



VARIANCE & CONDITIONAL USE APPLICATION

PERMIT MUST BE FILLED OUT IN ITS ENTIRETY OR IT WILL BE RETURNED

PROPERTY & OWNER INFORMATION

Owner Name: _____ Phone: _____
 Address/City/State/Zip: _____
 Address of Proposed Work: _____
 Email: _____

APPLICANT INFORMATION (if other than PROPERTY OWNER)

Builder: Contractor: Design Professional: Other: _____
 Applicant Name: _____ Phone: _____
 Address/City/State/Zip: _____
 Address of Proposed Work: _____
 Email: _____

OFFICE USE ONLY	
Date Variance approved:	Permit No.
Date Variance expires:	Zoning District:
Subdivision (lot, block, subdivision name):	
Required Yard Setbacks (by Ordinance)	
Front: _____	Side: _____
Rear: _____	Side: _____
Variance Fee: \$150.00	Date Paid:

Section of the Zoning Code from which relief if requested: _____

Detailed description of the Variance being requested (for Variances only): _____

Criteria which justify the granting of a Variance/Conditional Use. Define the specific hardship for which the Variance is being requested (for Variances only): _____

List other properties in your Zoning District and near your property that are enjoying similar benefits and used for similar purposes for which you are applying for this Variance/Conditional Use: _____

Names and Addresses of Property Owners within 200' of the property requesting a variance (Information can be obtained by visiting Osceola County Parcel Search website at: <https://beacon.schneidercorp.com/?site=OsceolaCountyIA>)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

VARIANCE & CONDITIONAL USE - SITE PLAN REQUIREMENTS

Information to be included for typical residential projects. Commercial or industrial projects along with new residential construction should provide drawings or design plans along with the building/zoning permit application.

- ✓ Draw the lot showing lot measurements. Lot measurements may be obtained from the Osceola County Assessor's website
Note: Curb line is NOT the front property line. Where a sidewalk exists, the front property line is typically the inside edge of the sidewalk.
- ✓ Show all existing and proposed new buildings or structures
- ✓ Show the dimensions of all new proposed building or structures
- ✓ Show the distance between all existing and proposed buildings and the nearest lot or property lines
- ✓ Label adjacent streets and indicate alleys and easements as applicable. Use directional arrow to indicate north.

The city reserves the right to require additional information, including blueprints, necessary to review the proposed project.



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- Page 2 -

POLICY STATEMENT BY THE BOARD OF ADJUSTMENT

It shall be the policy of the Sibley Board of Adjustment to grant or deny Administrative Reviews, Conditional Uses, or Variances in accordance with the provisions of Ordinance No. 647-14 of the city. The intent of a particular district regulation of this ordinance shall take precedence over personal convenience of an applicant. Approvals shall be granted only when the applicant can prove that a literal enforcement of a provision of the ordinance will result in an unnecessary hardship. Before the Board grants approval of a Conditional Use under the Zoning Ordinance the following conditions must be met by the proposed as designated by the ordinance as a Conditional Use in the district in which the use is to be located and will comply with all applicable regulations of the district in which the use is located. No approval shall be granted unless the above provisions have been met and the appropriate application completed. The applicant hereby certifies that a Variance or Conditional Use permit:

- (a) Will not be contrary to the intent/purpose of the ordinance.
- (b) Will not be substantially adverse upon adjacent properties.
- (c) Will relate only to the property under control of the applicant.
- (d) Will not essentially alter the character of the surrounding area.
- (e) Will not increase the hazard from fire, flood, or similar dangers.
- (f) Will not increase traffic congestion.
- (g) Will not produce nuisance conditions upon nearby premises.
- (h) Will not otherwise impair public health, safety, comfort, or general welfare of the residents of the city.

The Board of Adjustment's power to grant a variance does not require approval by the city council. If the applicant for a variance disagrees with a decision of the Board of Adjustment, an appeal may be filed with the District Court. Such petition of appeal shall be presented to the Court within thirty (30) days after the filing of the variance decision with the Zoning Administrator.

PROCEDURE FOR REQUESTING A VARIANCE

A variance goes before the Zoning Board of Adjustment for consideration of approval.

1. The variance application must be completely filled out, addressing all information requested on the application. Return completed variance application to Sibley City Hall.
2. A meeting of the Zoning Board of Adjustment will be held at City Hall. The City will publish a notice of public hearing in the local newspaper and will notify, by regular mail, neighboring property owners within 200 feet of the subject property.
3. Although not required, it is recommended the applicant and/or owner requesting the variance attend the Board of Adjustment meeting to answer any questions regarding the request or project.
4. If approved, a variance expires one (1) year after the approval date. If time elapses prior to the initiation of construction, a new variance application and fee is required to be filed and approved by the city.
5. It is the applicant's responsibility to notify Iowa One Call (1-800-292-8989 or 811) before excavation, digging, or construction begins.

RETURN COMPLETED AND SIGNED VARIANCE/CONDITIONAL USE APPLICATION TO SIBLEY CITY HALL. APPLICATION EXPIRES ONE (1) YEAR AFTER ISSUE DATE. IF THE TIME PERIOD HAS ELAPSED, A NEW VARIANCE/CONDITIONAL USE APPLICATION IS REQUIRED TO BE FILED AND APPROVED. SUBMITTING A VARIANCE/CONDITIONAL USE APPLICATION DOES NOT GUARANTEE APPROVAL OF SUCH.

ACKNOWLEDGEMENT & SIGNATURE

The applicant, by signing, acknowledges and agrees to the conditions of this permit; and that the provisions of the Sibley Zoning and Subdivision Ordinances and the Sibley Municipal Code of Ordinances may be applicable to the submitted project. I hereby will defend, indemnify, protect and hold harmless the City of Sibley and its employees from any and all liability from any claim or cause of action which any person may claim to have by reason of any actual or alleged failure on the part of the undersigned applicant to comply with the terms and provisions thereof. I hereby certify that I have read and examined this application and its attachments and know the same to be complete, true and correct. All provisions of laws and ordinances governing this type of work shall be completed with whether specified herein or not. I agree and will provide notification of any change prior to construction. The granting of this permit does not presume to give authority to violate or cancel the provision of any other state or local laws regulating construction or the performance of construction. The approved permit allows the construction of the proposed building/structure as noted on this application and any submitted documentation. Any unauthorized change to approved permit and plans, or use of property, as presented will render this permit null and void.

Signed: _____ Date: _____
Property Owner

Signed: _____ Date: _____
Contractor, Applicant, or other Authorized Representative (if Owner is not completing the work)

OFFICE USE ONLY

Date adjoining property owners were notified: _____ Date of meeting: _____

Petition Approved: _____ Petition Denied: _____ Date letter sent notifying applicant of result: _____

Chairperson, Board of Adjustment

Sibley Zoning Administrator/Authorized Representative