

City of D'Iberville  
P.O. BOX 6519  
D'IBERVILLE, MS 39540  
(228)392-7966

## VARIANCE APPLICATION

I. ADVALOREM TAX PARCEL NUMBER: \_\_\_\_\_  
(Parcel numbers are available from the Harrison County Tax Assessors at 865-4044)

II. Address of the subject property:  
\_\_\_\_\_  
\_\_\_\_\_

III. GENERAL DESCRIPTION OF REQUEST (What are you asking?):  
\_\_\_\_\_  
\_\_\_\_\_

- IV. REQUIRED ATTACHMENTS:
- A. Supplemental Application (instructions within packet)
  - B. Current Deed and Recent Tax Receipt
  - C. Covenants and Easements attached to the property
  - D. Site Plan (Must include: Streets, location of property lines, dimensions of property, location of all buildings their distance from each property line, easements, and flood zones.)
  - E. **\$200.00 application fee**

V. OWNERSHIP AND CERTIFICATION: I hereby certify that I have read and understand the information contained within the application and that all the answers are true and correct. I certify that, as it pertains to this application, I am in compliance with all applicable Federal, State and local statutes and ordinances. Further, I certify that I agree to allow the Zoning Officer access to my property during normal working hours with or without my presence for any reasonable inspection as it relates to this application. Finally, I certify that I am the owner or one of the owners, of the property that is the subject of this application (each owner must be listed, use a separate sheet as necessary).

\_\_\_\_\_  
Name of Owner(s)

\_\_\_\_\_  
Name of Preparer or Applicant for Permit

\_\_\_\_\_  
Address

\_\_\_\_\_

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone / Email

\_\_\_\_\_  
Phone / Email

\_\_\_\_\_  
Signature of Owner (s) (Required)

\_\_\_\_\_  
Signature of Preparer or Applicant



## Information Sheet on Variances

A Word about the Nature of Variances: The variance process allows someone with a unique property related hardship a bit of wiggle room in order to make reasonable use of a property. Because they are not given frivolously, variances need to be regarded as a last resort action. If there is any way that the request can be achieved without granting a variance, the Planning Commission is very likely to reject the variance request.

The thoroughness of your reply should be measured against the size of the project and nature of the relief sought. A homeowner wishing to avoid cutting down a live oak would have a lesser burden than a developer seeking subdivision wide narrow side yard variance.

Types of Variances: There are two types of variances. The first kind is the "area variance". This deals with building setbacks, excess height, lot coverage of buildings, lot size, special limitations on size, and so forth. Area variances are specific to some physical characteristic found area the site. An example of a typical "area variance" request would be to ask for relief in order to place a portion of a house within the required side yard setback.

The second type of variance is the "use variance". This variance deals with the kind of activity (uses) conducted on a property. An example of a "use variance" would be when someone asks for permission to locate a business in a residentially zoned district.

In the City of Diberville Zoning Ordinance, a "use variance" is not permitted. Only the "area variance" is allowed. The prohibition of the use variance is based on the premise that the use of the land should fit the zoning assigned. Businesses belong in business districts; houses belong in residential districts.

Role of the Planning Commission: Planning Commission hears and decides all variance requests. Before the Commissioners can grant a variance, conditions (2.6.5, (a-j)) that must be met. It is up to the applicant to demonstrate how he or she meets these requirements

# Supplemental Variance Request

## **Part I**

**Introduction:** (*Who you are and what is it you want to do?*)

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## **Part II**

The applicant must address at least one of the four statements below. Please choose which statement best fits your situation and explain how. Additional space may be used if necessary.

THE CONDITIONS FOR GRANTING A VARIANCE:

1. DO THE SPECIAL CONDITIONS AND/OR CIRCUMSTANCES EXIST WHICH AFFECT ONLY THE LAND OR STRUCTURE IN QUESTION AND NO OTHER SURROUNDING OR SIMILAR PROPERTIES?
2. WOULD LITERAL INTERPRETATION OF THE ZONING ORDINANCE DEPRIVE THE OWNER/APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME ZONING DISTRICT?
3. ARE THE SPECIAL CONDITIONS OR CIRCUMSTANCES NOT CAUSED BY THE OWNER/APPLICANT?
4. WOULD THE REQUESTED VARIANCE NOT GIVE THE OWNER/APPLICANT ANY SPECIAL PRIVILEGES OR RIGHTS NOT SHARED BY OWNERS OF SIMILAR PROPERTIES?

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