

The Board of Adjustment shall fix a reasonable time for the hearing of appeal, give public notice thereof as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney.

1502.34 A copy of all applications for a Variance or a Conditional Use under the provisions of the Flood Plain District shall be forwarded to the Iowa Natural Resources Council ten (10) days prior to said hearing.

1502.35 Stay or Proceedings.

An appeal stays all proceedings in furtherance of the actions appealed from, unless the administrative official from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal is filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application, on notice to the administrative official from whom the appeal is taken and on due cause shown.

1502.4 Powers and Duties of the Board of Adjustment.

The Board shall have the power and duty of hearing and deciding, subject to appeal to the City Council as herein provided, appeals or requests in the following cases:

1502.41 Appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by an administrative officer in the enforcement of this Ordinance.

*Based on zoning official's final decision*

1502.42 Requests for a variance from the literal provisions of this Ordinance in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration.

1502.43 To examine the facts and decide on applications for special exceptions (sometimes called "special use permits" and "conditional uses") as specifically provided in the Zoning Ordinance. (*Ord. 443 - Dec. 96 Supp.*)

1502.5 In granting any variance the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance and shall be