

GAUTIER, MISSISSIPPI  
PLANNING DEPARTMENT  
**PUBLIC HEARING APPLICATION**

Public Hearing Number

<u>TO BE HEARD BY GAUTIER PLANNING COMMISSION:</u>	<u>FEE:</u>
Zoning Change _____	\$300.00
Major Development _____	\$100.00
Variance _____	\$175.00
Appeal to Staff Decision _____	\$100.00
*****	

Name of Applicant : \_\_\_\_\_

Name of Business: \_\_\_\_\_ Phone: \_\_\_\_\_

Property Address: \_\_\_\_\_ Mailing Address (if Different): \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Reason for request, location and intended use of Property: \_\_\_\_\_

**ATTACHMENTS REQUIRED AS APPLICABLE:**

- \_\_\_\_\_ 1. Diagram of intended use, showing dimensions and distances of property, building with setbacks, parking spaces, entrances and exits.
- \_\_\_\_\_ 2. A detailed project narrative.
- \_\_\_\_\_ 3. Copy of protective covenants or deed restrictions, if any.
- \_\_\_\_\_ 4. Copies of approvals, or requests for approval, from other agencies, such as, but not limited to, the Mississippi State Department of Health, U.S. Army Corp of Engineers, Mississippi Department of Environmental Quality and Department of Marine Resources.
- \_\_\_\_\_ 5. Any other information requested by the Economic Development/Planning Director and/or members of the Technical Review Committee.

Signature of Applicant: \_\_\_\_\_ Date of Application: \_\_\_\_\_

**FOR OFFICE USE ONLY**

Date Received \_\_\_\_\_ Verify as Complete \_\_\_\_\_

Fee Amount Received \_\_\_\_\_ Initials of Employee Receiving Application \_\_\_\_\_



## **SECTION 4.18: Variance**

In certain circumstances, a Variance from the dimensional requirements (i.e. height, setbacks, square footage) of this Ordinance may be granted if the applicant can prove that because of physical constraints of the property involved, he is not able to build the same type of structure that other persons with the same zoning classification can build. Variances for uses permitted will not be considered in as much as “use Variances” are not legal in the State of Mississippi.

Most Variances must be granted by the City Council; however, certain minor Variances may be granted by the Planning Director in accordance with *Section 4.18.3* below.

### **4.18.1 Who May Initiate**

A request for a Variance may be initiated by the property owner or agent of the owner provided that said property has not been denied a previous request for a Variance for the same property or portion of property within the past twelve (12) months.

### **4.18.2 Application for Variance**

Applications for a Variance (from dimensional requirements) may be filed on the appropriate application available from the Planning Department and shall include all requested information, attachments and submittals:

### **4.18.4 Criteria for Approval**

The Variance application shall demonstrate the following:

- E.** That special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels) or structures or buildings in the same district;
- F.** That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance;
- G.** That the special conditions and circumstances do not result from actions of the applicant; and
- H.** That granting the Variance requested will not confer upon the applicant any special privilege that is denied by this Ordinance to other similar sites (lots or parcels) structures or buildings in the same district.