

appealed from and may such order, requirements, decision or determination as ought to be made and to that end shall have powers of the administrative official from whom any appeal is taken.

1502.61 The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirements, decision or determination of the administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance, or to effect any variation of this Ordinance.

1502.62 A copy of all decisions granting Variances or Conditional Use Permits in the Floodway and/or Flood Fringe portions of the FLOOD PLAIN DISTRICT shall be forwarded to the Iowa Natural Resources Council within ten (10) days of such action.

Subdivision 1503. Appeal for Variance.

1503.1 Application for any adjustment permissible under the hardship provision in Section 1504 shall be made to the Zoning Administrator in the form of a written application for a permit to use the land or building or both as set forth in said application. No non-conforming use of neighboring lands, structures or buildings in the same district and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance. The applicant shall present a statement and adequate evidence showing:

1503.11 That there are exceptional or extraordinary circumstances or conditions applying to the land, building, or use referred to in the application, which circumstances or conditions do not apply generally to land, building, or uses in the same zone classification.

1503.12 That the granting of the application is necessary for the preservation and employment of substantial property rights of the petitioner.

1503.13 That the reasons set forth in the application justify the granting of the variance.

1503.14 That the variance is the minimum variance that will make possible the reasonable use of land, building or structure.

1503.15 That the granting of such application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant, and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.