



PLANNING AND ZONING

Cerro Gordo County Courthouse

220 N Washington Ave
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cgcounty.org/planning

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VARIANCE APPEAL

Cerro Gordo County Board of Adjustment

INSTRUCTIONS

As authorized under Article 24.4(A)(3) of the Zoning Ordinance, the Board of Adjustment may hear requests for variance as provided for under the standards outlined in the Ordinance. Any person affected by a decision of the Zoning Administrator in which a literal enforcement of the Ordinance will result in an unnecessary hardship may file appeal with the Board of Adjustment via a variance request under such standards outlined within thirty (30) days from the date of the decision. The Zoning Administrator shall forward all appeals for variance to the Board of Adjustment within a reasonable time from the time of receipt.

The Applicant shall be held responsible to provide adequate evidence that all applicable standards for hardship are met. The Board of Adjustment shall ensure that their decision is not contrary to the public interest. In its decision, the Board of Adjustment reserves the right to apply any condition necessary for any variance granted in order to observe the spirit of the Ordinance and protect the public health, safety, and welfare.

APPLICATION CHECKLIST

- Fully completed application (All requested information must be completed in order to be accepted)
- Applicable site plan drawing
- \$200.00 non-refundable filing fee made payable to "Cerro Gordo County Treasurer"
- Any further documentation necessary to properly review the request

FILING DEADLINE

4 WEEKS BEFORE THE NEXT SCHEDULED BOARD OF ADJUSTMENT MEETING. The regular Board of Adjustment meeting is generally scheduled for the last Tuesday of each month. However, the Board reserves the right to schedule hearings subject to the board members' availability. All required information and materials must be filed with the Planning and Zoning Department by the filing deadline. The filing fee is required at the time the application is submitted.

NOTIFICATION

A public notice will be posted in the newspaper of record for the location of the property in which the variance is being requested prior to the public hearing. At a minimum, all adjacent property owners, or more as deemed necessary due to potential impact, will be notified of the requested variance by regular mail. Additionally, every effort will be made to post applicable case materials to the Planning and Zoning Department webpage at <http://cgcounty.org/planning> on the Cerro Gordo County website at least one week before the scheduled public hearing.

STANDARDS FOR REVIEW

It is the applicant's responsibility to prove to the Board of Adjustment that the appeal meets the standards for review of the Ordinance. All variance requests will be reviewed under the following hardship standards:

1. The land in question cannot yield a reasonable return if used only for a purpose allowed in that zone.
2. The plight of the owner is due to unique circumstances and not to the general conditions in the neighborhood, which may reflect the unreasonableness of the zoning ordinance itself.
3. The use to be authorized by the variance will not alter the essential character of the locality.

In addition to the hardship standards above, the applicant must address any potential impacts to neighbors and the general area around the property, as the Board of Adjustment reserves the right to establish certain conditions upon any variance granted to mitigate potential impacts. The applicant should address such potential impacts as encroachment to neighbors, dust, drainage, glare, traffic, odors, noise, safety, or other potential impacts that may be caused as a direct result from the requested variance being granted.

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APPLICATION

Date Filed _____

Date Set for Hearing _____

Case Number: _____

Applicant Name: _____

Phone: _____

E-Mail: _____

Mailing Address: _____

Property Owner Name: _____

Phone: _____

E-Mail: _____

Property Owner Address: _____

Property Description (Not to be used on legal documents): Parcel # _____ Township _____

Property Address: _____ Zoning: _____

Brief Legal Description:

Project Description

Decision Date: _____

Variance(s) Requested (As cited on results from denied Zoning Permit Application)

Criteria Justifying Variance under Standards for Review (You may add more details in the Additional Information)

I am the Owner Contract Purchaser Other (Explain) _____

_____ of the property affected.

I, the applicant, being duly sworn, depose and say that I am the owner, or that I am authorized and empowered to make affidavit for the owner, who makes the accompanying application; and that the information provided is true and correct and actual construction will proceed in accordance with the purposes herein stated and any conditions and/or requirements the Board of Adjustment may stipulate. The Planning & Zoning staff and Board of Adjustment members are also given permission to enter the above property in reviewing this Application.

Applicant Signature _____

Date _____

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ADDITIONAL INFORMATION

Please provide any additional details below needed to fully address the standards for review and any potential impacts to the immediate vicinity that may directly result from the variance requested.