

City of West Branch

~A Heritage for Success~

APPLICATION FOR VARIANCE TO BOARD OF ADJUSTMENT

Date _____
Name _____
Address _____

THE PROPERTY OWNER OR APPLICANT IS TO FILL OUT THE FOLLOWING FORM, EXPLAINING FULLY ALL REASONS FOR SAID REQUEST. PLEASE READ THE EXPLANATORY INFORMATION PRIOR TO FILLING OUT THE LINE ITEM.

CITY CODE OF WEST BRANCH, IOWA. CHAPTER 165. ZONING REGULATIONS.

165.22 POWERS OF THE BOARD. The Board of Adjustment shall have the following powers:

1. Administrative Review. To hear and decide appeals where it is alleged by the appellants that there is error in any order, requirement, permit, decision, determination or refusal made by the zoning officer or other administrative official in the carrying out or enforcement of any provision of this chapter, and for interpretation of the Zoning Map.
2. Vote Required. The concurring vote of three (3) members of the Board shall be necessary to reverse or modify any order or decision of an administrative official.
3. Special Exceptions. To hear and decide applications for special exceptions as specified in this chapter and for decisions on any special questions upon which the Board of Adjustment is specifically authorized to pass.
4. Variance. To hear and decide applications for variance from the terms of this chapter because of unnecessary hardship. Before any variance is granted, all of the following conditions must be shown to be present.
 - A. Conditions and circumstances are peculiar to the land, structure or building and do not apply to neighboring lands, structures or buildings in the same district.

(EXPLAIN HOW THIS APPLIES TO YOU) _____

B. Strict application of the provisions of this chapter would 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.

(EXPLAIN HOW THIS APPLIES TO YOU) _____

C. The peculiar conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption of this chapter.

(EXPLAIN HOW THIS APPLIES TO YOU) _____

5. Financial disadvantage to the property owner shall not constitute conclusive proof of unnecessary hardship within the purposes of zoning.

6. The Board does not possess the power to permit a use not generally or by special exception, permitted in the district involved.

7. In granting a variance, the Board may attach thereto any conditions and safeguards it deems necessary or desirable in furthering the purposes of this chapter. Violation of any of these conditions or safeguards shall be deemed violation of this chapter.

SIGNATURE OF BOARD MEMBERS

DATE

APPROVED

DENIED

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(Name) _____ VARIANCE REQUEST

_____ approved / _____ denied on the _____ day of _____,

_____. Building Permit No. _____.