



# Zoning Division

# Variance Application

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| <b>Owner Information:</b><br>Owner _____<br>Address _____<br>_____<br>Phone _____<br>Email _____   | <b>Applicant Information:</b><br>Applicant _____<br>Address _____<br>_____<br>Phone _____<br>Email _____ |
| Surveyor/Engineer/Architect: _____ E-Mail _____<br>(if applicable) _____ Phone _____   |  |
| Property Address:<br>or Address Range (block) _____  |  |
| GPN(s): _____  |  |
| Rural Land Use Map<br>Designation: _____   |  |
| Brief legal(s):<br>(Sec./Twp./Range) _____   |  |
| Current Zoning: _____ Total Acres: _____   |  |
| <b>Submittal Requirements:</b><br><b>Application, Fee, Minor Site Plan Drawing</b>   |  |
| <p>The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Linn County, Iowa, assuring that the information provided herein is true and correct.<br/> <b>If the variance applies to a structure, it shall be clearly staked out or flagged according to the submitted minor site plan. A representative of Linn County Planning and Development will conduct a site inspection to review the application and minor site plan.</b></p> <p>This development is subject to and shall be required, as a condition of final development approval, to comply with all Unified Development Code policies, requirements, and standards that are in effect at the time of final development approval. I hereby give my consent for the office of Linn County Planning and Development to conduct a site visit and photograph the subject property.</p> |  |
| Owner _____ Applicant _____<br>Date _____ Date _____   |  |
| Case # _____<br>Receipt# _____   | Date Received  |

**1. What are you requesting a variance from?**

- Required setback from lot line
- Required size limitation (accessory building, home occupation size, sign, etc.)
- Other

**Please explain:**

**2. Please explain why the application of the Linn County Unified Development Code to your property causes you a hardship. A hardship results when the code requirement, as applied to your property, deprives you of any reasonable economic use of the property.**

**3. Please explain why the hardship was created by the ordinance, not the applicant, and will not merely serve as a convenience to the applicant.**

**4. Please explain why you have no other alternatives other than a variance.**

**The standards for approval** that the Board of Adjustment will judge your appeal on are listed below. Please be aware that the Board of Adjustment must find that *every* standard has been met. If the Board determines that any standard has not been met, it must deny the appeal.

- (a) The requested variance is not a prohibited variance. (See UDC Article IV, Section 107-74, subsection (f) for prohibited variances.)
- (b) The requested relief exceeds the standards for qualifying as a special exception. (See UDC Article IV, Section 107-74, subsection (c) for the standards for qualifying as a special exception.)
- (c) Because of an exceptional situation, topographical condition, surroundings, size, shape, location of public utilities or public improvements on or adjacent to the subject property, or other extraordinary or exceptional situation, the strict application of the provisions of the Ordinance would result in an unnecessary hardship upon the owner of such property and amount to a practical confiscation. The applicant must demonstrate that the hardship is a compelling force and will not merely serve as a convenience to the applicant, and that the hardship was created by the Ordinance and not the applicant.
- (d) The variance will not impair the general purpose and intent of the regulations and provisions contained in the Ordinance.
- (e) The variance will not impair an adequate supply of light and air to adjacent properties.
- (f) The variance will not increase the hazard from fire and other damages to said property.
- (g) The variance will not diminish the value of land and buildings in the County.
- (h) The variance will not increase the congestion and traffic hazards on public roads.
- (i) The variance will not otherwise impair the public health, safety and general welfare of the inhabitants of the county.

**If the variance applies to a structure, it shall be clearly staked out or flagged according to the submitted minor site plan. A representative of Linn County Planning and Development will conduct a site inspection to review the application and minor site plan.**

For Office use only:

Applicable UDC Provisions: Article\_\_\_\_\_ Section\_\_\_\_\_ Subsection(s)\_\_\_\_\_