

# APPLICATION FOR ZONING VARIANCE



## CITY OF TEMPLETON

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**\*\*THIS BOX FOR OFFICE USE ONLY\*\***

Date \_\_\_\_\_  
 Received: \_\_\_\_\_  
 Fee: \_\_\_\_\_

**\*\*COMPLETE ALL APPLICABLE SECTIONS\*\***

DATE: \_\_\_\_\_

**ALL APPLICATIONS MUST BE ACCOMPANIED BY REQUIRED VARIANCE APPLICATION FEE.**

### APPLICANT INFORMATION

Applicant Name:	Telephone:
Mailing Address:	City/State/ZIP

### PROPERTY INFORMATION

Property Address: <small>(if different from above)</small>	Current Zoning:
Legal Description: <small>(**REQUIRED, Attach Additional Pages if Necessary)</small>	

### VARIANCE REQUEST INFORMATION

**\*\*EXPLANATION OF A VARIANCE AND WHEN A VARIANCE CAN BE APPROVED\*\***

A variance is an approval of the size of a lot, or the size or location of a building or structure, that does not meet the requirements of the Templeton Zoning Ordinance. It does not change the Ordinance itself, but changes how it applies to a specific property. The Board of Adjustment is authorized to grant a variance if they find that, because of some unusual and unique characteristic of a property, a strict application of the Zoning Ordinance would result in a hardship so severe for the owner that it would be almost the same as taking the property. The Board may not grant a variance that is contrary to the purpose of the Zoning Ordinance, nor may they grant a variance to allow a use that would not otherwise be allowed. Additionally, if most of the property in the area has the same problem, a variance may not be granted; the problem should be solved with a change to the Zoning Ordinance.

Before a variance can be granted, the applicant must show the zoning regulations "actually prohibit or unreasonably restrict" the use of the property. In other words, it must be impossible or unreasonable to use the property without a variance. Mere convenience, or a desire to maximize profit does not justify a variance. Furthermore, if the applicant caused the hardship, or was aware of it when they purchased the property, a variance is not justified. Before a variance can be granted, the Board must find beyond a reasonable doubt that all of the following conditions exist: (1) That there are exceptional or extraordinary circumstances or conditions applying to the property in question or to the intended use of the property that do not apply generally to other properties or class of uses in the same zoning district; and (2) That such a variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same zoning district in the vicinity; and (3) That the authorizing of such variance will not be of substantial detriment to adjacent property and will not materially impair the purpose of the ordinance or the public interest.

**Please submit the following items to complete your application.** You may use the back of this sheet or attach additional pages as necessary.

- 1. A written narrative indicating how your request meets the following criteria for granting a variance:
  - (a) What is the problem with the size, shape, or topography of this property that does not apply generally to other properties in the area?
  - (b) How does the zoning ordinance prohibit, or unreasonably restrict, the use of this property? Is there a hardship so severe that it keeps you from using the property as it is intended under the zoning ordinance?
  - (c) How would this variance affect other properties in the area?
  - (d) Describe why you cannot make other arrangements to comply with the Zoning Ordinance without a variance.
- 2. A scaled drawing of the property which shows (a) property lines and existing buildings and other site improvements, (b) the extent of the proposed variance(s) on the property, (c) the placement of buildings on adjacent lots, and (d) any topographic or other features which you consider to be extraordinary and exceptional conditions.
- 3. A list of ALL adjacent property owners including Names, Addresses, and Telephone numbers. All adjacent property owners will be notified of the request for a variance, and will have the opportunity to provide their input on the request.
- 4. The appropriate variance application fee (contact City Hall for amount) made out to the City of Templeton.

The Board of Adjustment is required to hold a public hearing on the request, at which time adjacent property owners and other affected individuals will have the opportunity to provide input. Applicants may represent themselves and/or be represented by an agent or attorney. The Board shall make a decision on the request within 30 days of the hearing.

### APPLICANT CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND THE INFORMATION PROVIDED IS ACCURATE AND CORRECT. I AGREE TO COMPLY WITH THE CITY OF TEMPLETON ZONING ORDINANCE AND ALL OTHER LOCAL, STATE, AND FEDERAL LAWS AND REQUIREMENTS GOVERNING THIS REQUEST, WHETHER HEREIN SPECIFIED OR NOT.

Signature of Owner: **X**

Date: \_\_\_\_\_

### CITY REVIEW & APPROVAL

<b>ZONING/BUILDING ADMINISTRATOR</b>	<b>BOARD OF ADJUSTMENT</b>	Date Reviewed:
<input type="checkbox"/> Incomplete-Return to Owner (complete section below) <input type="checkbox"/> Forward to Board of Adjustment for review	<input type="checkbox"/> Application meets requirements for variance- <b>variance approved</b> with the following conditions:	<input type="checkbox"/> Application does not meet ALL requirements for variance- <b>variance denied.</b> <input type="checkbox"/> Application does not meet requirements for variance-Zoning Ordinance should be amended.
Signature:	Signature of Board Chairperson:	
Follow-up action:	Follow-up action (attach additional pages if necessary):	