



# Adjustment/Variance Application

PROPERTY			
<input type="checkbox"/> Residential <input type="checkbox"/> Commercial/Industrial	Property Address	Owner Name	Owner Phone Number

OFFICE USE				
Permit Number	Date Received/Paid			
Date Issued	Total Fees Paid			
Date Expires	<input type="checkbox"/> Cash <input type="checkbox"/> Check # _____			
Zone	Front	Back	Side	Side CL
<input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions				
Building Official / Authorized Representative		Date		
Date Project Completed / Final Inspection Date				

APPLICANT	
<input type="checkbox"/> Property Owner <input type="checkbox"/> Contractor <input type="checkbox"/> Architect <input type="checkbox"/> Engineer	<p><b>This permit expires twelve (12) months from the date of issuance.</b>            The undersigned warrants that he/she has reviewed and is familiar with the provisions of the building, fire, electrical, plumbing, mechanical ICC; and all applicable zoning standards and will defend, indemnify, protect and save harmless the City and it's employees from any and all liability, from any claim or cause of action which any person may have claim to have by reason of any actual or alleged failure on the part of the undersigned to comply with the terms and provisions thereof. I hereby certify that I have read and examined this application and it's attachments and know the same to be complete, true and correct. All provisions of laws and ordinance governing this type of work will be complied with whether specified herein or not. I agree to adhere to the plans as submitted and approved by the City Staff and will provide notification of any change prior to construction. The granting of a permit does not presume to give authority to violate or cancel the provision of any other state or local law regulating construction or the performance of construction.</p>
Business	
Name	
Address	
City/State/Zip	
Phone _____ Cell Phone _____	
Email Address	
Signature of Applicant _____ Date _____	

CONTRACTORS			
<input type="checkbox"/> General <input type="checkbox"/> Plumbing <input type="checkbox"/> Mechanical <input type="checkbox"/> Electrical <input type="checkbox"/> Roofing <input type="checkbox"/> Other	Name	Phone / Email	Registered in Denison <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> General <input type="checkbox"/> Plumbing <input type="checkbox"/> Mechanical <input type="checkbox"/> Electrical <input type="checkbox"/> Roofing <input type="checkbox"/> Other	Name	Phone / Email	Registered in Denison <input type="checkbox"/> Yes <input type="checkbox"/> No

Description of Project / Request
Location (address) of property
Legal Description of property
Principal use of property
I request a variation from the current zoning requirement for: <input type="checkbox"/> Front Yard <input type="checkbox"/> Side Yard <input type="checkbox"/> Rear Yard <input type="checkbox"/> Fence <input type="checkbox"/> Sign <input type="checkbox"/> Parking <input type="checkbox"/> Structure Height <input type="checkbox"/> Other as described below:
Denison Zoning Code Section # _____ States:
I propose the following in lieu of the above requirement:

Additional Documents Attached
<input type="checkbox"/> A statement indicating the reasons for appeal.
<input type="checkbox"/> A letter of authorization from the owner or lessee , if applicable.
<input type="checkbox"/> A site plan and drawing to scale illustrating the request and showing the following: <ul style="list-style-type: none"> <li>• Dimensions of all lot lines</li> <li>• Dimensions of setbacks to lot lines</li> <li>• Street &amp; driveway locations</li> <li>• Location and dimensions of all existing and proposed buildings and structures</li> <li>• Fences</li> <li>• North arrow</li> <li>• Easements</li> <li>• Landscaping</li> <li>• All improvements that will be added, such as landscaping, fences, etc. that will be used to lessen the impact of the variance</li> </ul>
<input type="checkbox"/> Placement of flags of proposed adjustment requested.

**Filing fee is \$50.**  
**Upon approval, a building permit is required.**

Office Use Only		
Type <input type="checkbox"/> Adjustment (less than 50%) <input type="checkbox"/> Variance (more than 50%)		
Date adjoining property owners letters sent	Date/Time of Hearing	
Date/Time of Notification	Date Building Permit Issued	Building Permit Number
Additional Notes		



# Adjustment/Variance Application

## About the Board of Appeals and Adjustment

The City of Denison Board of Appeals and Adjustments is a board comprised of five members appointed by the Denison City Council.

The Board is empowered through Chapter 414 of the Code of Iowa and Chapter 174 of the Denison Code of Ordinances to grant special exception as provided by the Zoning Chapter and to hear appeals to decisions made in the enforcement of the Zoning Chapter.

The Board has the authority to allow variances to the Zoning Chapter for individual properties where provisions of the Chapter impose a unique and unnecessary hardship on the property owner and where the granting of a variance is not contrary to the intent of the Zoning Chapter or to the public interest.

The Board has no authority to allow a variance whose effect is not in harmony with the intended spirit and purpose of the Zoning Ordinance. A variance is not a right, and it shall not be granted for hardships that are created by the property owner.

The Board is also empowered through Chapter 174.11 to issue special permits authorizing the location of buildings or uses in any district from which they are prohibited by the Zoning Code.

The City of Denison Board of Appeals and Adjustments functions as a safety valve through which landowners can seek relief from strict application of a zoning ordinance.

## Submittal Requirements

- A complete application A \$50.00 filing fee to compensate for publication and mailed notices (Checks payable to City of Denison)
- A written description of the requested variance.
- A written notice indicating the hearing time and date will be mailed to all property owners within 200 feet of the property requesting the variance.
- A letter of authorization of the owner or lessee if applicable
- A drawing to scale illustrating the request and showing the following:
  - Dimensions of all lot lines
  - Dimensions of setbacks to lot lines
  - Street & driveway locations
  - Location and dimensions of all existing and proposed buildings and structures
  - Fences
  - North arrow
  - Easements
  - Landscaping
  - All improvements that will be added, such as landscaping, fences, etc. that will be used to lessen the impact of the variance

## Meetings

Regular meetings of the Board of Appeal and Adjustment Board are the second Tuesday of the month unless no cases are pending, in which no meeting is held.

Meetings take place at 9:00 a.m. in the City Council Chambers in Denison City Hall at 111 North Main Street. All Board of Appeal and Adjustment meetings are open to the public.

Agendas are available on the Thursday prior to the Tuesday meeting and are posted at City Hall, on the City website at [www.denisonia.com](http://www.denisonia.com), and the Denison Bulletin Review. Agendas may also be obtained by contacting the Building Department at 263-3143. Exceptions to the meeting times may occur during a week in which a holiday occurs.

## Order of Hearings

**NOTE: The applicant or a representative is required to be at the hearing to present the request to the Board.**

- 1) Written correspondence regarding case is received.
- 2) The applicant's or appellant's presents their request.
- 3) City staff provides a report on their investigation of the request and states their position on the matter.
- 4) Any interested parties may present their opinions.
- 5) At the conclusion of the public testimony on a subject, the Board closes the public hearing. After the hearing, the board will deliberate the case and render a decision.

## Disposition of the Case

Within 15 days after the hearing the Board shall notify the applicant/appellant in writing of its decision. Should the request be approved by the Board, then a building permit may be applied for from the Building Department. You may call 263-3143 if you have any questions on obtaining a building permit. If the request is denied, the proposed project cannot be built.