

APPLICATION FOR VARIANCE REQUEST
TO THE BOARD OF ADJUSTMENT

CITY OF JEFFERSON, IOWA

BASIC INSTRUCTIONS:

1. Prior to Board action, there shall be no construction or alteration on the proposed site of the Variance.
2. At least seven (7) days in advance of the scheduled Board of Adjustment meeting in which a case shall be reviewed, the building or addition must be staked for Board members to review.
3. A rough layout of the proposed development showing lot lines, streets, dimensions and other appropriate data shall be attached to this application.
4. In order for the Board of Adjustment to fully assess this application, all questions must be answered as accurately and completely as possible.

(Office Use Only)

Case Number: _____

Date of Board of Adjustment Meeting: _____

1. The undersigned is the owner of the following described property located in Jefferson, Iowa, and is hereby requesting a Variance under the provisions of Ordinance No. _____ of the City for the purpose of:

2. Describe any irregularities in your lot (peculiar shape, narrowness, contours, etc.) or buildings that prohibit your building or improvement without a Variance:

3. Provide examples of properties in your area that are enjoying the benefits for which you are applying:

4. Had the applicant conducted improvements in the past or altered the shape of the lot for which he/she is applying for a Variance:

5. In what year was the property purchased: _____

6. Legal Description of the Property: _____

7. Layman's Description or Address: _____

8. Zoning District: _____

9. Site Conditions:

Land Topography: _____

Available Utilities: _____

Present Use: _____

Proposed Use: _____

10. Owners of Record:

Name: _____

Address: _____

Telephone: _____

11. Demonstration of Compliance:

A. A written application for a Variance is submitted demonstrating:

- (1) An unnecessary hardship must be established by the applicant who applies for the Variance. For purposes of these zoning regulations, an unnecessary hardship is a situation where, in the absence of a Variance an owner can make no feasible or reasonable use of the property. Convenience, loss of profit, financial limitations, or self-imposed hardship shall not be considered as grounds for approving a Variance by the Board of Adjustment.
- (2) Literal interpretation of the provisions of these zoning regulations would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of these regulations.
- (3) The Variance requested is the minimum Variance that will alleviate the hardship.
- (4) Granting of the Variance will comply with the general purpose and intent of these zoning regulations and will not be offensive to adjacent areas or to the public welfare.
- (5) No nonconforming use or structure in the same district and no permitted or nonconforming use or structure in other districts shall be considered grounds for the issuance of a Variance.
- (6) Exceptional and extraordinary circumstances apply to the property that do not apply to other properties in the same zone or vicinity and that result from lot size or shape, topography or other circumstances which are not of the applicant's making.
- (7) In order to preserve the intent of these zoning regulations and to protect the public interest, the Board of Adjustment may attach conditions to a Variance. A Variance shall remain valid only as long as the property owner complies with any terms and conditions of the Variance, as attached by the Board of Adjustment.

12. The applicant acknowledges that any Variance granted is subject to any easements that exist on the property.

POLICY STATEMENT OF THE BOARD OF ADJUSTMENT

It shall be the policy of the Board of Adjustment for the City of Jefferson, Iowa, to grant or deny Administrative Reviews, Special Exceptions or Variances in accordance with the provisions of Ordinance No. _____ of the City. The intent of a particular District Regulation of this Ordinance shall take precedence over personal convenience of an applicant. Approvals shall be granted only when the applicant can prove that literal enforcement of a provision of the City Ordinance will result in unnecessary hardship. No approval shall be granted unless the above provisions have been met and the appropriate application completed.

I certify that the attached application is complete and true to the best of my knowledge.

Date

Applicant(s)

CERTIFICATION:

Office of the City Clerk

Date

Zoning Secretary

Filing Fee Paid: _____

Date

City Clerk