



CITY OF GRIMES

DEVELOPMENT SERVICES

410 SE Main Street, Suite 102 , Grimes, Iowa 50111

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BOARD OF ADJUSTMENT **APPLICATION FOR** **VARIANCE REQUEST**

Applications are due the first of the month at
12:00 p.m. to be added to the next BOA agenda.

You are required to attend your hearing—by agent or
in person. Please read application thoroughly. The
City has the right to refuse an incomplete application.

INSTRUCTIONS FOR REQUIRED INFORMATION

NO REQUEST FOR VARIANCE CAN BE ACCEPTED FOR FILING UNLESS ALL OF THE REQUIRED INFORMATION IS PRESENTED

1. GENERAL INFORMATION. The Grimes Board of Adjustment (BOA) is empowered by Iowa law and by Ordinance to hear requests for variance(s) and to make decisions on said requests pertaining to the Zoning Ordinance, Chapter 165.37 and for certain exceptions to the district regulations. The BOA is a five-member quasi-judicial body with authority to grant variances in exceptional cases and is limited to such cases that are consistent with the general purpose and spirit of the zoning regulations. The BOA has no authority to allow a variance that would have the effect of establishing a non-conforming use of land or to change district boundaries except as outlined in the Zoning Ordinance.

2. MEETING DATES. The Board of Adjustment meets at 5:30 p.m. on the third Tuesday of each month. Submittal of all the information does not in any way guarantee that the application will be placed on the next available BOA agenda. All BOA meetings are open to the public and are held in the Council Chambers of City Hall, 101 NE Harvey Street, Grimes, Iowa.

3. FILING DEADLINE: The deadline to file an application for variance with the BOA is 12:00 p.m. the first day of the month of the board meeting. All materials must be filed in the Development Services Department office at 410 SE Maine Street Suite 102, Grimes, Iowa.

NOTE: Be sure that you have all required materials at that time. Failure to do so may result in your request for variance being delayed to the next regularly scheduled meeting.

4. FILING FEE: A filing fee is required at the time the materials are filed with the Development Services Department office. The fee covers administrative expenses and legal notification of surrounding property owners within 250 feet of the property in question. No request for variance is to be considered filed until this fee is received. The fee is \$25.00 to request a variance and payment must be submitted with the application. The fee shall be paid at the Development Services Department office, 410 SE Main Street Suite 102. Make all checks payable to the City of Grimes. The fee is nonrefundable.

5. SITE PLAN: The applicant must submit a site plan that clearly shows the variance being requested. The site plan should be drawn to scale, and should be a reproducible, black line drawing or free hand drawing on a sheet of paper no larger than 24" x 36" *{Use of an actual property survey is suggested but not required}*. The applicant may submit the same site plan that was submitted for a building permit. The site plan shall include the following information:

- a) Property lines and dimensions

- b) Location and size of all existing and proposed structures (buildings, driveways, parking lots, sidewalks, fences, etc.)
- c) Required setback and buffer location(s)
- d) Any other pertinent information necessary to fully understand the need for a variance (e.g. significant change in topography, location and size of mature trees, etc.)

NOTE: If the request for variance is for a sign, the request must be accompanied by both a fully dimensioned, to-scale elevation drawing of the sign, as well as a fully dimensioned to-scale site plan showing the exact location of the sign whether it is a free standing or a building sign.

6. SUPPORTING INFORMATION FORM: The Board of Adjustment may grant a variance provided that "unnecessary hardship" exists; that the variance is not contrary to the public interest; and that the spirit of the Zoning Ordinance is upheld. The Supporting Information form addresses these issues and asks for responses to each of the "tests" in order to grant a variance. The Supporting Information form must be completely filled out in order to process the application for a variance.

7. ADDITIONAL INFORMATION: If you have questions about this form, or should you require additional information regarding the variance process, please contact the Development Services Department at (515)986-4050.

APPLICATION FOR VARIANCE

All required information must be presented before acceptance of application.

The applicant must complete all sections in bold for review to begin.

Please type or print:

1. **Date:** _____

Applicant Name: _____

Address: _____
(Street) (City) (State) (Zip)

Telephone Number: _____
(Home) (Work)

E-Mail Address: _____

2. **Location of Property**

Street Address: _____

Legal Description: _____

Zoning Classification: _____

This request for variance cannot be processed until all required materials are submitted. In addition to this application, the following information is required for submission. On a separate sheet of paper please type or print the following:

3. **Response to the attached supporting information form**

4. **Site plan drawn to scale**

This plan shall be no larger than 24" x 36" and easily reproducible.

5. **Application fee**

An application is not considered filed until filing fee is paid.

The Board of Adjustment may grant a variance provided the BOA can make a finding of unnecessary hardship and can determine that the variance will not be contrary to the public interest and the spirit of the Zoning Ordinance.

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This request for variance will not be granted unless sufficient facts are presented in this application and at the BOA hearing to support a positive finding by the BOA. In support of this request, a Supporting Information form shall be completed by the applicant(s).

Approval of this request for variance by the Board of Adjustment in no way absolves the applicant from subsequently obtaining the necessary development approvals, such as site plan, building permits, etc. from the City of Grimes or any other applicable agency.

I (We) certify that I (We) have been denied a Building/Zoning permit and I (We) have submitted all the required information to request for a variance and that such information is factual.

Signed by: _____ on date: _____
(Owner)

Or: _____ on date: _____
(Owners Agent)

SUPPORTING INFORMATION FORM

The Board of Adjustment is authorized to grant a variance provided all the following requirements are satisfied. Use a separate sheet of paper if desired, and address each issue below:

- I. A finding showing of good and sufficient cause. **The applicant must show that there is a reason for applying.**

- II. A determination that a literal enforcement of the ordinance would result in a substantial hardship to the applicant. **The applicant must show that there is a hardship (utilities, parking, etc.).**

- III. The hardship is not self-imposed. **The applicant must show that the proposed hardship is being caused by the strict interpretation of the Zoning Ordinance and not self-imposed by the applicant.**

- IV. The variance will not be contrary to the public interest or neighborhood integrity. **The applicant must present information to indicate that the variance will not result in injury or endangerment to other property or persons nor will it devalue nearby property.**

- V. The granting of a variance is the minimum necessary to afford relief from this Code of Ordinances while preserving the spirit of the zoning ordinance. **The applicant must list other options that have been considered in lieu of granting a variance.**
