



City of Cave Springs, Arkansas
Planning and Development Department

Cave Springs Staff Use Only:

BZA # _____
Submittal Date: _____
Approval Date: _____
Lot Split # _____
Rezoning # _____
Application Receipt # _____
Notification Receipt # _____

VARIANCE APPLICATION
CAVE SPRINGS | BOARD OF ZONING ADJUSTMENT (BZA)

1. Complete the Variance application with all required documentation to support your request and submit to the Planning and Development Department at the Cave Springs City Hall, 134 North Main Street, Cave Springs, AR 72718 no later than twenty (20) Business days prior to the next month's Cave Springs Board of Zoning Adjustment (BZA) meeting. The Board of Zoning Adjustment meets the 1st Tuesday of every month at 6:30 P.M. directly after the Cave Springs Planning Commission meeting in the American Legion Building at the 168 W. Glenwood Avenue, Cave Springs, AR 72718. The applicant is required to fulfill all requirements of the Cave Springs Planning and Zoning Regulations and the Subdivision Regulations.
2. Submit the following with this application:
 - A. Application Fee of \$75.00 with a check made payable to the City of Cave Springs **All Fees are Non-Refundable**
 - B. One (1) copy of a current survey, prepared by a Professional Land Surveyor or Engineer, that includes:
 - North arrow, graphic scale, preparation date, full legal description(s), signed with Professional Seal
 - All existing and proposed property lines and dimensions
 - All existing buildings represented to graphic scale and dimensioned from existing and newly proposed property lines
 - All adjacent street names labeled, street widths and existing access limitations.
 - Location of wet and dry watercourses, and other significant features within the tract
 - Location of all existing building lines, utility, drainage and any other existing easements, dedicated rights-of-way of record, all with reference to Book and Page where filed and recorded
 - C. A professionally drawn and accurately scaled, Site Plan that indicates the following:
 - North Arrow, scale of drawing and drawing preparation date.
 - All proposed property lines and dimensions.
 - All proposed buildings, improvements and their setbacks from property lines.
 - Location of all existing and proposed easements
 - All adjacent streets, street widths and existing access limitations.
 - Landscape Plan
 - D. A typed (not hand written) narrative addressing the nature of the Variance requested, indicating the project location, current zoning, current use with an explanation of the requested Variance and its justification. The Board of Zoning Adjustment may grant a Variance only when it finds adequate justification for the requested Variance.
 - Specifically provide information for the three (3) following justifications for the requested Variance Narrative:
 - i. Explain how the strict application of the Planning and Zoning Code to the subject property will create an unnecessary hardship.
 - ii. Explain the conditions which are peculiar or exceptional to the subject property which do not apply to other properties within the zoning district.
 - iii. Explain how the Variance, if granted, will not cause substantial detriment to the public good or impair the purpose and intent of the Planning and Zoning Regulations.
 - E. The names and addresses of all of the property owners of the subject property requesting the Variance and evidence of the unified control of the property.
 - F. A complete and accurate legal description of the subject property with attached copies of any legal instruments referred to such as deeds, plats, covenants and/or restrictions.
 - G. Provide the total area of the property in square feet and acreage.
 - H. Notification and Publication Requirements:
 - A Certified List of all adjoining property owners of the subject property.
 - Provide a Certified List and three (3) sticker copy sheets (for mailings) of each of the names and addresses of all adjoining property owners of the subject property, professionally prepared, signed and sealed by a Land-use Professional, Benton County or a Title Abstract Company plus \$7.00 fee per each name on the Certified List for the required certified mailing notifications.



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- Notice of Hearing must be published as a Legal Advertisement at least one time in a newspaper of general circulation in the City at least fifteen (15) days prior to the hearing - the Northwest Arkansas Democrat-Gazette will provide a price for the applicant that must be added into the Notification Fee
- Totaled Notification Fees with a check made payable to the City of Cave Springs **All Fees are Non-Refundable**

3. At the Public Hearing, the Cave Springs Board of Zoning Adjustment (BZA) will approve or deny the Variance request based on the merits of the proposal and the facts presented. Please note that the required narrative that addresses the nature of the Variance and the information that details the justification of the Variance with any additional documentation that supports the Variance request will be submitted to the Board of Zoning Adjustment for their consideration. You are strongly encouraged to attend the public hearing to respond to any questions or requests for clarification that the Board of Zoning Adjustment might have; should you be unable to attend, a representative at your direction should attend.

Required Variance Information

Owner(s) of Record: _____
Address of Parent Tract or Subject Property: _____
Square Footage & Acreage | Tract Size: _____
Street frontage in linear feet on City or County maintained street: _____
Current Zoning: _____ Current Use _____

Brief Written Explanation of Project and Variance: _____

Brief Written Explanation of Justification for Variance:

1. Explain how the strict application of the Planning and Zoning Regulations to the subject property will create an unnecessary hardship. _____

2. Explain the conditions which are peculiar or exceptional to the subject property which do not apply to other properties within the zoning district. _____

3. Explain how the Variance, if granted, will not cause substantial detriment to the public good or impair the purpose and intent of the Planning and Zoning Regulations. _____

Property Owner(s) | Authorized Agent: I certify under the penalty of perjury that I am the owner of the property that is the subject of this application and that I have read this application and consent to its filing. (If signed by the authorized agent, a letter from the property owner must be provided indicating that the agent is authorized to act on his/her behalf.

Signature of Property Owner(s): _____ Date: _____

Name(s): _____ Phone #: _____

Mailing Address: _____ Email: _____