



**CITY OF WEST FORK, AR**  
**APPLICATION**  
**PETITION FOR VARIANCE**

The Planning Commission and Board of Zoning Adjustment schedule of meeting dates and submission deadlines must be followed to be placed on the Board of Zoning Adjustment meeting agenda. Late and/or incomplete applications will not be addressed by the board. Returned checks will void the application. The Planning Commission and Board of Zoning Adjustment meets on the 3<sup>rd</sup> Thursday of each month at 6:30 pm in the West Fork City Council Chambers, 262 W. Main St., West Fork, AR 72774.

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

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

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

Owner's Business Name, if applicable: \_\_\_\_\_

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

If Representative, also list your Name, Title, Company, Address and Phone: \_\_\_\_\_

\_\_\_\_\_

Correspondence Email: \_\_\_\_\_

I hereby request a Variance on the property described below. (Attach additional pages if needed.)

Property Description: \_\_\_\_\_

Parcel #: \_\_\_\_\_ Current Zoning: \_\_\_\_\_

Physical address of property affected by this application: \_\_\_\_\_

Attach legal description and site plan (Required: scaled drawing of property showing accurate lot lines, surrounding zoning, adjacent owners and North arrow.) Attach photos if helpful in describing request.

The Variance request is summarized as follows: \_\_\_\_\_

\_\_\_\_\_

**Applicant:** By signing below, the applicant affirms that he/she is an owner of record, as evidenced by document(s) on file in the Washington County Circuit Clerk's Office, of the property in this application. If owner is acting through an agent, proper written authorization must accompany the application. Applicant affirms having provided true and accurate information herein. Applicant also affirms by signature that he/she has read, understands, and agrees with, and agrees to comply with the applicable conditions and requirements as set forth in the West Fork Code of Ordinances.

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

## REQUIREMENTS PRIOR TO AUTHORIZATION: VARIANCE PETITIONS

1. Read and complete application form, initial each page, pay fee and file application with required documents at the City Administration Building, 164 N. Centennial Ave., West Fork, AR 72774.
2. It is the applicant's responsibility to ensure that the application is correct in all respects. The applicant is urged to seek legal advice at his/her expense, and it is the applicant's responsibility to obtain any legal counsel necessary in order to correctly complete the forms. **The City Staff will review the application for completeness only.**
3. The applicant is responsible for ensuring that the description of the property is correct. The applicant must submit a recent legal survey or plat map, certified by a registered land surveyor. The applicant is urged to provide a description and visual depiction of the Variance requested.
4. Submit all necessary easements.
5. Submit all right-of-way dedications.
6. The schedule attached to the application must be followed and all items must be completed before the applicant can be placed on the Board of Zoning Adjustment agenda.
7. All paperwork must be submitted to the city by the Thursday (a week) prior to the Thursday meeting of the Planning Commission and Board of Zoning Adjustment.
8. After the application is properly filed and the fee paid, the Board of Zoning Adjustment will review the application at its next regular meeting. **The applicant must be present in person and/or by representative at the Board of Zoning Adjustment meeting.**

It should be expressly understood that the Board of Zoning Adjustment cannot permit, as a Variance, any use in a zone that is not permitted under the zoning regulations. Also, the Board of Zoning Adjustment may impose conditions in the granting of a Variance to ensure compliance and to protect adjacent properties.

The Board of Zoning Adjustment will set a date for a public hearing regarding the application.

9. Applicant must, at his/her own expense, give notice of the public hearing as required below. The notice should be substantially the form attached.  
Before the Board of Zoning Adjustment may consider a Variance request for any property, the petitioner shall give not less than ten (10) days written notice of the time, place and date of the public hearing to all the record owners of adjacent property owners within 200 feet as certified by a licensed abstractor. Said notice shall be sent by certified or registered mail to the last known address of each record owner and the petitioner shall execute and file with the Board of Zoning Adjustment a notarized Affidavit showing compliance herewith attaching as exhibits to such Affidavit official evidence that said notices have been so mailed.
10. The notarized Affidavit required and supporting exhibits (return receipts, certified abstract list of property owners of record, copy of notice advertisement record) shall be filed at the City Administration Building no later than six (6) calendar days prior to the hearing date.
11. **The applicant must be present in person and/or by representative at the public hearing** and be prepared to answer any questions the Board of Zoning Adjustment or interested parties may have. **The applicant must be present in person and/or by representative at the City Council meeting** and be prepared to answer any questions the City Council or interested parties may have.  
If the applicant has obtained legal counsel to assist in the preparation of the Variance application, applicant's legal counsel should also be present.

**NOTE:** Failure to comply with the above requirements may cause your application to be withheld and not considered at the Board of Zoning Adjustment meeting and/or the public hearing and may also require renotification of adjacent property owners and/or reapplication (plus fees) for rezoning.

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**FEES:** Variance - \$100.00 (Ord. No. 473, Sec. 1)

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(FORM OF NOTICE)

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NOTICE

NOTICE IS HEREBY GIVEN THAT PURSUANT TO THE PROVISIONS OF THE CODE OF ORDINANCES OF THE CITY OF WEST FORK, THE FOLLOWING PETITION FOR VARIANCE HAS BEEN SET FOR HEARING BEFORE THE BOARD OF ZONING ADJUSTMENT IN THE WEST FORK CITY COUNCIL CHAMBERS, 262 W. MAIN ST., WEST FORK, ARKANSAS, 72774 ON

\_\_\_\_\_ (date)

\_\_\_\_\_ (time)

PETITION FOR VARIANCE BY \_\_\_\_\_

(owner's name)

PHYSICAL LOCATION AND ADDRESS OF SUBJECT PROPERTY:

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

LEGAL DESCRIPTION OF SUBJECT PROPERTY:

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

VARIANCE REQUEST SUMMARY:

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

All interested parties may appear and be heard at said time and place. A copy of the Petition and supporting documents are available for review at the City Administration Building, 164 N. Centennial Ave., West Fork, Arkansas 72774.

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Applicant Initials: \_\_\_\_\_

West Fork Administrative Entries

Petition accepted and fee paid. Date: \_\_\_\_\_ City Treasurer's initials: \_\_\_\_\_

Cash    Check # \_\_\_\_\_

Initial application review by Board of Zoning Adjustment. Date: \_\_\_\_\_ Rep. initials: \_\_\_\_\_

Application Approved:  Yes    No    Tabled for up to \_\_\_\_\_ days. Comments: \_\_\_\_\_

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

Board of Zoning Adjustment Representative Approved After Public Hearing:  Yes    No

Approved with Conditions: \_\_\_\_\_

Comments: \_\_\_\_\_

Planning Comm. Rep. Signature: \_\_\_\_\_ Date: \_\_\_\_\_