

Variance Instructions and Application

A Variance is an exception granted by the Zoning Board of Adjustment from the zoning requirements of a particular zoning district. Variances can be granted when performance standards such as setbacks, cannot be met due to unusual physical site characteristics called “hardships”. A hardship is related to the physical characteristics of the land, such as slopes and mature trees. The property owner must demonstrate that the variance request is necessary to alleviate a physical hardship caused by unusual circumstances and not to serve merely as a convenience to the property owner. Variances cannot be used to either establish or enlarge a use that is not otherwise permitted in the zoning district. Variance applicants usually become aware of the need for a variance because they have applied for a building permit and have been informed by the Marion Building Division that the structure does not comply with a requirement of the Marion Zoning Ordinance.

Before submitting a request for a Variance, contact the Marion Planning Division at 319-743-6320 or email planning@cityofmarion.org to schedule a pre-application meeting for a preliminary review of your proposed request. Failure to conduct a pre-application meeting may result in processing delays of your request.

APPLICATION PROCESS

1. Confer with Planning Division staff regarding the general nature of the request.
2. Prepare the required documents and drawings and, if necessary, recheck with staff to confirm that they are in proper form. Incomplete applications cannot be processed.
3. Submit this application with the submittal fee (\$50 for residential, \$100 for commercial), plus the notification sign fee required for your lot, \$6 per sign (staff will determine number of signs needed as multiple signs may be required).
4. Staff will contact you when the notification signs are ready to be picked up. These signs must be posted on the property at least four (4) business days prior to the Zoning Board of Adjustment meeting and remain posted through the time of the meeting. Failure to post signs will result in the Zoning Board of Adjustment being unable to act on the request.

MATERIALS TO BE SUBMITTED

1. This APPLICATION completed in full with any additional information referenced and attached.
2. A SITE PLAN clearly showing nearby streets, property lines, structures, existing zoning districts and other significant features which have a bearing upon the request.
3. PAYMENT of fees, by check made payable to the City of Marion or by credit card in person or over the phone. Required public notices in the newspaper will be billed directly to the applicant after publication.

IMPORTANT DATES AND TIMES*:

- The deadline for Zoning Board of Adjustment submittals is the last business day of the month for the following month’s meeting.
- The Zoning Board of Adjustment meets at 7:00 p.m. on the third Tuesday of every month.

*Meeting dates and times are subject to change and may be found on the City of Marion website.

Variance Instructions and Application *(continued)*

CONTACT INFORMATION:

Property Owner: _____

Company Name if Applicable: _____

Mailing Address: _____ City, State, Zip: _____

Phone: _____ Email: _____

Applicant (if different from Owner): _____

Company Name if Applicable: _____

Mailing Address: _____ City, State, Zip: _____

Phone: _____ Email: _____

PRE-APPLICATION INFORMATION:

Have you had a pre-application meeting (in-person, phone, virtual) with staff? Yes: _____ No: _____

If yes, date of pre-application meeting: _____

If no, contact the Marion Planning Division at 319-743-6320 or email planning@cityofmarion.org to schedule a pre-application meeting prior to submittal of the application. Failure to conduct a pre-application meeting may result in processing delays of your request.

PROPERTY INFORMATION:

Property Address: _____

Legal Description: _____

Lot Size: _____ X _____ = _____ Square Feet (or attach a copy of Plat)

Zoning District: _____ Present Use of Property: _____

City Code Section regarding Variance: _____

BASIS FOR VARIANCE(S):

The more facts and details an applicant provides, the better opportunity for a fair and valid decision. Review [Chapter 340-11.1](#) for more information about the Zoning Board of Adjustment.

Variance Instructions and Application *(continued)*

GENERAL DESCRIPTION OF REQUEST:

State why the variance request is necessary. (use additional sheets if necessary)

Specifically consider the following questions:

Would a strict application of the terms of the zoning ordinance impose upon the property owner unusual and practical difficulties or particular hardship?

Would the variance (if granted) be in harmony with the general purpose, intent and spirit of the zoning ordinance?

Would granting the requested variance not merely serve as a convenience to the applicant but would alleviate some demonstrable and unusual hardship or difficulty so great as to warrant a deviation from the zoning ordinance?

Property Owner Signature: _____ Date: _____

Print Name: _____

Applicant Signature: _____ Date: _____

Print Name: _____

You may return this application by mail or in person at 1225 6th Avenue, Suite 210, Marion, Iowa 52302 or email it to planning@cityofmarion.org.