



City of Whitefish  
**Planning & Building Department**  
 PO Box 158  
 510 Railway Street  
 Whitefish, MT 59937  
 Phone: 406-863-2410 Fax: 406-863-2409

File #: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Intake Staff: \_\_\_\_\_  
 Date Complete: \_\_\_\_\_

**VARIANCE APPLICATION**

**FEE ATTACHED \$** \_\_\_\_\_

(Nonrefundable)

Variations are granted only when specific conditions can be met. Applicants are advised to carefully read this application packet in its entirety before completing the form. The Board of Adjustment/City Council cannot approve a variance request unless, in their judgment, each of the eight (8) criteria are either met or are not pertinent to the specific application. As such, applicants are advised to pay special attention to the portion of the application seeking explanations as to how the applicant believes the criteria are either met or are not pertinent to the specific application.

Please be aware the application fee cannot be refunded if the request is denied.

**INSTRUCTIONS:**

- A pre-application meeting with city staff is required. Date of pre-application meeting:  
\_\_\_\_\_
- Submit the application fee, completed application and appropriate attachments to the Whitefish Planning & Building Department a minimum of **forty five (45) days prior** to the Board of Adjustment or City Council meeting at which this application will be heard.
- Staff will notice property owners within 150-feet of the subject property and place a legal notice in the *Whitefish Pilot* concerning the variance request prior to the public hearing.
- The regularly scheduled meeting of the Board of Adjustment is the first Tuesday of each month at 6:00 PM in the City Council Chambers at 1005 Baker Avenue.
- Sign variance requests, heard by the City Council, are the first and third Mondays of the month at 7:10 PM in the City Council Chambers at 1005 Baker Avenue.
- Decisions of the Board of Adjustment/City Council are final unless appealed to District Court.

**A. PROJECT INFORMATION:**

Project Address: \_\_\_\_\_

Assessor's Tract No.(s) \_\_\_\_\_ Lot No(s) \_\_\_\_\_

Block # \_\_\_\_\_ Subdivision Name \_\_\_\_\_

Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

I hereby certify that the information contained or accompanied in this application is true and correct to the best of my knowledge. The signing of this application signifies approval for the Whitefish staff to be present on the property for routine monitoring and inspection during the approval and development process.

\_\_\_\_\_  
Owner's Signature<sup>1</sup>

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Representative's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

**APPLICATION CONTENTS:**

**Attached ALL ITEMS MUST BE INCLUDED - INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

- \_\_\_\_ Variance Application – **8 copies**
- \_\_\_\_ Written description how the project meets the criteria in Section D – **8 copies**
- \_\_\_\_ Site Plan, drawn to scale, which shows in detail the lot dimensions, property lines and pin location. Identify the front rear and sides of your property. Show the location of all existing structures and their location relative to the property lines. Identify all easements and their location – **8 copies**
- \_\_\_\_ Reduced copy of the site plan not to exceed 11" x 17" – **1 copy**
- \_\_\_\_ Show the location of your requested variance requirement, including dimensions and location relative to the front, side or rear yards – **8 copies**
- \_\_\_\_ Any other additional information requested during the pre-application process

**SIGN VARIANCE:**

- \_\_\_\_ Variance Application – **1 copy**
- \_\_\_\_ Written description how the project meets the criteria in Section D – **1 copy**
- \_\_\_\_ A diagram, drawing or picture of the proposed or subject sign, along with its dimensions, method of mounting the sign to the ground or wall, the overall height measured from the natural grade of the ground and the landscaping plan relevant to the sign – **1 copy**
- \_\_\_\_ Plot plan of the property showing the location of the proposed or subject sign – **1 copy**
- \_\_\_\_ Description of the materials to be used to construct the proposed sign – **1 copy**

<sup>1</sup> May be signed by the applicant or representative, authorization letter from owner must be attached. If there are multiple owners, a letter authorizing one owner to be the authorized representative for all must be included

- \_\_\_\_\_ Diagrams and written description of the lighting plan for the proposed sign – **1 copy**
- \_\_\_\_\_ Electronic version of entire application such as .pdf
- \_\_\_\_\_ Any other additional information requested during the pre-application process

When all application materials are submitted to the Planning & Building Department, the application will be scheduled for public hearing before the Board of Adjustment or City Council depending on the variance request.

**B. OWNER(S) OF RECORD:**

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

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Email: \_\_\_\_\_

**APPLICANT (if different than above):**

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

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Email: \_\_\_\_\_

**TECHNICAL/PROFESSIONAL:**

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

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Email: \_\_\_\_\_

**C. NATURE OF THE VARIANCE REQUEST:**

PRESENT USE OF THE PROPERTY: \_\_\_\_\_

**D. FINDINGS:** “No variance shall be granted unless the Board finds all the following conditions are met or found to be not pertinent to the particular case.” Respond to the following requirements.

1. Strict compliance with the terms of these regulations will:

a. Limit the reasonable use of the property and

b. Deprive the applicant of rights enjoyed by other properties similarly situated in the district.

2. The hardship is the result of lot size, shape, topography or other circumstances over which the applicant has no control.

3. The hardship is peculiar to the applicant’s property.

4. The hardship was not created by the applicant.

5. The hardship is not economic (when a reasonable or viable alternative exists).

6. Granting the variance will not adversely affect the neighboring properties or the public.
  
7. The variance requested is the minimum variance which will alleviate the hardship.
  
8. Granting the variance will not confer a special privilege that is denied other similar properties in the district.