

City of Kimball
223 S. Chestnut Street
Kimball, NE 69145
(308) 235-3639

Application for Zoning Variance

1. Applicant's name(s): _____
Address: _____ City: _____ State: _____ Zip: _____
Phone No. (Area Code): _____ (Number): _____

2. Name of Property Owner (on Record): _____
Address: _____ City: _____ State: _____ Zip: _____
Phone No. (Area Code): _____ (Number): _____

3. Nature of Variance: _____

4. The practical difficulty or hardship to overcome by a granting of the requested variance:

5. Present Zone Classification: _____

6. Present Use of Property: _____

7. Attached:
- _____ Plot plan with accurate dimensions
 - _____ List of names, signatures and addresses of adjacent property owners
 - _____ List of property owners within 300 feet (Certified by County Assessors Office)
 - _____ \$100.00 filing fee
 - _____ \$250.00 deposit fee to cover certified mailings, publication and Signage. Any excess will be refunded. Any additional cost must be paid in full by applicant before notices are sent.

8. Signature: _____
(If signature is other than property owner, please attach owner's proof of acknowledgement of application.)

Date received

Checked for compliance by

Zoning Variance

Data and Information Required

- A. Every application for a zoning variance shall be in writing. Application forms shall be furnished by the City of Kimball.
- B. Application shall be signed by the owner of record of the lot, block or other tract of land for which the requested variance would affect.
- C. The plot plan shall be drawn to scale and shall contain the following information:
 1. Layout of the proposed blocks or lots, including the dimensions of each, the block and lot numbers;
 2. Location, widths, other dimensions and names of existing streets, alleys, roads and easements;
 3. The location, size and type of all structures including walls and fences;
 4. The location, size and dimensions of all yards and setbacks of all spaces between structures.

Required Findings

No variance shall be authorized by the Kimball Board of Adjustment unless the Board finds the following four findings:

- a. The strict application of the zoning regulation would produce undue hardship;
- b. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity;
- c. The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance;
- d. The granting of such variance is based upon reason of demonstratable and exceptional hardship as distinguished from variance for purposes of convenience, profit or caprice.

The Board of Adjustment may grant a variance whereby reasons of (1) exceptional narrowness, shallowness or shape of a specific piece of property at the time of the enactment of the zoning regulations, (2) exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, (3) the strict application of any enacted regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the owner of such property, and (4) such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of any ordinance or resolution.

