

- 1503.16 That the special conditions and circumstances do not result from the actions of the applicant.
- 1503.17 That granting the application will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district. No variance in a FLOOD PLAIN DISTRICT should provide a lesser degree of flood protection than the Flood Protection elevation for that area.

Subdivision 1504. Notification and Public Hearing for Variance Requests.

- 1504.1 Application for any adjustment permissible under the provisions of this Section shall be made to the Zoning Administrator, in the form of a written application for a building permit or for a permit to use the property or premises as set forth in the application. An application for a variance shall be accompanied by payment of a fee as established in Subdivision 1905, in addition to the regular building permit fee.
- 1504.2 Upon receipt of any application, such officer shall set a time and place for a public hearing before the Zoning Board of Adjustment for such application. Notice of such hearing shall be given to all abutting property owners, and in case of front yard setback, to all property owners fronting on the same street in the block but not further than within 300 feet of the subject property. Said notice shall be given at least 15 days prior to the hearing by ordinary mail to the property owners and by publication of said notice one time in a newspaper of general circulation in the city. Said notice shall describe the particular variance, date, time and place of hearing. The Jasper County Auditor's office records shall be deemed sufficient for the location or certification of ownership of said adjacent properties.
- 1504.3 Any person may appear or be represented by an agent or attorney.
- 1504.4 Within a reasonable time after the hearing, the Board shall make its order deciding the matter and serve a copy of such order upon the applicant or the petitioner by mail.

Subdivision 1505. Duties of Administrative Official, Board of Adjustment, City Council and Courts on Matters of Appeal.

- 1505.1 It is the intent of this Ordinance that all questions of interpretation and enforcement shall be first presented to the Administrative Official and that such questions shall be presented to the Board of Adjustment only on appeal from the decision of the Administrative Official and that recourse from the decisions of the Board of Adjustment shall be to the City Council, then to the Courts as established by Chapter 414, Iowa Statutes.