeting can be found online at [www.whittieralaska.gov/events](http://www.whittieralaska.gov/events).

### Applicant Information

Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_ Email Address: \_\_\_\_\_

### Property Owner Information (if other than applicant)

Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_ Email Address: \_\_\_\_\_

### Property Information

Address: \_\_\_\_\_ Lot Size: \_\_\_\_\_ acres / square feet

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_

- Zoning District:
- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Single-Family Residential (SFR) | <input type="checkbox"/> Industrial (I)              | <input type="checkbox"/> Planned Unit Development (PUD) |
| <input type="checkbox"/> Multifamily (MF)                | <input type="checkbox"/> Recreational Tidelands (RT) | <input type="checkbox"/> Marine Park                    |
| <input type="checkbox"/> Commercial (C)                  | <input type="checkbox"/> Commercial Tidelands (CT)   |   |
|  | <input type="checkbox"/> Small Boat Harbor (H)       |   |
|  | <input type="checkbox"/> Open Space (OS)             |   |

### Variance Request Information

**1. What are you asking for?**

(Describe what specific rule you want to change, like how much space you need from the property line and explain what you want to do.)

**2. What makes your property different?**

(Explain what's unique about your property that makes it hard to follow the normal rules. Think about things like the shape, size, or other features of the land.)

**3. How would following the rules be unfair to you?**

(Describe how sticking to the rules would put you at a disadvantage compared to your neighbors. Explain why your situation is different.)

**4. Is this situation your fault?**

(Show that the problem wasn't caused by something you did, and that it's not just about saving money or avoiding inconvenience.)

**5. How will this fit with the neighborhood?**

(Explain how letting you do this will still keep the neighborhood safe, pleasant, and in line with the goals of the zoning district.)

**6. What will you do to make sure it works for everyone?**

(List any steps you'll take to make sure your request doesn't negatively affect your neighbors.)

**7. Has this property gotten a variance before?**

(If a variance was granted before, give the details.)

**Certification**

I hereby certify that the above statements and other information submitted are true and accurate to the best of my knowledge. I understand that this item will be scheduled for action only if all application materials are submitted not less than three weeks in advance of the next regularly scheduled Planning and Zoning Commission meeting.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*Office Use Only*

Date Received: \_\_\_\_\_

Date Accepted as Complete: \_\_\_\_\_

Received By: \_\_\_\_\_

Date Notice Given: \_\_\_\_\_

Fee: \_\_\_\_\_ Date Paid: \_\_\_\_\_

Public Hearing Date: \_\_\_\_\_

## Instructions for Submitting a Variance Application

- 1. Complete the Application.** Fill out all sections of the variance application. Make sure to provide detailed answers to all questions, especially in the "Variance Request Information" section. This helps the Planning and Zoning Commission understand why you need the variance.
  - 2. Attach a Site Plan.** Include a site plan that clearly shows where your property is, where the existing and proposed structures are, and the exact distances from property lines or other important features. This is crucial for the review process.
  - 3. Submit the Application.** Submit the completed application and site plan to the City Clerk's Office at least three weeks before the next Planning and Zoning Commission meeting. You can find meeting dates online at [www.whittieralaska.gov/events](http://www.whittieralaska.gov/events). Pay the application fee (\$75.00) when you submit the documents by writing a check, paying by phone, or coming to the office during regular business hours.
  - 4. Review Process.** After you submit your application, the City Clerk's Office will review it to ensure all information is complete. If anything is missing, you will be contacted to provide the necessary details.
  - 5. Public Hearing.** Your application will be scheduled for a public hearing at the next Planning and Zoning Commission meeting. Notice of this hearing will be provided to you and to neighboring property owners.
  - 6. Commission Decision.** During the meeting, the Planning and Zoning Commission will review your application, listen to any public comments, and make a decision. The decision will be based on whether your request meets the criteria outlined in the Whittier Municipal Code. You will be notified in writing of the Commission's decision.
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## What Happens After a Decision Is Made?

**Approval:** If your variance is approved, you can move forward with your project as described in your application, provided you meet any conditions the Commission may have set.

**Denial:** If your variance is denied, you cannot proceed with your project as requested. However, you have the right to appeal the decision.

### How to Appeal a Denied Variance:

- Submit a written appeal to the City Clerk within 30 days of the decision. The appeal will be reviewed by the City Council, which will hold a hearing as the Board of Adjustment to reconsider the Commission's decision.
  - The City Council may affirm, modify, or overturn the Commission's decision based on the appeal.
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## Important Note on Ex Parte Communications:

Once your variance application has been submitted, it's important to avoid ex parte communications with members of the Planning and Zoning Commission or City Council. Ex parte communication refers to any discussion about your application with decision-makers outside of the official hearing process. This ensures that all discussions and decisions are made in a fair, transparent, and impartial manner, based solely on the information presented during the public hearing.