

**VARIANCE REQUEST FORM FOR  
DALWORTHINGTON GARDENS CODE  
SECTION 13.05.071  
CONSERVATION MEASURES RELATING  
TO LAWN AND LANDSCAPE IRRIGATION**

Assigned	_____
Reviewed	_____
Granted / Denied	_____
Permit #	_____
<i>For Internal Use Only</i>	

**Note:** This section of the Code allows for the application for variance to the following requirements only  
*13.05.071(2B) – which restricts watering between the hours of 10:00 a.m. and 6:00 p.m.*  
*13.05.072(b) – which requires rain sensing and freeze gauges on any new non-residential irrigation system installed on or after June 1, 2006 and on non-residential systems installed prior to that date by June 1, 2007.*  
*13.05.072 (d) – which requires rain sensing and freeze gauges on any new residential irrigation system installed on or after June 1, 2007.*

*Submittal of this application does not guarantee a variance will be granted and this application does not address other sections of the Code. The grant of a variance based on this application may be revoked at any time if water waste is identified, undue impact to the health safety and welfare of others is noted, or if circumstances warrant pursuant to Section 13.05.031. A variance granted under this process does not allow non-conformance with the provisions of the City's Drought Contingency/Emergency Water Management Plan. Applicant may attach supporting documentation to the application as described in Part C.*

**PART A – APPLICANT INFORMATION**

Date of Submittal of Variance Request \_\_\_\_\_

Has a previous or separate variance been granted to applicant/account holder?  YES  NO

If YES, to above, please provide details \_\_\_\_\_

***Property Owner/Occupant/Manager Request:***

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone Number \_\_\_\_\_ Account Number \_\_\_\_\_

**PART B – BASIS OF VARIANCE REQUEST**

Dalworthington Gardens City Code 13.05.071.

*(a) Variances. The Director may grant variances from the provisions of this Article VI to persons demonstrating extreme hardship and need as determined by the City Administrator and only under the following circumstances and conditions:*

- (1) The applicant must sign a compliance agreement on forms provided by the City Administrator, agreeing to irrigate or water a lawn or landscape only in the amount and manner permitted by the variance.*
- (2) Granting of a variance must not cause an immediate significant reduction in the City's water supply.*
- (3) The extreme hardship or need requiring the variance must relate to the health, safety or welfare of the person requesting it.*
- (4) The health, safety, and welfare of other persons must not be adversely affected by granting the variance.*

Please briefly describe the basis of your request.

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**PART C – EVIDENCE OF NEED**

Provide documentation to support your request. Documentation should concisely prove the need for a variance such as a receipt for installation of new turf with instructions on installer’s letterhead that recommends daytime watering for a brief period. Please list documents below and attach copies with your application. Original records will not be returned.

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**Dates for which permit requested** – Temporary variances for account holders for time-of-day restrictions will not be issued for more than 45-day periods except in proven extreme hardship situations and as approved by the City Administrator.

I understand that my submittal of application does not guarantee a variance will be granted, and the granting of a variance does not permit waste of water nor non-compliance with any other portion of the Code. If this request for variance is approved, the applicant agrees to irrigate or water a lawn or landscape only in the amount and manner permitted by the variance.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**PART D – DECISIONS OF REVIEW (for internal use by City of Dalworthington Gardens Only)**

- Having fully considered the above application for variance, the City Administrator finds that the Applicant has NOT proven that the requirements of Section 13.05.071 (e) have been met. Based on the foregoing, a VARIANCE IS NOT granted.
- Having fully considered the above application for variance, the City Administrator finds that the Applicant has proven that the requirements of Section 13.05.071 (e) have been met. Based on the foregoing, a VARIANCE IS GRANTED, subject to the following conditions:
  1. This Variance is granted only to the extent necessary to relieve the extreme hardship or need of the applicant.
  2. This Variance is not transferable to another property, purpose, person or water user.
  3. This Variance may be modified or revoked by the City Administrator at any time or if it is noted that the conditions, which were reported in the application, no longer apply.
  4. This Variance is conditioned upon compliance with reasonable conservation measures, including:
    - Water use for irrigation should be limited to that which is required for the landscape to establish itself.
    - Water use as permitted under this Variance will NOT result in water waste.
    - \_\_\_\_\_
    - \_\_\_\_\_
    - \_\_\_\_\_
    - \_\_\_\_\_

Date \_\_\_\_\_

Signature of City Administrator or Representative \_\_\_\_\_