

# MIDWAY CITY

## Planning Office

75 North 100 West  
Midway, Utah 84049

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### Application to Appear Before the Board of Adjustment

Application Fee: \$200 + .50 per envelope + Costs

(Costs include \$.50 per letter, any Engineering Review expenses and legal noticing)

#### Owner(s) of Record:

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

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

#### Applicant or Authorized representative:

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

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Explanation of Request: \_\_\_\_\_

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

#### Property Location:

Tax Identification #: \_\_\_\_\_

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

#### Prior Board of Adjustment action(s) on said property:

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

#### FOR OFFICE USE ONLY

##### STAFF:

Date Received: \_\_\_\_\_

Received By: \_\_\_\_\_

Fee Paid: \_\_\_\_\_

Application Number: \_\_\_\_\_

Zone: \_\_\_\_\_

Tax ID Number: \_\_\_\_\_

##### PLANNER:

Complete / Incomplete

Date: \_\_\_\_\_ Reviewed by: \_\_\_\_\_

**Please read and sign before application submittal**

I declare under penalty of perjury that I am the owner or authorized agent of the property subject to this request and the foregoing statements, answers and attached documents are true and correct. As the applicant for this proposal, I understand that my application is not deemed complete until the Planning Office has reviewed the application. I further understand I will be notified when my application has been deemed complete. At that time I expect that my application will be processed within a reasonable time, considering the work load of the Planning Office.

**I fully understand that I am responsible for the payment of any back taxes and declare that I am responsible for all fees incurred.**

**Signature of Owner or Agent:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**IMPORTANT: Your application cannot be processed until determined complete by the Planning Staff. An application shall be considered complete when all applicable fees (such as Midway Water Board, Midway Sanitation District, out-of-pocket expenses, etc.) are paid and all items listed herewith are provided or considered not applicable by the Planning Office. All application fees are non-refundable.**

### Section 16.26.6 Appeal Authority

A. The Board of Adjustment shall be the appeal authority to hear and decide requests for variances from the terms of the Land Use Title. An adverse decision by the Board of Adjustment in variance matters may be appealed to district court pursuant to Utah law.

The following checklist must be included with your submittal.

#### CHECKLIST:

- Submit a written statement outlining the intent and request to the Board of Adjustment Members.
- Two copies of any documentation to support your request including:
  - ✓ Plat map
  - ✓ Current use of structure (i.e. home, shed, office, etc.)
  - ✓ Proposed use of structure
  - ✓ Existing distances between structures and property lines
  - ✓ Elevation drawings of existing and proposed construction
  - ✓ Dimensions of the property and location of property lines
  - ✓ Location of all proposed structures, outlined by dashed lines
  - ✓ Location of all existing structures, outlined by solid lines
  - ✓ Location of topographic features (i.e. streams, canals, hillsides, etc.) which are located on your property
  - ✓ Location of existing and/or any proposed parking spaces
  - ✓ Location and width of existing and/or proposed driveways
  - ✓ Location of main current landscaping which may be altered/moved over by your proposal
  - ✓ Location of sewer and water lines and name of company which provides the services
  - ✓ Any other features which may be helpful for the Board of Adjustment to understand your request

Other: \_\_\_\_\_

Copy of letter of intent to each of the neighbors within 600 feet of the parcel in question. Submit the letters with a non-sealed, stamped and addressed envelope, and pay a \$.50 per letter charge. The Planning Office will then mail the letters for you.

Copy of letter explaining how each of the following items has been satisfied:

- ✓ Literal enforcement of the Land Use ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general propose of the Land Use ordinance;
- ✓ There are special circumstances attached to the property that do not generally apply to other properties in the same district;
- ✓ Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same district;
- ✓ The variance will not substantially affect the General Plan and will not be contrary to the public interest;
- ✓ The spirit of the Land Use ordinance is observed and substantial justice is done.

Application fee of \$200.00 + costs have been paid.

***You may wish to consult with a Planner. State the facts fully. Use additional sheets if necessary and attach to your application.***