

City of Del City
Application for Building Code Variance
Cover Sheet



GENERAL REQUIREMENTS

(Required of all Applicants)

- _____ Cover Sheet
- _____ Cover Letter
- _____ Application Form
- _____ Application Fee
- _____ Ownership Certification
- _____ Certified Ownership List
- _____ Mailing Labels
- _____ Site Plan

ADDITIONAL REQUIREMENTS

(Required if checked)

- _____ Survey _____
- _____ Building Permit Application _____
- _____ Floodplain Supplement _____
- _____ Appraisal _____
- _____ Other _____

<i>Fee Collected</i>
(date)
<i>Fee Deposited</i>
(date)

<i>Owner Notified</i>
(date)
<i>Permit Issued</i>
(date)

Application Designation
BOA/BCV - _____

NOTIFICATION

Notice to Property Owners _____ (date)

ACTION TAKEN

Board of Adjustment _____ (date)

Approved Partially Approved Continued Denied

APPLICATION INFORMATION

Application Received _____ (date) _____ (initial)

Application Complete _____ (date) _____ (initial)

Application Resolved _____ (date) _____ (initial)

City of Del City
Application for Building Code
Variance Instructions



Overview

Del City Ordinance 5-174 provides for variances to City regulations regarding buildings and structures. The Del City Board of Adjustment serves as the variance board.

Application Process

Application

The following items are required of all applicants:

1. Cover Sheet Applicant must complete the checklist portion of the cover sheet provided in the application packet.
2. Cover Letter Applicant must submit a cover letter, addressed to the Chairman of the Board of Adjustment, explaining the proposed use and detailing how any potential adverse impacts will be mitigated.
3. Application Form Applicant must complete the application form provided in the application packet. This form must be notarized. If this deadline is not met, the application will be heard at the first regular meeting of the Board of Adjustment that falls at least thirty (30) days after the completed application is submitted, subject to scheduling availability.
4. Application Fee Applicant must submit an application fee of **one hundred fifty (150) dollars**.
5. Ownership Certification Applicant must complete the ownership certification provided in the application packet. If the applicant is a tenant, a copy of the lease agreement for the property must be provided.
6. Site Plan Applicant must furnish a comprehensive site plan. This plan must show the location of the applicant property relative to surrounding properties.

The following items may be required depending on the specific issued raised in the application.

1. Survey Applicant must submit a survey showing the location of property lines, improvements, easements, and any other required features (such as floodplain boundaries). Survey must be sealed by a registered land surveyor.

2. Building Permit Applications Applicant must submit completed applications for any city permits relating to any proposed renovations, including but not limited to building, remodel, and fence. Permit fees are paid at the time of issuance. Applicant must submit detailed architectural drawings of proposed improvements to the subject property, including system drawings as required. Depending on the circumstances, these drawings may require an architect's and/or engineer's seal.
3. Floodplain Supplement Applicant must submit a Floodplain Supplement if the applicant property is located within the Special Flood Hazard Area (Zones A, AE, A1-30, A99, AO, AH) as designated by the City's adopted Flood Insurance Rate Map. This supplement may require submission of additional documentation, such as an Application for Floodplain Development Permit or an Elevation Certificate.
4. Appraisal If contesting the City's valuation of the property, an appraisal must be submitted.
5. Other Applicant must submit any other documentation required by the City Planner. This documentation must be completed before the application will be considered complete.

Review Process

- City Planner Review Submitted applications are reviewed by the City Planner, in consultation with other City officials. If this review results in additional documentation needed, the applicant will be notified. If the application is determined to be complete, hearing dates are confirmed.
- Posting and Notification Once hearing dates are confirmed, an agenda is prepared for the Board of Adjustment meeting and is posted prior to the meeting, in accordance with the Open Meeting Act.
- Board of Adjustment Hearing Once the date of the confirmed hearing date, the Del City Board of Adjustment will conduct a Public Hearing on the application. The applicant, or a representative, must be present to provide evidence related to the appeal. Members of the public are given the opportunity to speak in support or opposition to the appeal. The City Planner will usually prepare a staff recommendation regarding the application. After the Public Hearing, the Board of Adjustment will discuss the application and make a final decision. The Board can also continue the item to another meeting, allowing for submission of further documentation or a more in-depth review. In general, the Board of Adjustment meets on the second Monday of each month.

Variance Approval/Denial

No variance shall be effective until an instrument, to be effective in perpetuity and to run with the land, has been filed with the County Clerk stating a variance has been issued for development on the property and improvements to the property may not comply with the City's effective regulations or adopted codes and indemnifying and holding harmless the City against and for any and all claims relating to damages arising to or from the development for which the variance was granted. The Board shall review a draft of this instrument before taking final action on a variance application.

The Board of Adjustment may approve, approve with modifications or conditions, or deny all applications for variances. The Board has broad discretion to require mitigation measures be taken by any applicant in the event a variance is approved. The Board may require a performance bond to secure completion of a project proceeding under a variance.

Approval or denial of a Building Code Variance does not, in any way, impact public nuisance proceedings that may be pending before the City Council regarding the same property.

City of Del City
Application for Building Code
Variance Ownership Certification



Property Owner

Name:

(first)

(last)

Address:

(street)

(city)

(state)

(zip)

Phone:

Email:

I, _____, hereby certify and attest I am the current and legal owner of the
aforescribed property located in the City of Del City, Oklahoma County, Oklahoma.

AND

I further certify this legal description and street address accurately describe the property for which this
application is made.

Applicant

Date

Before me, the undersigned, a Notary Public in and for the State of Oklahoma, on this _____ day of
_____, 20____, personally appeared _____ to me known to be
the identical person(s) who executed the within and foregoing instrument, and acknowledged to me
(s)he/they executed the same as his/her/their free and voluntary act and deed for the uses and purposes therein
set forth.

Notary Public

.(seal)

My commission expires on the _____ day of _____, 20_____.