



Case No. \_\_\_\_\_  
 Application Date \_\_\_\_\_  
 Application Fee See Appendix A  
 Recording Fee \_\_\_\_\_

**APPLICATION  
 SUBDIVISION VARIANCE**

We, the undersigned, request that the City of Battlefield, Missouri Board of Aldermen approve a variance from the application of the requirements of the *Battlefield Subdivision Regulations* as requested in this application for the property described below. We attest to the truth and correctness of all facts and information presented with this application and agree to pay all advertising and mail notification costs for the public hearing as required by the *Battlefield Subdivision Regulations*. The City of Battlefield is authorized to prepare and publish all required legal advertising, and mail notifications, the cost of which is to be billed to the name listed below for payment.

Legal Description of Property (attach additional sheet if needed):

Street address of property or common location description: \_\_\_\_\_

Subdivision Name \_\_\_\_\_

The variance is requested for a : Major Subdivision\_\_\_\_\_ Minor Subdivision\_\_\_\_\_

Present Zoning Classification\_\_\_\_\_

Section of the *Subdivision Regulations* for which a variance is requested:\_\_\_\_\_

Description of the variance requested (attach additional sheet if necessary):\_\_\_\_\_

Property Owner's Name(s):\_\_\_\_\_

If Corporation, Corporate Official and Seal:\_\_\_\_\_

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

Telephone Number: \_\_\_\_\_ Fax Number \_\_\_\_\_

**PROPERTY OWNER'S SIGNATURE:**

\_\_\_\_\_  
 (If corporation, signature of official)

Applicant's Name (if different than property owner): \_\_\_\_\_

If Corporation, Corporate Official and Seal: \_\_\_\_\_

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

Telephone Number: \_\_\_\_\_ Fax Number \_\_\_\_\_

**APPLICANT'S SIGNATURE:** (If different than property owner):

\_\_\_\_\_  
(If corporation, signature of official)

**BILL ADVERTISING AND NOTIFICATION COSTS TO:**

Name \_\_\_\_\_

Address \_\_\_\_\_ Telephone \_\_\_\_\_

Answer the following questions in writing on an attached sheet(s).

1. List the specific provisions of the *Subdivision Regulations* which prevent the proposed construction on or use of the property.
2. List the special conditions or characteristics of the land that prevent compliance with the requirements of the *Subdivision Regulations*.
3. List the particular hardship, which would result if the specified provisions of the *Subdivision Regulations* were applied to this property.
4. Indicate the extent to which it would be necessary to vary the requirements or provisions of the *Subdivision Regulations* in order to permit the proposed construction on or use of the property.
5. Explain how the requested variance conforms to each of the following standards set forth in Article III, Section 3.7.3, of the *Subdivision Regulations*, for grant of a variance:
  - A. The granting of the variance would not be detrimental to the public safety, health or welfare or be injurious to other property in the vicinity.
  - B. Because of the particular physical surroundings, shape, topography or other unusual conditions affecting said property, an undue hardship to the property owner would result, as distinguished from a mere grant of privilege, if the strict application of the regulations were enforced;
  - C. The hardship is not a result of the applicant's own actions.
  - D. The granting of the variance will not conflict with the general purpose and intent of the *Battlefield Comprehensive Plan*, the *Battlefield Subdivision Regulations*, the *Battlefield Zoning Regulations* or any other applicable ordinance of the City.

## CHECKLIST

### SUBDIVISION VARIANCE City of Battlefield, Missouri

This checklist is provided to help you make sure that you submit everything that is required for a complete subdivision variance application. The application must be complete and all items on the checklist must accompany the application before it will be forwarded to the Planning and Zoning Commission. Applications must be submitted no later than 4:30 p.m. to the Battlefield City Hall, 30 working days prior to date at which a hearing before the Commission is requested. Please contact the City Clerk at the telephone number below for meeting dates.

<b>APPLICATION FORM:</b>	
	Include legal description of the property. Attach legal description on a separate sheet if necessary.
	List present zoning classification of the land or property involved.
	List name of the proposed subdivision and whether it is a minor or major subdivision.
	Indicate specific section of the <i>Subdivision Regulations</i> for which the variance is requested.
	Describe the variance that is requested.
	Answer Questions 1 – 5 on the application form.
	List current property owner's name, address, and telephone number. If a corporation, list the corporate official and include the corporate seal.
	Property owner, or if applicable, a corporate official must sign the application.
	If the applicant is different than the property owner, list the applicant's name, address and telephone number. The applicant must sign the application.
	List name, address and telephone number for billing legal advertising and notification costs.
<b>PROPERTY OWNERS NOTIFICATION:</b>	
	Provide a list of property owners' names and addresses within 185 feet of the subject property that has been compiled by a title company authorized to issue title policies in the State of Missouri or an attorney.
	Provide an addressed, stamped (not metered) business envelope for every property owner listed on the property owners' list.
<b>APPLICATION FEE:</b>	
	No fee for variance applications submitted concurrently with plat (see Plans and Plats, below). For variance applications submitted independent of such plats, Include the \$50.00 application fee. Applicants are responsible for advertising and notification costs for public hearing, and recording fee. City will bill applicant for these costs.
<b>PLANS AND PLATS:</b>	
	If requesting a variance for a minor subdivision, submit variance application with the Final Plat. If a major subdivision, submit the variance application with the Preliminary Plat.
<b>Note: The Planning and Zoning Commission shall not take action on any case when the applicant or applicant's agent does not appear at the public hearing before the Commission to provide evidence regarding the applicant's request for the variance.</b>	

#### Submit Applications To:

Battlefield City Hall  
5434 Tower Drive  
Battlefield, MO 65619  
(417) 883-5840  
(417) 883-8189 FAX