

Variance Application – Applicant’s Letter of Intent

The *burden of proof* of “unnecessary hardship rests upon the applicant and, without such proof, a Variance must be denied. Also, the hardship must be created by the ordinance, not by the applicant. The Monona County Board of Adjustment should keep in mind what the Iowa courts have said unnecessary hardships is shown by establishing all of the following elements while considering each application for a Variance from the Monona County Zoning Ordinance.

- The land in question cannot yield a reasonable return if used only for a purpose allowed in that zone; and
- The plight of the landowner is due to unique circumstances and not to general conditions in the neighborhood; and
- The use to be authorized by the variance will not alter the essential character of the locality.

For the Monona County Board of Adjustment to grant a Variance, the applicant is responsible for responding to all of the Standards outlined below in the form of a written narrative. This written narrative shall be submitted with the applicant’s Variance application.

STANDARDS

1. Explain the *purpose or intent* of the Variance request. Who is seeking the Variance and why?
2. Explain how any special conditions and circumstances which are peculiar to the land, structure or building(s) involved on the applicant’s property are *not applicable* to other lands, structures or building in the same Zoning District.
3. Explain how the literal interpretation of the provisions of the Monona County Zoning Ordinance would *deprive* the applicant the rights commonly enjoyed by other properties within the same Zoning District under the terms of the Zoning Ordinance.
4. Explain how the special conditions and circumstances peculiar to the land, structure or building(s) involved on the property do not result from the *actions of the applicant*.
5. Explain how the granting of the Variance will not confer or bestow onto the applicant any *special privileges* that would otherwise be denied by the Zoning Ordinance to other lands, structures, or buildings in the same Zoning District.
6. Explain, how if granted, this request for a Variance will be in harmony with the general purpose and intent of the Monona County Zoning Ordinance and *not interfere* substantially with the Monona County Comprehensive Plan.
7. Explain, how if granted, this request for a Variance will not impair an adequate supply of light and air to adjacent properties, increase the hazard from fire, diminish the value of land and buildings, increase congestion and traffic hazards, and otherwise impair the public health, safety, and general welfare of Monona County.
8. Explain, how if granted, this request for a Variance is the *absolute minimum* Variance that will make possible the *reasonable use* of the land, building or structure.
9. Explain why the property in question cannot yield a reasonable return if used only for a purpose allowed in the zone where the property is located.

Monona County Application for Variance Application

Petitioner Information: (Property Owner)

Application No. _____

Last Name	First Name	Home Phone	Work Phone
Mailing Address	City	State	Zip Code
911 Address	City	State	Zip Code

General Property Location:

Quarter _____ Section _____ Township Name: _____ Parcel ID _____

Letter of Intent/Narrative: For the Monona County Board of Adjustment to grant a Variance, the applicant is responsible for responding to all of the Standards outlined on the reverse side of this application in the form of a written narrative. This written narrative shall be submitted with the applicant's Variance application. *(See reverse side of this application)*

Current Land Use:

Agriculture – crop production Residential (non-farm) Vacant Land Other _____
 Agriculture–pasture/livestock Agriculture–Farmstead Industrial/Commercial

Current Zoning District: _____ **Lot Area:** _____

Proposed Variance: _____

Site Plan Requirements

Attach a Site Plan/Plat of Survey drawn to scale showing the following:

1. North arrow and scale.
2. All lot line dimensions and other dimension lines as necessary.
3. Square footage of all proposed structures.
4. All roads, private lanes abutting the property and existing or proposed access(es).
5. Variance Requested.

Surrounding Owners: Attach a list of names and addresses of all property owners of record within 500-feet of the property under consideration. ***Key the names to properties on the Site Plan.***

Required Fee: \$100.00 - Additional Zoning Construction permit application fees will also be required for construction.

The undersigned Petitioner certifies under oath that the foregoing information is true and correct.

_____ Owner	_____ Date	_____ Agent	_____ Date
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For Office Use Only

Application No: _____ Complete Application: Yes _____ No _____

Date Application Received: _____ Fee Receipt No: _____

Received by: _____

Board of Adjustment Decision: _____ Approve _____ Deny Date _____

Chairman: _____

Public Hearing Date: _____