



City of Oskaloosa, Iowa

Development Services Department

220 South Market Street, Oskaloosa, IA 52577

Phone: (641) 673-7472 Fax: (641)673-3733

VARIANCE APPLICATION

To the Board of Adjustment of the City of Oskaloosa, Iowa:

You are hereby notified that the undersigned owner(s) of the following described property located in the City of Oskaloosa, Iowa, do(es) hereby appeal for a variance to the Ordinances of the Oskaloosa Municipal code.

Property Address: _____

Legal Description: _____

Variance Description (state what the variance will allow):

THE REQUESTED VARIANCE INVOLVES THE PROVISIONS OF THE FOLLOWING NOTED ORDINANCES OF THE OSKALOOSA MUNICIPAL CODE:

Example: Code Section: Table 17.08C

Requirement: The front yard setback in an R-2 district is 25 feet

Code Section: _____ Requirement: _____

Code Section: _____ Requirement: _____

Code Section: _____ Requirement: _____

If more space is needed, attach a list of the Code Sections and their respective requirements to this application. Note: Development Services staff can assist you with the code referrals and requirements.

APPROVAL REQUIREMENTS:

A variance is not a right. It may be authorized where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property; or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition, such strict application would result in a peculiar and exceptional practical difficulties to or exceptional and undue hardships upon the owner of such property (OMC 17.34.090C1). A variance shall be granted only when the applicant establishes that all of the following requirements are met (**please respond to each of the following requirements**):

1. Strict application of the zoning ordinance will produce undue hardship and would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the zoning ordinance (**please explain**):



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2. Such hardship is not shared generally by other properties in the same zoning district and in the same vicinity **(please explain):**

3. The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance **(please explain):**

4. The granting of such variance is based upon the reason of demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit, or caprice **(please explain):**

5. The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable a general regulation to be adopted as an amendment to this title **(please explain):**

6. The granting of the variance will not cause substantial detriment to the public good and will not substantially impair the intent and purpose of any ordinance or resolution **(please explain):**



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If the applicant is not the owner, then the owner must sign below or provide a letter authorizing the appeal.

Wherefore, the undersigned request that the Board of Adjustment fix the date and place for a hearing upon this variance application, and that upon said hearing the variance applied for be granted. I further hereby certify that all the above statements and the statements contained in the submitted papers attached herewith are correct, factual, and true.

Dated this _____ day of _____, 20 ____.

Applicant(s) Signature(s): _____

Name(s): _____ Phone: _____

Address: _____ Email: _____

Owner(s) Signature(s) (if other than applicant): _____

Name(s): _____ Phone: _____

Address: _____ Email: _____

For Office Use Only

Fee: \$100.00 Residential \$200.00 Commercial Date Fee Paid: _____

Date Hearing Advertised: _____ Appeal Granted: _____

Date of Hearing: _____ Appeal Denied: _____

INFORMATION REGARDING THE BOARD OF ADJUSTMENT

The Board of Adjustment (BOA) is a quasi-judicial board created by the City of Oskaloosa, Iowa, under state law. The purpose of the BOA is to provide recourse for any citizen of Oskaloosa to appeal perceived inequity in the existing Zoning Ordinance or the decisions of the Zoning Administrator or Building Official of the City of Oskaloosa.

The BOA welcomes any testimony. Decisions rendered by the BOA are based upon the facts and evidence allowed under City Code and presented in an open meeting. All proceedings of the meeting are tape recorded as evidence in the event of further litigation. The BOA is an independent Board of Citizens and not a part of the City Administration. The City Attorney and City Staff may be present to assist the BOA. A decision rendered by the BOA can be appealed online in District Court.

BOA meetings are held as needed on the 4th Tuesday of every month. A completed application must be filed at least thirty (30) days prior to the meeting. Public notice of an appeal must be posted on the property and in a local newspaper no less than ten (10) days prior to the meeting.