



File #: _____
 Date Received by City: _____
 Fee: \$ _____

**CITY OF NEW HAMPTON, IOWA
 SPECIAL EXCEPTION APPLICATION TO BOARD OF ADJUSTMENT**

Applicant Information:

Name of Applicant:
Applicant's Address:
Applicant's Telephone Number:
Applicant's Alternate Telephone Number (Optional):
Applicant's Fax Number (Optional):
Applicant's Email Address (Optional):

Property Information:

General Address of Property in Question (parcel number, street address or road address):
Legal Description of Property in Question (Attach, if necessary):
<i>Attach a site plan or plot plan and names of property owners within two hundred (200) feet of the property in question.</i>

Request Information:

Existing Use of Property:
Existing Zoning Classification
Proposed Special Exception (cite ordinance section allowing exception):
Reason for the Request:

Ordinance Standards:

The Board of Adjustment in its evaluation and decision-making process is required to ensure that your request meets all of the following standards. Please be prepared to provide information to the Board regarding these standards.

1. That the establishment, maintenance, or operation of the special exception will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
2. That the special exception will not be injurious to the use and enjoyment of other property already permitted, nor substantially diminish and impair property values within the neighborhood;
3. That the establishment of special exceptions will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
4. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided and that the request not impair an adequate supply of air or light to adjacent properties;
5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
6. That the special exception shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Adjustment;
7. That the special exception shall be consistent with the New Hampton Comprehensive Plan and the Code of Ordinances.

The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Zoning Administrator, or to decide in favor of the applicant on any matter which it is required to pass under City Ordinance, provided that the action of the Board shall not become effective until after the written decision or resolution of the Board, setting forth the full reason for its decision and the vote of each participating member has been recorded in the minutes. Said written decision or resolution shall be filed in the office of the Zoning Administrator and shall be open to public inspection.

Conditions:

Prior to the granting of any special exception, the Board of Adjustment shall stipulate such conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the special exception as is deemed necessary for the protection of the public interest and to secure compliance with the ordinance standards and requirements specified in the previous section of this application. In all cases in which a special exception is granted, the Board of Adjustment shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be met. If imposed by the Board of Adjustment, conditions shall be binding on the applicant if made a condition of the approval.

Acknowledgement and Certification of the Applicant and/or Owner:

I/We understand this application, and that it with required attachments, constitutes our entire request and that a decision shall be made based on the City Comprehensive Land Use Plan and City ordinances; this application and any attachments; and public input. I/We certify that the information we have provided to the Zoning Administrator and Board of Adjustment is complete, accurate, and true to the best of our knowledge. Any intentional falsification, or change in the information, or failure to meet and maintain the requirements contained in this application, or to the attached information, shall cause: this application to become null and void; the nonrefundable fee to be forfeited; and any approved special exception request to be revoked.

I/We understand the nonrefundable fee for having this application considered is \$_____. Under no circumstances shall all, or part, of this fee be refunded to applicant.

I/We understand if the special exception is denied by the Board of Adjustment the applicant must wait a period of at least one (1) year before reapplying. Further, if the special exception is approved by the Board of Adjustment, we have a period of time of one (1) year to establish the exception or it may be subject to revocation.

In order to address any questions or issues that may arise during this process, it is strongly suggested that the applicant/owner be present at all meetings during review of this application. Unanswered questions or unresolved issues caused by the absence of the applicant may cause the application to be rejected.

Applicant Signature

Owner Signature, if not the applicant

Date: _____

Date: _____