



City of Odessa

Request for Variance/Appeal

Community Development
228 S Second St • PO Box 128 • Odessa, MO 64076
Phone: 816-230-5577 • cityofodessamo.com

You may appear before the Board of Adjustment to request a variance from the City Ordinances under Sections 50.779 – 50.804 of the City Code. A public hearing notice of 15 days is required, and the applicant is responsible for the associated costs. Please complete all required information and submit this form to Odessa City Hall, located at 228 South Second Street, Odessa, MO 64076. A fee of \$300 is due upon submission of a variance application, and a fee of \$300 is required for appeals.

Date of Application: _____

Type of Application: _____ Appeal (\$300) _____ Variance (\$300)

Applicant Name/Relation to Property Owner: _____

Applicant Mailing Address: _____

Daytime Phone Number: _____ Email: _____

Address of property for which the variance is requested: _____

Current Zoning of Property: _____

Property Owner or Responsible Party:

Print Name

Signature

Date

Property Owner Mailing Address: _____

Property Owner Daytime Telephone: _____ Email: _____

Reason (s) for variance: Please be specific. Please include a site plan. You may attach additional numbered pages:

The Board of Adjustment will convene to review your request for a variance and inform you of the date and time of the meeting.

1. *Appeal.* The Board of Adjustment shall be authorized to hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the building inspector or any other administrative official in the interpretation and enforcement of the City of Odessa Zoning Chapter.
2. *Variance.* The Board of Adjustment shall be authorized to hear and decide a variance for a parcel by reason of exceptional narrowness, shallowness, shape, exceptional topographical conditions, or other extraordinary or exceptional situations/conditions. A variance may be granted when the condition is not generally prevalent in the area and/or the strict application of Chapter 50 would result in:
 - a. Peculiar or exceptional practical difficulties, or
 - b. Exceptional undue hardship on the property owner

Any variances granted must still follow the overall purpose of the Zoning Chapter and be fair to the community. The Board can impose conditions on the variance to ensure it aligns with the intent of the Zoning Chapter. The Board cannot grant a variance that would change the allowed use of the property.

(Full ordinance language can be found in Section 50-782 or the City of Odessa Code of Ordinance)

The Board of Adjustment shall fix a reasonable time for the hearing of the request for variance, give 15 days' public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon hearing any party may appear in person or by agent or by an attorney. The Board of Adjustment shall not rehear an appeal once decided unless it is shown by the appellant that all pertinent facts of the case were not brought before the Board of Adjustment at the public hearing, and that for some reason he was prevented from presenting such facts; or that the facts of the case have materially changed since the public hearing. (RSMo 89.100)

Staff Use Only

File No. _____

Date of Meeting Scheduled: _____

Publication Date: _____

Location of Meeting: Odessa Community Building, 601 W Main St. Odessa, MO 64076

Date Received by City of Odessa: _____

Fee Amount Paid: _____ \$300 Date Paid: _____