

**CITY OF GUTTENBERG, IOWA**  
APPEAL TO THE BOARD OF ADJUSTMENT

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

DATE: \_\_\_\_\_

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

PHONE: \_\_\_\_\_

\_\_\_\_\_

EMAIL: \_\_\_\_\_

**APPLICATION IS HEREBY MADE TO THE BOARD OF ADJUSTMENT FOR:**

\_\_\_\_\_ Administrative Review - 165.39(1)

\_\_\_\_\_ Special exception to the zoning code - 165.39(2)

\_\_\_\_\_ Variance from the zoning requirements - 165.39(3)

A written application for a variance is submitted demonstrating, in detail, each of the conditions or situations as described below: *(City Code Section 165.39(3))*

1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district.

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2. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.

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3. That the special conditions and circumstances do not result from the actions of the applicant.

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CITY OF GUTTENBERG, IOWA

**NOTICE TO APPLICANT**

VARIANCES: The Board of Adjustment may authorize, upon appeal, in specific cases such variances from the terms of this ordinance as will not be contrary to the public interest where, owing to the special conditions, a literal enforcement of the provisions of this Ordinance would result in an unnecessary hardship. A variance from the terms of this Ordinance shall not be granted by the Board of Adjustment unless and until the following requirements are met:

5. A written application for a variance is submitted demonstrating:
  - a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district.
  - b. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
  - c. That the special conditions and circumstances do not result from the actions of the applicant.
  - d. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district and that no permitted use of land, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

Please explain below (or with attachments) the reasons for the requested variance based upon the above requirements. A diagram showing the pertinent dimensions should also be attached.

SPECIAL EXCEPTIONS

A written application for a special exception shall be submitted, indicating the section of this Ordinance under which the special exception is sought and stating the grounds on which it is requested. Requests for Special Exceptions shall adhere to City of Guttenberg zoning code.

SPECIAL PERMITS

A written application for a special permit shall be submitted, indicating the nature of the request, why the proposed use does not meet zoning code requirements, and how the proposed use adheres to the principles as outlined in the current Comprehensive Plan. Further discussion about how the proposed use fits with accepted land use planning concepts will also be helpful.

OTHER INFORMATION

The Board of Adjustment will meet to consider this matter. The meeting date/time will be set up to accommodate a quorum of the Board of Adjustment members. The applicant or his/her representative should be present at this hearing.