

# Clark County Variance/Administrative Appeal Application

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## Applicant Information:

Name: \_\_\_\_\_

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

City \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

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## Property Information

Property Address: \_\_\_\_\_

Legal Description: Lot \_\_\_\_: Block \_\_\_\_, CSM/Subdivision \_\_\_\_\_  
\_\_\_\_ 1/4, \_\_\_\_ 1/4, Section \_\_\_\_\_, Township \_\_\_\_\_ N, Range \_\_\_\_\_ E or W

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## Type of Hearing Requested

\_\_\_\_\_ This is a request for an administrative appeal of a decision or determination made by an administrative official in the enforcement of a Clark County Ordinance:

\_\_\_\_\_ This is a request for a variance to a Clark County Ordinance.

**Ordinance:** \_\_\_\_\_ Shoreland Zoning, \_\_\_\_\_ Floodplain Zoning, \_\_\_\_\_ Nonmetallic Mine Reclamation  
\_\_\_\_\_ Floodplain Zoning, \_\_\_\_\_ Private Onsite Wastewater Treatment System

**Reason for Request:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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The applicant, as witnessed by the applicant's signature on this application hereby attests that the information contained therein is accurate and true. Any assistance by County staff was at the applicant's request. I agree to permit county officials charged with administering county ordinances or other authorized person to have access to the above-described premises at any reasonable time for site review.

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

Legal Notice Publishing Fee: \$500, Application/Hearing Fee: \$1,500 **Total Fee: \$2,000**

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Clark County Planning and Zoning Department Use Only

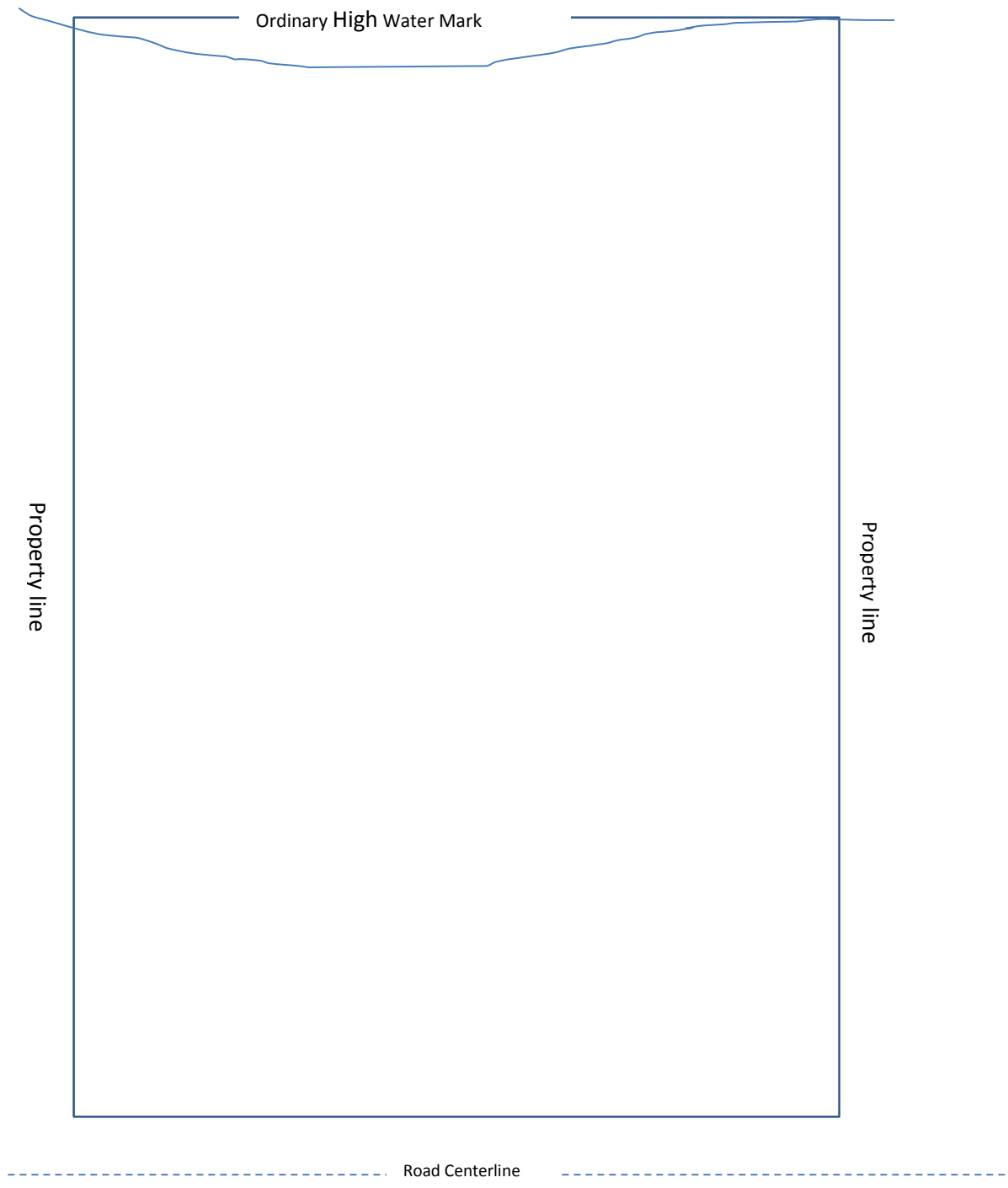
Date Received:	Fee Received:
Publication Dates:	Hearing Date:

Applicant name \_\_\_\_\_

**PLOT PLAN**

Plot plan must show location of buildings, property lines, road centerlines, driveways, fences, ordinary high water mark, and POWTS components (tanks, infiltration areas, etc.).

Plot plan must show dimensions of buildings and setback distances from property lines, road centerline, and ordinary high water mark.



**Clark County Variance Application – Additional Information**

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**Property Owner:** \_\_\_\_\_

*I request a variance from Article/Section \_\_\_\_\_ of the Clark County \_\_\_\_\_ Ordinance.*

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**Describe your need for a variance and why the request meets the criteria below:**

**Need for a Variance:**

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

**1). Unnecessary Hardship:**

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

**2). Physical Property Limitations:**

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

**3). Not Contrary to Public Interest:**

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

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**THE FOLLOWING THREE CRITERIA MUST BE MET:**

**1). Unnecessary Hardship:**

- In the absence of an area variance would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions as to be unnecessarily burdensome.
- Reasonable use relates to whole property.
- Owner has a duty to investigate options for use of property.
- No self-imposed hardship (commenced beforehand).
- Personal preference/convenience or financial hardship is NOT a hardship that justifies granting of a variance.
- A variance runs with property, not owners.

**2). Physical Property Limitations:**

- The hardship is due to physical limitations of the property, not circumstances of the applicants.
- Violations & nearby variances do not justify a variance.
- Physical limitations of the property itself refer to dimensions and topographic features, such as slope, wetland, etc. Location of existing structures on the property is NOT a physical limitation of the property.

**3). Not Contrary to Public Interest:**

- Purpose statement of ordinance outlines public interest factors.
- The effect of a variance on general public must be determined.
- Conditions to preserve ordinance objectives may be imposed.