



Variance Application Guide

A variance grants a legal right to an owner to develop property in a manner that is not otherwise allowed by the Municipal Code or the Special Exception process. Property owners must demonstrate that a strict application of the Zoning Code would cause unnecessary hardship, making the property unusable, or would deprive the applicant of rights enjoyed by other properties in the zoning district. Use this application to apply for relief from certain provisions of the zoning code.

Tip: A pre-application meeting is recommended. Please contact Urban Planning staff for assistance in identifying Variance requirements.

For more information about variances, the Board of Adjustment, or application schedules, please see the Board of Adjustment website at www.icgov.org/BOA.

APPLICATION INSTRUCTIONS:

It is the goal of the Department of Neighborhood & Development Services to provide adequate public notification all applications. For your application to be considered complete, you must provide responses to all required information below. Failure to provide this information may delay the hearing date for your application.

As the applicant, you bear the burden of proof for showing that the requested variance should be granted. Because this application will be presented to the Board of Adjustment as your official statement, you should address all the applicable criteria in a clear and concise manner.

Locations Tab

Add Location:

Add the location of where the proposed project will occur. You may search for the location by parcel number or project address using the address number and street name only.

Type Tab

Description:

Provide a short description of the project that explains the purpose of the variance you are requesting.

Contacts Tab

Add Contacts:

Add required contacts, including the applicant, the property owner, and the contact person if different from the applicant or owner. Make sure contact information is current for each contact. Please search the existing contact list first when entering a name to avoid creating duplicate copies of the same contact.

More Info Tab

Reason for Variance Request

Provide a short description of the project that explains the reason for the variance you are requesting.

Did you hold a Good Neighbor Meeting?

Iowa City's Good Neighbor Policy was developed to create more opportunities for early and effective citizen participation in projects and to encourage applicant participation beyond current legal requirements for notification. Good Neighbor meetings are NOT required as part of the review process but may be encouraged. The Neighborhood Outreach Coordinator is available to assist by arranging meeting rooms, coordinating City staff attendance, providing sample meeting notices, notifying neighborhood association contacts, and providing other information and advice. Contact by phone at 319-356-5230 or by email at Marcia-Bollinger@iowa-city.org.

To participate in the program, the applicant must complete the following steps:

- Hold a Good Neighbor Meeting no less than 7 days prior to the scheduled board meeting to provide adequate time for input. Meetings can be held in person or online. For in-person meetings, select meeting facilities located near the subject property.
- Send out a Good Neighbor meeting notice to all owners and occupants of all properties listed on the Assessor's website within 500' of the subject property not less than 7 days prior to a Good Neighbor meeting. Staff may also provide contact information for individuals and neighborhood groups located within or outside of the 500' radius to the applicant for distribution.
- Submit a written summary of the meeting, including input received, for distribution to the Board of Adjustment.

You can learn more about the program by contacting the Neighborhood Outreach Coordinator or by visiting www.icgov.org/goodneighbor.

Has a pre-application meeting been held?

A pre-application meeting and/or consultation with City Planning staff is strongly recommended to provide a full understanding of the variance process and related requirements, including ensuring that your application addresses all of the required criteria.

Date of previous application or appeal filed

If this variance is associated with a previous application or appeal, please mark the date that the application was initially submitted to the City.

What is the variance requested?

Please list the description and section number in the zoning code that addresses the variance you are seeking. If you cannot find this information or need other assistance, please contact us at 319-356-5230 or email planningzoning@iowa-city.org.

Attachments Tab

Attach the plans, specifications and other documents indicated below to provide the information necessary to accurately review this project for code compliance. Provide all sheets of a plan drawing submittal as one file unless directed otherwise. File size is capped at 250 MB. Files may be rejected if illegible.

Site Plan

Site Plan(s) must be drawn to scale showing all of the following information:

1. Lot with dimensions;
2. North point and scale;
3. Existing and proposed structures with distances from property lines;
4. Abutting streets and alleys;
5. Surrounding land uses, including location and record owner of each property opposite or abutting the property in question;
6. Parking spaces and trees - existing and proposed.

Approval Criteria

Section 14-7A-2 of the Iowa City Zoning Chapter gives the Board of Adjustment power to authorize upon appeal in specific cases such variances from the terms of the Zoning Chapter as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the Zoning Chapter will result in unnecessary hardship and so the spirit of the ordinance shall be observed and substantial justice done. No variance to the strict application of any provision of the Zoning Chapter shall be granted by the Board unless the applicant demonstrates that all of the following elements are present: *(In your attachment, please respond specifically to each of the following and explain your answers.):*

1. Not contrary to the public interest.
 - a. Explain why proposed variance will not threaten neighborhood integrity, nor have a substantially adverse effect on the use or value of other properties in the area adjacent to the property included in the variance.
 - b. Explain why proposed variance will be in harmony with the general purpose and intent of the Zoning Code (Title 14) and will not contravene the objectives of the Comprehensive Plan, as amended.
2. Unnecessary hardship.
 - a. Explain why the property in question cannot yield a reasonable return if required to comply with the requirements and standards specified in the Zoning Code (Title 14).
 - b. Explain how the owner's situation is unique or peculiar to the property in question, and the situation not shared with other landowners in the area or due to general conditions in the neighborhood.
 - c. Explain how the hardship is not of the landowner's or applicant's own making or that of a predecessor in title.

Legal Description of Property

Attach a document containing a clear and legible legal description of the property. You can find the legal description and parcel number for your property by doing a parcel search for your address on the Assessor's website at www.iowacity.iowaassessors.com/ or by calling 319-356-6066.

List of Neighboring Properties/Neighboring Property Listing

Attach an Excel or Excel-compatible document listing the following information for record owners of all property, and all non-duplicative individual occupants (when available on the City Assessor's website), located within 500 feet of the exterior limits of the parcel involved in this application, including public ways:

- Parcel Numbers
- Property Class
- Mailing Names
- Mailing Addresses 1 / Mailing Addresses 2
- Mailing Cities
- Mailing Zip Codes
- Property Addresses (including Multi-Residential unit numbers)

This information is available at the City Assessors Office or the Johnson County Auditor's Office located at 913 S. Dubuque Street, or can be obtained from the Johnson County Property Information Viewer at <https://gis.johnson-county.com/piv/>. Note: Unit numbers MUST be included for all Multi-Residential Parcels. Step-by-step instructions are available by contacting planningzoning@iowa-city.org.

Review and Submit Tab

Make sure all the information is accurate and current. Staff will review the application for completion, after which they will contact you with the date your application will be considered by the Board of Adjustment. Additional questions can be directed to planningzoning@iowa-city.org or by phone at 319-356-5230.