

CITY OF FAYETTEVILLE, ARKANSAS

ADMINISTRATIVE ITEMS & PLANNING COMMISSION VARIANCE ITEMS

Please fill out the Energov fields completely, supplying all necessary information and documentation to support your request. *Your application will not be placed on a review cycle or the Planning Commission agenda until this information is furnished.*

Checklist:

Attach the following items to this application:

- 1. Payment in full of applicable fees for processing the application:
 - \$25.00 application fee
 - \$5.00 public notice sign fee (if required).
- 2. Legal description of property (may be found on deed or current survey of property). A survey may be required if the deed cannot be platted accurately.
- 3. A typed letter addressed to the chair of the Planning Commission addressing the following items:
 - Complete written description of this request (what is proposed by the applicant) including any information pertinent to the variance to be considered by the Planning Commission, and referencing the specific section of the Unified Development Code proposed to be varied.
 - The letter should demonstrate required criteria as required by the Unified Development Code, Chapter 156 Variances. The general requirement for a development variance is that there would be an undue hardship placed on the property owner if the variance is not granted. Some variances have unique criteria to be addressed and considered by the Planning Commission in order to grant a variance. Please consult Planning staff for any necessary information for specific requests.
- 4. Certain variances may require notification of surrounding property owners and residents with a separate address, as determined by Planning staff. Please consult with a planner on whether notification is needed.
- 5. Site plan drawn to scale (in PDF format), based on the deed or survey. At minimum, site plans shall include lot boundaries with dimensions, centerline of street(s), Master Street Plan right-of-way(s), utility easements, existing curb-cuts, minimum setbacks, proposed setbacks. Any other drawings (elevations, site cross-sections), material board, or other documents or drawings necessary to fully describe and depict the requested variance shall be supplied at the request of the Planning Division.
- 6. Public notification may be required for certain items. Please consult with a City planner to determine if it will be required.

Note: No non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted or non-conforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

Consent of Owner Form

PROPERTY OWNER(S) / AUTHORIZED AGENT: By signing below, I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have authorized this application and consent to its filing.

PLEASE NOTE:

- Property Owners: Attach additional info/documentation if necessary.
- Authorized Agents: If signing on behalf of a Property Owner, a letter from each Property Owner must be provided indicating that the agent is authorized to act on their behalf.

Associated Project (required field)

Property Owner 1:

Name of person signing [printed] Entity/Company signator legally owns or represents

_____ Contact Email _____ Contact Phone

_____ Mailing Address

_____ **Property Owner Signature** _____ **Date**

Property Owner 2: (if needed)

Name of person signing [printed] Entity/Company signator legally owns or represents

_____ Contact Email _____ Contact Phone

_____ Mailing Address

_____ **Property Owner Signature** _____ **Date**

Property Owner 3: (if needed)

Name of person signing [printed] Entity/Company signator legally owns or represents

_____ Contact Email _____ Contact Phone

_____ Mailing Address

_____ **Property Owner Signature** _____ **Date**

Property Owner 4: (if needed)

Name of person signing [printed] Entity/Company signator legally owns or represents

_____ Contact Email _____ Contact Phone

_____ Mailing Address

_____ **Property Owner Signature** _____ **Date**

NOTIFICATION REQUIREMENTS

Written Notification Process:

1. The applicant shall mail a written notice of the action by first-class mail to the address of all landowners and residents with separate addresses within 200 feet of the boundary line of the property on which the use is proposed
2. CUP applications for special uses must notify all property owners in writing within 500 feet of the perimeter of the property. CUP special uses include: *Dance halls; Facilities emitting odors and facilities handling explosives; wireless communication facilities; carnival, circus, amusement park or similar temporary open-air enterprise; manufactured and mobile homes; outdoor music establishments; sexually oriented business.*
3. The applicant shall provide the following to the Planning Division (**contact staff planner or Development Services coordinator for submittal deadline**):
 - a. alphabetical list of the landowners and residents with separate addresses receiving notification (City's Address Point File)
 - b. map showing the landowners' relationship to the site (City's Address Point File)
 - c. copy of the notice sent to the landowners and residents (**example attached**)
 - d. certificate of mailing (**example attached**)
 - e. [Click here to learn how to create the list of those being notified.](#)

Sign Posting Process:

- (1) Signs shall be made available to the applicant by the Planning Division. A \$5 fee per sign shall be remitted by the applicant (**contact staff planner or Dev. Svcs. coordinator for date to pick up sign**).
 - a. The applicant shall post notice on the land for which the use is requested in a visible, prominent location no more than ten (10) feet from the street, and shall not impede the vision of drivers or pedestrians.
 - b. The staff planner may require an alternate location where the property is not adjacent to a street.
 - c. Additional signs may be required by the staff planner.
- (2) The applicant shall post the sign and submit a certificate of sign posting to the Planning Division. The sign(s) shall be photographed by the applicant and attached to the certificate (**example attached**).
- (3) The Planning Division will be responsible for retrieval of signs after the hearing; if a hearing is postponed, the applicant will be notified when a new sign has been created. The applicant shall then be responsible for posting the new date of the hearing in accordance with the criteria herein.

THIS IS AN EXAMPLE ONLY – DO NOT USE THIS SHEET

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the attached written notice was placed in the U.S. mail, first-class, postage prepaid this ____ day of _____, 20____, and addressed as follows:

Name: _____
Street Address: _____
City, State, Zip: _____

Name: _____
Street Address: _____
City, State, Zip: _____

Name: _____
Street Address: _____
City, State, Zip: _____

Name: _____
Street Address: _____
City, State, Zip: _____

(name of person completing the mailing)

(signature of person completing the mailing)

City File No./Name: _____

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WRITTEN NOTIFICATION FORM

Project Description:

The applicant Name proposes a Type of Development at Project Address.

Building/land Use: _____

Zoning: _____

Size of Property: _____

Density/Intensity: _____

Public Hearings:

Planning Commission; 5:30 PM; Month/Date/Year; 113 West Mountain Street (City Administration Building Room 219) Fayetteville, AR 72701

Property Owner:

Name: _____ Phone #: _____

Developer:

Name: _____ Phone #: _____

Review Location:

The project information is available for public review at the City of Fayetteville Planning Division, 125 West Mountain Street, Fayetteville, AR 72701 Monday-Friday 8AM-5PM; 479.575.8267.

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CERTIFICATE OF SIGN POSTING



I, _____ (print the name of the
applicant/representative/person posting sign), attest that the above sign was posted on
_____ (month/day/year) adjacent to
_____ (name of street).

(signature of person completing the sign posting)

City File No./Name: _____