



# Exception for Minor Area Modification

## Application Packet

1. **Application Packet.** *Be sure to complete and submit all the required materials that are a part of this Application Packet. Failure to do so will result in a delay in accepting your appeal until the application is complete.*

The “Application Packet” for an *Exception for Minor Area Modification* includes the following:

- Application Form (*This form must be filled out completely for all applications*)
  - Supporting Information (*Each “Standard” listed must be addressed*)
  - Site Plan Checklist (*Use this Checklist to prepare the Site Plan*)
  - Adjoining Property Owner Support Statement (*Completion of this form is optional*)
2. **Board Meetings.** *The Zoning Board of Adjustment considers the facts presented by the appellant in the application and testimony given under oath at the public hearing, and makes the final decision, based on the standards in the Ordinance. The **Board meets on the second Wednesday of the month at 6:00 p.m. in the City Council Chambers.** Additional meetings may be held on the fourth Wednesday of the month from April through October.*
  3. **Application Process/Fee.** *The process for an Exception is as follows:*

VARIANCE, EXCEPTION, AND SPECIAL HOME OCCUPATION APPLICATION PROCESSING SCHEDULE				
Submittal Date	Notice of Application Completeness	Staff Comment to Applicant	Additional Information Submitted (if applicable)	Zoning Board of Adjustment Review
Determined by applicant	Within 3 working days of submittal	Within 3 working days of notice of complete application	Determined by applicant	Between 12 & 26 days after final revisions submitted, or after request to process as is.
	If application is incomplete, process begins anew on submittal date of new information.	If no additional information required, project will be scheduled for ZBA review within 12-26 days of final staff comments.	Staff response to additional information within 3 working days of submittal. Applicant may provide information or request to process as is.	Number of days depends upon both date of submittal and the number of weeks in a month.

All required information and materials must be filed with the:

Department of Planning & Housing  
 City Hall – Room 214  
 515 Clark Avenue, P.O. Box 811  
 Ames, Iowa 50010

**The filing fee is required at the time the application is submitted. The amount of the filing fee is available from the City Clerk’s Office or from the Department of Planning and Housing.**

4. **Site Plan and Architectural Elevations.** The applicant shall submit a *Site Plan*, drawn to scale, that clearly shows the minor area modification being sought. The *Site Plan* shall be a reproducible, black line drawing on a sheet of paper no larger than 11" x 17". If a *Major or Minor Site Development Plan* was submitted as part of the development approval process for the subject property, then that *Major or Minor Site Development Plan* should be submitted with the *Exception for Minor Area Modification* application.

***If the project for which the minor area modification is sought is a single-family dwelling, a two-family dwelling, or other use exempt from the requirement for a Site Development Plan, then the Site Plan shall include at a minimum the following information:***

- *Dimensioned property lines*
- *Abutting streets and alleys*
- *Location and size of all existing and proposed buildings and structures (Include distances to all property lines and distances between buildings and structures)*
- *Required setbacks*
- *Driveways and parking areas, fully-dimensioned*
- *Other pertinent information necessary to fully understand the need for a Minor Area Exception (e.g.: significant change in topography, location and size of mature trees, etc.)*

*Architectural elevations* also should be submitted, where appropriate, to assist the Board in making its decision. These architectural elevations should be black line drawings, drawn to scale on a sheet of paper no larger than 11"x17".

4. **Photos and Exhibits.** Materials submitted with the application or presented as evidence during the public hearing ***will not be returned*** and must be kept as part of the public record.
5. **Notification.** The City will mail a notice to all property owners within 200 feet of the property that an appeal for an *Exception for Minor Area Modification* has been filed. This notification is done so that concerned individuals will have an opportunity to learn about what is being proposed and can present information on this matter to the Zoning Board of Adjustment.

**IF YOU HAVE QUESTIONS ABOUT COMPLETING THIS APPLICATION,  
PLEASE CONTACT THE DEPARTMENT OF PLANNING AND HOUSING,  
OR THE CITY CLERK'S OFFICE.**

Department of Planning and Housing: 515-239-5400/515-239-5404 FAX

City Clerk's Office: 515-239-5105/515-239-5142 FAX

E-mail: [planning@cityofames.org](mailto:planning@cityofames.org)

# Exception for Minor Area Modification

## Application Form

(This form must be completely filled out before the application will be accepted)

1. **Property Address** for this *Exception for Minor Area Modification*:

\_\_\_\_\_

2. **Legal Description (attach if lengthy)**:

\_\_\_\_\_  
\_\_\_\_\_

3. *I (We) the undersigned, do hereby respectfully appeal to the Ames Zoning Board of Adjustment to grant an "Exception for Minor Area Modification" to the Zoning Ordinance to allow the issuance of a Zoning Permit to permit:* \_\_\_\_\_

\_\_\_\_\_.

4. The **Zoning Permit was refused** because:

\_\_\_\_\_  
\_\_\_\_\_.

5. **Property Owner:** \_\_\_\_\_

Business: \_\_\_\_\_

Address: \_\_\_\_\_  
(Street) (City) (State) (Zip)

Telephone: \_\_\_\_\_  
(Home) (Business) (Fax)

6. **Applicant:** \_\_\_\_\_

Business: \_\_\_\_\_

Address: \_\_\_\_\_  
(Street) (City) (State) (Zip)

Telephone: \_\_\_\_\_  
(Home) (Business) (Fax)

7. **Contact Person:** \_\_\_\_\_

Business: \_\_\_\_\_

Address: \_\_\_\_\_  
(Street) (City) (State) (Zip)

Telephone: \_\_\_\_\_  
(Home) (Business) (Fax)

E-mail address: \_\_\_\_\_

This appeal will not be granted unless sufficient facts are presented in this application to justify the minor area modification in light of the standards and to show that the granting of the *Exception to the Minor Area Modification* relates to the intent and purposes of the Zoning Ordinance and the Land Use Policy Plan.

Approval of the *Exception for Minor Area Modification* by the Zoning Board of Adjustment in no way absolves the applicant from subsequently obtaining the necessary building permits or other permits from the City of Ames or from other applicable agencies.

***I (We) certify that I (we) have been denied a Building/Zoning Permit, that I (we) have submitted all the required information to appeal for a Minor Area Exception, and that said information is factual.***

**Signed by:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Property Owner(s)**

\_\_\_\_\_  
**Print Name**

***(Note: No other signature may be substituted for the Property Owner's Signature.)***

# Exception for Minor Area Modification

## *Supporting Information*

(This form must be filled out completely before your application will be accepted)

**The Zoning Board of Adjustment is authorized to grant exceptions from the requirements of the zoning ordinance to allow minor area modifications for single family attached and detached dwellings that are existing in developed areas, but not in cases of new construction. These are authorized for the following situations:**

**(i) reduction of required residential side yard setbacks for principal structures by no more than two feet;**

**(ii) reduction of required residential front and rear yard setbacks for principal structures by no more than five feet;**

**(iii) reduction of minimum lot area requirements by no more than 10%;**

**(iv) reduction of required residential front, rear and side yard setbacks without limit as required to provide handicapped access ramps to a dwelling;**

**(v) reduction of front, rear, and side yard setbacks without limit to allow reconstruction of a historically accurate structure.**

*(Note: The applicant's explanation of how the request meets each standard may be attached on a separate sheet if sufficient space is not provided.)*

**1. Exception for Minor Area Modification Standards.** The Zoning Board of Adjustment shall review each application for the purpose of determining that the review standards are satisfied. An *Exception for Minor Area Modification* shall be granted only if all of the following standards are satisfied:

**(i) Special circumstances or practical difficulties apply to the property such that the terms of the ordinance cannot be satisfied.**

Explain how the request meets this standard.

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**(ii) The minor area modification will not be detrimental to the public health, safety or general welfare.**

Explain how the request meets this standard.

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**(iii) The minor area modification will not have a substantial negative impact upon neighboring properties.**

Explain how the request meets this standard.

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**(iv) The minor area modification does not exceed the reduction limits established in the listing of minor area modification in Section 29.1506(4)(c)(i),(ii), or (iii) whether the limits are reached by a single exception or serial exceptions.**

Explain how the request meets this standard.

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**(v) The minor area modification does not authorize a use or activity not otherwise expressly authorized by the regulations within the zoning district in which the property is located.**

Explain how the request meets this standard.

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**(vi)The minor area modification is in conformity with the intent and purpose of the zoning ordinance and the general plan of the community.**

Explain how the request meets this standard.

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**(vii)The minor area modification is the minimum necessary to achieve the desired result.**

Explain how the request meets this standard.

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**(viii)The minor area modification does not alter the applicant’s obligation to comply with other applicable laws or regulations.**

Explain how the request meets this standard.

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# Exception for Minor Area Modification

## *Site Plan Checklist*

(For Properties Occupied by a Single-Family or a Two-Family Dwelling)

(This form must be filled out completely before your application will be accepted)

***The applicant shall submit a Site Plan, drawn to scale, that clearly shows the minor area modification being sought. The Site Plan shall be a reproducible, black line drawing on a sheet of paper no larger than 11"x17". If the project for which the minor area modification is sought is a single-family or a two-family dwelling, or other use exempt from the requirement for a "Site Development Plan," then the Site Plan shall include, at a minimum, the following information:***

(NOTE: If the proposed project requires approval of a "Major or Minor Site Development Plan," it should be included with this application for an "Exception for Minor Area Modification," not the Site Plan described on this checklist.)

- Dimensioned property lines
- Abutting streets and alleys
- Location and size of all existing and proposed buildings and structures (Include distances to all property lines and distances between buildings and structures.)
- Required setbacks
- Driveways and parking areas, fully-dimensioned
- Other pertinent information necessary to fully understand the need for a minor area modification (e.g.: significant change in topography, location and size of mature trees, etc.)

# Exception for Minor Area Modification

*Permission to Place a "Zoning Action Pending"*

*Sign on Private Property*

(This form must be filled out completely before your application will be accepted)

Section 29.1500(2)(d)(iii) of the Zoning Ordinance, requires that ***notice shall be posted by the City on the subject property.*** One sign shall be posted for each property. Required signs shall be posted along the perimeter of the subject property in locations that are highly visible from adjacent public streets **prior to the public hearing.**

The owner of property at \_\_\_\_\_ hereby grants the City of Ames permission to place "Zoning Action Pending" signs on the property for the purpose of informing interested persons of the request for action by the City of Ames.

*I understand that the signs will be placed on the property several days prior to action on the request by the Planning and Zoning Commission, Zoning Board of Adjustment, or the City Council, and may remain on the property until the request has been approved or denied by the City.*

**Signed by:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Property Owner**

\_\_\_\_\_  
**Print Name**

*(Note: No other signature may be substituted for the Property Owner's Signature.)*

