

CITY OF DEWITT, IOWA
PROCEDURE FOR APPEALS, EXCEPTIONS AND VARIANCES

1. Submittal. Applicant submits proposal on the Appeals Request form available from the Building Official, including required fee and any supplemental information required by the Building Official or which applicant wishes the City to consider. Land area; legal description; existing zoning; names and addresses of the applicant, title holder and contact person; and a description of the decision sought from the Board are always required. If applicant does not hold title to the property, evidence of control such as a purchase contract or option contract is required. The applicant should obtain signs for posting the property from the Building Official at the time of filing the request.

2. Posting and Technical Review. Applicant posts signs on property as instructed by the Building Official. The application is reviewed by City staff, and necessary maps and supporting data are prepared. If necessary, the Building Official will convene the Technical Review Committee (TRC) to discuss the proposal. A report is prepared for transmittal to the Board summarizing staff/TRC findings relative to the provisions of 165.80 of the Zoning Regulations and any other matters pertinent to the City's consideration. Copies of any correspondence received will be forwarded to the Board with the report.

3. Notice and Board of Adjustment Public Hearing. The appeal, variance or special exception proposal shall be scheduled for public hearing before the Board. Published notice of the meeting shall appear not less than 7 or more than 20 days prior to such date in a Clinton County newspaper having general circulation with the City. The City staff will arrange for the publication and mail copies of the notices to adjacent property owners and owners within 200 feet of the property. City staff will utilize tax rolls for determining ownership, and failure to notify each and every owner shall not invalidate the action of the Board. All correspondence received shall be transmitted to the Board. After due consideration to oral and written information, the Board shall take action to approve or disapprove the request and impose conditions as necessary based on the provisions of 165.80. Such action shall occur generally within 30 days, but not later than 60 days after receipt.

CHECKLIST FOR APPEALS, EXCEPTIONS AND VARIANCES

The applicant shall submit:

1. A completed Appeals Request form available from the Building Official.
2. A map and/or legal description of the land involved in the proposal and of the total contiguous land area of the title holder, if less than the total ownership is part of the request.
3. A letter or report including, at minimum, a detailed description of the request and a site plan showing property boundaries, existing and proposed structures, entranceways, parking or loading facilities and landscaping. Applicants are encouraged to supply as much information as possible for consideration by the City. If the building Official determines that information necessary for review is not reasonably available to the City through the efforts of staff and the Technical Review Committee, and the nature or magnitude of the proposal so warrants, the applicant shall be required to submit additional information, as necessary. This additional information, if required, shall be prepared with the professional expertise or certification determined necessary by the Building Official.