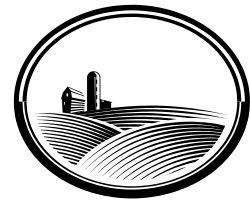


Jones County Land Use
 Rm 113 Courthouse, 500 W Main St.
 Anamosa, Iowa 52205
 Phone: 319-462-2282 Fax: 319-462-5815
 Email: landuse@jonescountyiowa.gov
 Website: www.jonescountyiowa.gov



Jones County Zoning
Variance Application

For Office Use Only		
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	Date: _____
Comments: _____		
_____ Signature of Jones County Land Use Administrator		

The Board of Adjustment will review the proposal and deny or approve.

Fee: **\$250.00 (non-refundable)** payable to Jones County, with the completed application

Date Application Filed: _____

Owner Information

Name on property: _____			
Address to receive mail:	<i>House Number & Street:</i> _____		<i>Apartment/Unit</i>
	<i>City:</i> _____	<i>State:</i> _____	<i>Zip Code:</i> _____
<i>Phone:</i>	()	<i>E-mail Address:</i>	_____

Applicant Information

Name: (If different from above.) _____			
Address to receive mail:	<i>House Number & Street:</i> _____		<i>Apartment/Unit</i>
	<i>City:</i> _____	<i>State:</i> _____	<i>Zip Code:</i> _____
<i>Phone:</i>	()	<i>E-mail Address:</i>	_____

Parcel Information

Township		Section		Property Address	
Zoning District: _____				County Parcel ID, if known: _____	

Please attach the following to this application:

1. A description of the nature of the proposal.
2. A legal description of the real estate upon which the proposed use will be located.
3. A statement of the intended use.
4. A "sketch" map or aerial photo of the proposed site development noting the proposed parcel lines and building locations.
5. The disruption expected to be incurred on the area's present setting.
6. Methods to be implemented to lessen the severity of the said disruption.

VARIANCE

The five-member Board of Adjustment appointed by the County Board of Supervisors decides variances to the county's zoning ordinance. The decisions of the Board of Adjustment must comply with the provisions of the county ordinance as it is written. The Board of Adjustment's duty is not to compromise for a property owner's convenience but rather to apply appropriate legal standards to a specific fact situation. A variance may only be granted if the landowner proves that an unnecessary hardship will result if the zoning regulations are enforced as stated in the ordinance. Variances are intended to be an infrequent remedy where an ordinance imposes a unique and substantial burden.

You will have an opportunity to present information to the Board of Adjustment regarding your request for a variance. To maintain impartiality and avoid a possible conflict of interest, do not speak to any member of the Board of Adjustment about your application except at the hearing. Do not direct any written communication about your application to a member of the Board of Adjustment unless you also file a copy with the Land Use Office. Your failure to observe these rules may invalidate your application.

Any landowner, or other person, aggrieved by a decision rendered under the Jones County Zoning Ordinance by the Board of Adjustment may file a petition with the District Court within thirty (30) days after the decision has been issued by the Board of Adjustment.

A variance is requested because of the following reason:

- Proposal does not qualify as a Permitted Use in the zoning district in which it is located.
- Proposal does not qualify as a Special Permitted Use in the zoning district in which it is located.
- Proposal does not meet the lot area, or setback requirements, in the zoning district in which it is located.
- Other _____

Would this proposal qualify as a permitted or special permitted use if the property were located in a different zoning district?

Example: If your proposal is not permitted in the existing agricultural zoning district, it might be a permitted use in the residential zoning district.

- Yes If so, in which zoning district would your proposal qualify as a permitted, or special permitted use?

- No

I believe the Jones County Board of Adjustment should grant a variance for this proposal, and that the proposal qualifies for a variance because of the unnecessary hardship imposed by the requirements of the Jones County Zoning Ordinance, as noted below:

- 1. Reasonable Return – The land in question cannot yield a reasonable return if it is used only for a purpose allowed in the zoning district in which it is located. Lack of a “reasonable return” may be shown by proof that the owner has been deprived of all beneficial use of his land. All beneficial use is said to have been lost when the land is not suitable for any use permitted by the zoning ordinance in zoning district in which it is located.
- 2. Unique Circumstances – The plight of the owner is due to unique circumstances and not the general conditions in the neighborhood. Problems common to several properties do not constitute “unique circumstances” (i.e. severe slope affecting numerous neighboring properties).
- 3. Self-created – An unnecessary hardship must not have been self-created. When property is purchased, the new owner assumes any liability created by the previous landowner.
- 4. Essential character – Use to be authorized by the variance will not alter the essential character of the locality. The Board of Adjustment cannot grant a variance if the proposed use will have detrimental effects on surrounding properties.

The Jones County Zoning Ordinance is available on-line at www.jonescountyiowa.gov/land_use.

The undersigned applicant certifies under oath and under the penalties of perjury that the foregoing information is true and correct.

Applicant Signature

Date

Owner Signature (if different than above)

Date