

City of O'Fallon Building Safety Department

100 North Main Street
O'Fallon, Missouri 63366
www.ofallon.mo.us
(636) 379-5599



For additional information send inquiries to:

E-mail: dcammann@ofallon.mo.us or **Fax:** (636) 379-5695

Board of Adjustment Building Code Appeal Application

Subject Property Information (Please Type or Print):

Property Location (Including Address, if applicable): _____

Proposed Use of Property: _____

Section R112.1 Application For Appeal: Any person shall have the right to appeal a decision of the Director of Building Safety to the Board of Adjustment. Application for appeal shall be made in writing on a form provided by the Director of Building Safety and shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this Code do not fully apply, or an equivalent form of construction is to be used. An equivalent form of construction must be proved that such complies with the intent of the provisions of this code, and the material, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

Contact Information (Please Type or Print):

Applicant:

Name: _____

Contact Person: _____

Address: _____

City/State/Zip: _____

Phone: _____

Fax: _____

E-mail: _____

Architect:

Name: _____

Contact Person: _____

Address: _____

City/State/Zip: _____

Phone: _____

Fax: _____

E-mail: _____

Property Owner:

Name: _____

Contact Person: _____

Address: _____

City/State/Zip: _____

Phone: _____

Fax: _____

E-mail: _____

Engineer:

Name: _____

Contact Person: _____

Address: _____

City/State/Zip: _____

Phone: _____

Fax: _____

E-mail: _____

CHECKLIST

Staff will conduct a comprehensive review of the applicant's submission and provide a written report detailing Staff's recommendation for the applicant's request. That report will be submitted to the Board of Adjustment along with the application that shall have attached to it, the following information:

- An application fee of \$100.00, remitted in full. All documentation submitted as part of this application shall be turned into Staff fully assembled in individual packets that are sorted, collated, and folded - or else the application materials will not be accepted.
- A statement from the applicant explaining, specifically, what is being requested and why a *Variance* is necessary.
- Provide fifteen (15) copies of a plot survey/sketch/site plan drawn to scale showing the lot or lots included in the application, showing the location of all structures, giving all appropriate dimensions, utility easements, and any other information as necessary to fit the actual request. All copies must be folded when submitted. Include a site location map that shows site in relation with the surrounding area.
- Provide fifteen (15) copies of *Building Elevations* (if applicable) for proposed structures drawn to scale which identify proposed building materials.
- Provide one (1) copy of the plot survey/sketch/site plan and *Colored Building Elevations* in 11" x 17" at the time of the initial Submittal (1st Submittal) and of the revised plot survey/sketch/site plan and *Colored Building Elevations* that address Staff Comments as part of 2nd Submittal (if applicable).
- Provide one (1) copy of the plot survey/sketch/site plan and *Building Elevations* in 11" x 17" (for filing purpose).
- Any other information deemed necessary by City Staff, or by the Board of Adjustment, to adequately illustrate the proposed variance request.

Building Code Appeal Application

FINDINGS OF FACT REQUIRED

A request to appeal a decision of the Director of Building Safety may be granted, upon a finding of the Board of Adjustment that all of the following conditions have been met.

1. That the true intent of the Building Code or rules legally adopted have been incorrectly interpreted.
2. That the provisions of the Code do not fully apply.
3. That an equivalent form of construction is to be used that complies with the intent of the code. The material, method, or work offered is, for the purpose intended, at least the equivalent of the prescribed in this Code in quality, strength, effectiveness, fire resistance, durability and safety.
4. The Board of Adjustment may require additional information when deemed necessary.

Please Note:

- Any documents larger than 11 x 17 sheets, which are required to be to scale, warrant the submittal of fifteen (15) copies of each such document. Also any documents depicted in color of which the applicant wishes the Board of Adjustment members to receive colorized versions, warrant the submittal of fifteen (15) copies of each.
- For uses that require a separate *Permit*, the use may not be engaged until both the *Appeal* is granted and the needed *Permits* obtained.
- The breadth of the *Appeal* is limited to only the specific request on the application; you may not deviate from the *Appeal* granted.

Applicant Signature

Date

Owner's Signature

Date

For Internal Use Only

Case Number: _____

Date of Submittal: _____

Fee(s) Paid to Date: _____