

VARIANCE REVIEW AND DETERMINATION OF HARDSHIP  
FOR BOARD OF ADJUSTMENT

APPLICANT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

VARIANCE REQUESTED: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

1) Do special conditions or circumstances exist which are peculiar to this building, lot, or structure which are not applicable to others in the area?

- |   | <u>YES</u> | <u>NO</u> |
|---|------------|-----------|
| A) Topography   | _____      | _____     |
| 1) Ravines/Hills  | _____      | _____     |
| 2) Rock Outcroppings                                    | _____      | _____     |
| 3) Waterways  | _____      | _____     |
| 4) Soil Type  | _____      | _____     |
| 5) Shape of Lot (applicable if lot platted before 1973) | _____      | _____     |
| B) Significant Trees or Shrubs                          | _____      | _____     |
| C) Other (list) _____                                   |            |           |

2) Does literal interpretation of the Ordinance deprive applicant of rights commonly enjoyed by other properties in the area?

- A) Is requested variance of this type common to others in area? \_\_\_\_\_

3) Do special conditions exist which do not result from actions of the applicant?

- A) Was applicant the original builder of the structure? \_\_\_\_\_

- B) Has the applicant sold parcels of property from original parcel or otherwise Altered the property to create the special condition? \_\_\_\_\_

- C) Is an alternate construction site available on lot or property owned? \_\_\_\_\_

- D) Was a variance granted for original structure? \_\_\_\_\_

4) Would granting of the variance confer special privileges previously denied to others?

- A) Is requested variance common to others in the area? \_\_\_\_\_

- B) Has requested variance been denied to others in the same district? \_\_\_\_\_

5) Any extenuating circumstances or findings must be listed on the back of this form.

**NOTICE OF APPEAL  
And  
APPLICATION FOR VARIATION**

TO THE BOARD OF ADJUSTMENT OF THE CITY OF OSKALOOSA, IOWA:

You are hereby notified that the undersigned owner(s) of the following described premises situated in the City of Oskaloosa, Iowa, to-wit:

Legal Description: \_\_\_\_\_  
\_\_\_\_\_

Street Address: \_\_\_\_\_

do(es) hereby appeal from the denial by the Building Inspector of Oskaloosa, Iowa, of his/her application for a building permit filed with said Building Inspector on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, under which the undersigned seek(s) permission to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and do(es) hereby apply for a variation in the regulations applicable to said premises under the Oskaloosa Zoning Ordinance which would permit the issuance of a permit for the purpose above set forth. The variation requested involves the provisions of Section \_\_\_\_\_, Paragraph \_\_\_\_\_, Sub-paragraph \_\_\_\_\_ of said Ordinance which requires that

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In support of said application the undersigned state(s) that either or both of the following grounds for variation exists:

\_\_\_ The depth, width, shape or topographical condition of the property or other extraordinary or exceptional situation prohibits the use of said property in a manner reasonably similar to that of other property in the district.

(explain)

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\_\_\_ Denial of a permit will work a hardship on the undersigned.

(explain)

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WHEREFORE, the undersigned request(s) that the Board fix the date and place for hearing upon this appeal and application for variation and that upon said hearing the decision of the Building Inspector be reversed or revised and that the variation applied for be granted and that the issuance of said building permit be ordered.

Date this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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### General Information

The Board of Adjustment meets on Tuesday, following the 4<sup>th</sup> Monday of each month. The Board shall provide no less than 4 days and no more than 20 days notice of public hearing on any question before it. Appeals must be filed at least two weeks prior to the public hearing date.

**An appeal fee of \$100.00-residential and \$200.00-commercial shall be paid to the City prior to filing the appeal. This fee is non refundable.**

Written testimony or evidence (such as affidavit of person knowing material facts) shall be attached to and filed with Notice of Appeal and Application for Variation.