



DEVELOPMENT
SERVICES

Board of Adjustment (BOA) Application

The Board of Adjustment is an administrative board with quasi-judicial powers to determine if the facts submitted by the petitioner warrant a variance. The Board of Adjustment is not legislative in nature in that it may not change the ordinances. The Board of Adjustment is empowered to make an adjustment or grant a variance from city zoning ordinance using evidence-based fact finding to determine if the literal enforcement would create unnecessary hardship or prevent a constitutionally permissible use of property.

PROCEDURE

This application is to be completed and submitted to the Zoning Administrator. Regular Board of Adjustment meetings are held on the first Monday of each month. A complete application must be submitted at least 30 days prior to a Board of Adjustment meeting. The applicant or his/her representative should appear to present the application to the Board of Adjustment.

The Board of Adjustment has jurisdiction over the following (Chapter 215 Article 7 Section 701.C of the Yukon Code of Ordinances):

A. Administrative Review:

To hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by the Zoning Administrator, Building Inspector, or other administrative officer in the enforcement of the City Ordinances.

B. Approve Variance:

All the following must be met prior to the Board of Adjustment being able to grant a variance on an individual basis:

- (a) There are exceptional and extraordinary conditions pertaining to the particular piece of property in question because of its size, shape, or topography
- (b) The application of City Ordinance to this particular piece of property would create an unnecessary hardship, not self-imposed by the owner or developer.
- (c) Such conditions are peculiar only to the particular piece of property involved
- (d) Relief, if granted, would not be cause substantial detriment to the public good or impair the purposes or intent of the City Zoning Ordinance or Comprehensive Plan; provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by City Ordinance.

At the time of filing, the application must have all of the following attachments:

- **JUSTIFICATION:** A clear and detailed statement in writing substantiating the application. For a variance to the City Ordinance, the justification must demonstrate the need for the variance and how it meets the criteria outlined above.
- **OTHER DATA:** Such as letters, petitions, drawings, or photographs that the applicant wishes to relate to the application.
- **A SURVEY OF SITE PLAN** drawn to scale showing existing structures and driveways, proposed structures (showing setbacks), drives, and other information such as utilities, parking, or floodplain data (see IMPROVEMENTS on next page)
- **LEGAL DESCRIPTION:** Of the property which may be obtained from the Canadian County Assessor's Office located in the Canadian County Courthouse in El Reno. The legal description can also be found on the deed to the property.
- **BONDED ABSTRACTORS LIST OF PROPERTY OWNERS & MAILING LABELS** within three hundred feet (300') of the perimeter of the property with current mailing address.
- **APPLICATION FEE OF \$300.00.** Check shall be made payable to the City of Yukon
- **PUBLICATION FEE \$200.00.** Check shall be made payable to the City of Yukon



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Please PRINT or TYPE all information

APPLICANT INFORMATION

Name / Business Name:	Email:	Phone #1
Mailing Address:		Phone #2
City:	State:	Zip:
Applicant's Interest in Property:	Indicate if you are the Architect / Builder or Designer / Consultant / Owner / Other:	

PROPERTY INFORMATION

Legal Description:	Physical Location / Address of Property:
Proposed Subdivision Name:	Current Zone:
Current Property Owners Name:	

A) I, the undersigned, request a hearing before the Board of Adjustment, in regard to the following:

- Appeal of the Zoning Administrator's decision / interpretation
- Request for Variance

B) Decision or Code Provision from which appeal is made and reason for request (please be specific):

IMPROVEMENTS

Existing: _____

Description of proposed improvements, accompanied by two sets of preliminary site plan and diagram of proposed building improvements: _____

EXHIBITS

- Justification
- Bonded Abstractor's list of property owners / Mailing Labels
- 2 sets of Preliminary Site Plan
- Fee of \$300 Application
- Fee of \$200 Publication
- TOTAL FEE: \$500**

I, the undersigned, hereby appeal for the relief of the nature set forth above, in accordance with the provisions of the Zoning Ordinance of the City of Yukon, and I hereby certify that the information given herein is true and correct to the best of my knowledge and belief.

Applicant's Signature

Date