

Zoning Variance Application

Eagle Grove Zoning Board of Adjustment

For questions, please contact Eagle Grove Zoning Administrator, 515-448-4343

1. APPLICATION IS MADE BY

Name: _____ owner/developer/agent
(Please circle one)

If applicant is not the owner, please list owner's name and address: _____

Street Address: _____

City, State, Zip: _____

Phone or Contact Number: _____

2. LOCATION

The premises affected by the variance are located at: _____
Legal Description _____ (Lot) _____ (Block) _____ (Subdivision)

A Variance is the changing of law in a specific instance in order to lessen a hardship caused by the zoning regulations. Regulations for Variances can be found under *Section 165.46-1(c) of the Eagle Grove Code of Ordinances*. **Applicants must include the following:**

1. Detailed Description of Variance Requested.

2. CRITERIA FOR EVALUATING A VARIANCE

A "variance" is the changing of law in a specific instance in order to lessen a hardship caused by the zoning regulations. To grant a variance, the Zoning Board of Adjustment takes into consideration the following three(3) factors:

Conditions and circumstances are peculiar to the land, structure, or building and do not apply to neighboring lands, structures, or building in the same district.

Strict application to the provisions of this chapter will deprive the applicant of reasonable use of the land, structure, or building equivalent to the use made of neighboring lands, structures, or buildings in the same district and permitted under the terms of this chapter.

The peculiar conditions and circumstances are not the result of action of the applicant or persons previously in possession of the property.

- 3. Attach a separate sheet showing a sketch of the property in question; including lot lines, dimensions of the lot, existing/proposed structures, and distances from structure to lot lines and/or proposed changes being requested.**
- 4. Petition is to be accompanied by a non-refundable fee of \$100.00. Submitting an application does not guarantee approval; the Board considers the applicant's information and the attached criteria when reviewing a request.**

The Board of Adjustment's power to grant variances does not require approval by the City Council. If the applicant for a variance disagrees with a decision of the Board, an appeal may be filed with the District Court. Such petition of appeal shall be presented to the Court within thirty (30) days after the filing of the decision with the Zoning Administrator.

Signed: _____ Date: _____
(Applicant)

PROCEDURES FOR REQUESTING A ZONING VARIANCE

A Zoning Variance goes before the Zoning Board of Adjustment for consideration of approval.

1. Prior to requesting a variance, the petitioner should consult with the Zoning Reviewer to determine if the request is within the power of the Board of Adjustment to grant.
2. The application shall be completely filled out, addressing all requirements of a variance.

A meeting of the Board of Adjustment will be held at City Hall. The Zoning Administrator will publish a notice of public hearing in the local newspaper of general circulation.

Although not required, it is recommended that the applicant attend the Board of Adjustment meeting to answer any questions regarding the request.

EAGLE GROVE VARIANCE APPLICATION REVIEW (FOR USE BY ZONING ADMINISTRATOR ONLY)

This application and site plan presented by the applicant have been reviewed for compliance with the Eagle Grove Zoning Ordinance.

This variance application is: Approved Denied as presented on this date: _____

If variance is denied, reasons for such denial: _____

Signed: _____ (Eagle Grove Zoning Administrator) Date: _____

Copy Sent to Applicant on: _____

Variance Fee Paid: Yes No \$ _____