



Planning Department

Fee: \$300

Powell County Planning Department | 409 Missouri Ave | Suite 114 | Deer Lodge, Montana 59722

406.846.9795 | planning@powellcountymt.gov

VARIANCE APPLICATION

Property Owner

Name: _____

Address: _____

Phone: _____

E-mail: _____

Surveyor / Agent

Name: _____

Address: _____

Phone: _____

E-mail: _____

County generated 9-1-1 address of structure (GIS Dept. 406.846.9711): _____

Property location: _____ S _____, T _____ N, R _____ W

Assessor Code(s): _____ Geocode(s): _____

Existing use of property: _____

Description of variance request: _____

Are septic & water facilities necessary: Yes No If yes, applicant must contact the County Sanitarian;
Chad Lanes at 406-560-3190.

REQUIRED: A site plan showing parcel boundaries, existing and proposed structures, access from a public road, waterways & drainage structures, and other significant natural features. An applicant may obtain a base map from Powell County's GIS Department at the Planning Office.



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Section IX-E of Powell County’s Zoning & Development Regulations contains the following approval criteria the Board of Adjustment must use when considering the merits of a Variance request.

Petitioners must provide responses to the Approval Criteria - (please explain the use of a “Not Applicable” response).

1. **IX-E-1.** To grant a Variance the Board must find that the granting of the Variance will be in harmony with the general purpose and intent of these regulations, will not be injurious to the neighborhood, is the minimum Variance that will make possible the reasonable use of the land, building or structure, and will otherwise not be detrimental to the public welfare, or will regularize a use that existed prior to February 20, 1996.
2. **IX-E-2.** The Board shall consider the totality of the circumstances in determining whether or not to grant or deny a request for Variance. The Board shall consider the following criteria in making its decision:
 - a. Whether special conditions and circumstances exist that are peculiar to the land, structure or building involved and that are not applicable to other lands, structures or buildings in the same district.
 - b. Whether a literal interpretation of the provisions of these regulations would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of these regulations.
 - c. Whether the special conditions and circumstances result from the action(s) of the applicant.
 - d. Whether granting the requested Variance will not confer on the applicant any special privilege that is denied by these regulations to other lands, structures or buildings in the jurisdiction.
 - e. Whether the result of granting the Variance will conflict with the Growth Policy.

NOTE: Landowner or agent is required to attend the Public Hearing to represent their request before the Board.

Signature acknowledges that all information on this application and any supporting materials is true and correct; that the permitted activity will be conducted in full compliance with all regulations of Powell County and the activity will be in full compliance with any and all attached conditions.

Property Owner / Authorized Agent Signature: _____

Date: _____