

**Petersburg Borough
Planning and Zoning Commission
Summary of Procedures**

Variances (PMC 19.80)

- 1) Individual meets with Building Official to review zoning requirements (e.g. setbacks)
- 2) If a variance would be necessary, the three requirements needed to grant a variance as stated in Petersburg Municipal Code 19.80.050 are reviewed:
 - a. that there are exceptional physical circumstances or conditions applicable to the property or to its intended use or development which do not apply generally to the other properties in the same zone;
 - b. that the strict application of these provisions of this title would result in practical difficulties or unnecessary pecuniary hardships;
 - c. that the granting of the variance will not result in material damage or hardship or prejudice to other properties in the vicinity nor be detrimental to the public health, safety or welfare.
- 3) Individual submits land use application and a variance supplement with \$170.00 filing fee and describes the variance request. The \$170.00 fee reflects the \$100.00 fee for filing for the variance and a \$70.00 fee to cover the cost of notifying nearby property owners and placing a Notice of Public Hearing in the Petersburg Pilot. The application lists the three requirements needed to grant the variance, and the applicant must address these three items and describe how the request meets the requirements.
- 4) The public hearing on the request will be scheduled according to the Commission's calendar. In general, next meeting that allows for sufficient public notice as required by code.
- 5) Staff sends letters of notification of public hearing to all property owners within 600 feet of the property involved.
- 6) The Planning Commission conducts a public hearing and considers the request for a variance. The commission reviews the three requirements for granting a variance and makes a decision on the request.
- 7) Staff sends a letter to the applicant summarizing the action of the commission, and informs the applicant in writing of the decision regarding the request.
- 8) Decision of Planning Commission may be appealed to the Borough Assembly per PMC 19.92.010(b).
- 9) Borough Assembly's decision can be appealed to superior court per PMC 19.92.030.