



Conditional Use Instructions and Application Notice of Appeal to the Zoning Board of Adjustment

GENERAL

The following is a set of instructions to aid you in filing a conditional use request with the Marion Zoning Board of Adjustment.

Before filing your request, please contact the Planning and Development Department at Marion City Hall, 1225 6th Avenue, Marion, Iowa 52302 for a preliminary review of your proposed request.

After preparing the necessary information and documentation please confirm with city staff to ensure that all information is in proper form. Submit the conditional use request and the appropriate filing fees to the Planning and Development Department.

INTENT

A conditional use is reviewed by the Planning and Zoning Commission and granted by the Zoning Board of Adjustment from the zoning requirements of a particular zoning district. Conditional Use requests require careful review of their location, design, configuration, and impacts to determine the desirability of permitting the request.

APPLICATION PROCEDURE

1. Confer with the Planning and Development Department staff regarding the general nature of the request.
2. Prepare the required documents and drawings and, if necessary, recheck with the Planning and Development Department to confirm that they are in proper form. Incomplete applications cannot be processed.
3. File the conditional use request with the Planning and Development Department and pay the \$100.00 fee; plus the notification sign fee required for your lot, \$6.00 per sign (staff to determine number of signs needed).
4. Obtain notification signs from the Planning and Development Department. The signs must be posted on the property at least four (4) business days prior to the Marion Planning and Zoning Commission and Marion Zoning Board of Adjustment meetings and remain posted through the time of the meetings. Failure to post signs will result in the Planning and Zoning Commission and Zoning Board of Adjustment being unable to act on the request.

MATERIALS TO BE SUBMITTED

1. AN APPLICATION completed in full with any additional information referenced and attached.
2. A SITE PLAN clearly indicating nearby streets, property lines, existing zoning districts and other significant features which have a bearing upon the request.

Conditional Use Instructions and Application

Notice of Appeal to the Zoning Board of Adjustment

3. PAYMENT of \$100.00 fees. Posted notice signs on the property are \$6.00 each; multiple signs are required for lots fronting multiple streets. Checks should be made payable to the City of Marion. Required public notices in the local paper will be billed directly to the applicant.

STANDARDS OF REVIEW

The more facts and details an applicant provides, the better opportunity for a fair and valid decision. A Conditional Use shall be granted only if the Zoning Board of Adjustment first determines the following:

1. That the conditional use applied for is provided in the zoning district within which the property is located.
2. That the proposed use and development will be in accord with the intent and purpose of the Zoning Ordinance and the Comprehensive Community Plan.
3. That the proposed use and development will not have a substantial adverse effect upon adjacent property; the character of the neighborhood; traffic conditions; parking; utility and service facilities; and other factors affecting the public health, safety, and welfare.
4. That the proposed development or use will be located, designed, constructed, and operated in such a manner that it will be compatible with the immediate neighborhood and will not interfere with the orderly use, development and improvement of surrounding property.
5. That adequate measures have been or will be taken to assure adequate access designed to minimize traffic congestion and to assure adequate service by essential public services and facilities including utilities, storm water, drainage, and similar facilities.

Conditional Use Instructions and Application

Notice of Appeal to the Zoning Board of Adjustment

CONTACT INFORMATION:

Owner: _____

Company Name if Applicable: _____

Address: _____ City, State, Zip: _____

Phone: _____ Fax: _____ Email: _____

Applicant or Agent (if different from Owner): _____

Company Name if Applicable: _____

Address: _____ City, State, Zip: _____

Phone: _____ Fax: _____ Email: _____

Applicant or Agent (if different from Owner): _____

Company Name if Applicable: _____

Address: _____ City, State, Zip: _____

Phone: _____ Fax: _____ Email: _____

PRE-APPLICATION INFORMATION:

Have you attended a pre-application conference with Staff? Yes: _____ No: _____

If yes, date of pre-application conference: _____

If no, contact the Planning and Development Department at 319-743-6320 or email tbellach@cityofmarion.org to schedule a pre-application conference prior to submittal of the application. Failure to conduct a pre-application conference may result in processing delays of your request.

PROPERTY INFORMATION:

Property Address (if different from Owner Information): _____

Legal Description: _____

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

Zoning District: _____ Present Use of Property: _____

City Code Section regarding Conditional Use: _____

Conditional Use Instructions and Application

Notice of Appeal to the Zoning Board of Adjustment

GENERAL DESCRIPTION OF REQUEST:

Please provide a general description of the request. (Use additional sheets of paper if necessary)

SITE PLAN:

Have you attached a site plan? Yes: _____ No: _____

Please remember a site plan must be submitted and be to a reasonable scale. If you should require assistance please contact the Planning and Development Department.

IMPORTANT DATES AND TIMES:

- Zoning Board of Adjustment Deadline – Last weekday of the Month – 4:00 p.m.
- Zoning Board of Adjustment Regular Meeting – 3rd Tuesday of Every Month – 7:00 p.m.

It is requested that the appeal be set for hearing by the Chairperson of the Zoning Board of Adjustment in strict accordance with the provisions of the Code of Ordinances of the City of Marion. Property owner signature is required.

Name: _____
(Signature)

Date: _____