

Instructions – Findings of Facts for Variances

Tippecanoe County Area Board of Zoning Appeals – Lafayette Division

1. Please skip the first line, marked **BZA-**.
2. Fill in the petitioner name(s).
3. To complete the **Findings**, provide the reason for your request, and how it will or will not impact the following information. The information you provide will be used by the ABZA-LD board members to make their final decision on whether to grant or deny your request.
 - a. Explain how your request will not be injurious to the public health, safety, morals, and general welfare of the community. For example, building a detached garage 8' from the property line instead of the required 10' is a minimal difference, and the garage location is not going to harm the public in any way.
 - b. How will your request affect the properties around you? For instance, the garage set 8' from the property line will not prevent the house next door from being used as a house, any more than a garage set 10' from the property line. Will the closer garage impact the value of the house next door?
 - c. Is there something unique about your property that makes adhering to the terms of the UZO more difficult? For example, do you have a corner lot where one "side" is actually more of a curve, making your property an odd shape? Is part of your property a giant ravine where you cannot build? This can refer to size, shape or topography of your property.
 - d. How would adhering to the terms of the UZO create an unusual and unnecessary hardship for you? A hardship is defined as a perceived difficulty with regard to one's ability to improve land stemming from the application of the development standards of this ordinance, which may or may not be subject to relief by means of variance.
 - i. For example, if your property has a ravine in the rear, you might be requesting a variance for a front setback to build closer to the road than required, so that you don't have to build over a ravine. The hardship is the buildable area of your lot.
 - e. How is the hardship as described above not one that you created yourself?
 - i. Are you expanding your building footprint to increase the number of customers that can visit your retail establishment? That would be an economic gain, and you would not pass this particular test.
 - ii. Would building a detached garage 10' from the property line put it too close to the home for your comfort? That could be described as a practical difficulty but could not be considered an ordinance-defined hardship

- f. How is the request you are making only the minimum relief from the ordinance? For example, if the ordinance requires a 40' setback and you are requesting 38', you could explain that this 2' difference is the least amount you could ask for in order to do what you need on your property. If you are asking for 3' setback instead of 40', there may be additional information needed to explain why it is such a large variance.