



PLANNING AND ZONING Cerro Gordo County Courthouse

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TO: Cerro Gordo County Board of Adjustment

FROM: Tom Drzycimski

SUBJECT: Next Meeting – *Tuesday, August 31, 2010; 4:00 p.m.; Boardroom*

Martha & Gentlemen:

The next meeting of the Cerro Gordo County Board of Adjustment is scheduled for **Tuesday, August 31, 2010, at 4:00 p.m., in the Boardroom at the Courthouse.** We have one item of business. If you get déjà vu looking at this case it's because you have been there twice before.

1. Case No. 11-05 Jon & Catherine Juhlin 4144C Southshore Drive (Dodge's Point Park)

Following the August 3 meeting, Andy Meyer from Bergland & Cram informed me that after meeting with their interior designer, the Juhlins felt it necessary to encroach a little more into both side yards. I told him that this would require a new Application for Zoning Certificate as well as repeating the variance process because of the side yards being reduced beyond the variances granted by the Board.

As before, the proposed house will be 10'-6" from the front lot line, which is the northwesterly line of the frontage road. A front yard setback of 30 feet is required in the R-3 district.

The changes are in both side yards. The modified plan shows additional construction along the southwesterly side of the house that will be 3'-10" from that side lot line. Originally, this part of the house was to be setback 4'-8" from the southwesterly side lot line. You previously approved a variance for a 3 foot setback, but that was only for the attached garage. The modified plan results in a greater encroachment into the side yard. The modified plan also shows that the proposed house will be 4 feet from the northeasterly side lot line. You previously granted a variance for the house to be 4'-8" from this side lot line.

The site plan does not show any decks or other structures on the property at this time. Construction of any decks would also require permits.

The Juhlins currently have a reasonable residential use of the property without replacing the existing house. They could also meet the 6 foot side yard requirements by eliminating

projections on the easterly side of the house and narrowing the structure to meet setbacks on the westerly side. The Board also has the option of sticking to the variances that were previously granted. The property is typical for this part of Dodge's Point Park. However, it should be noted that the dwellings accessed by this frontage road are all setback a significant distance from the lake (see Figure 2). The house is being placed closer to the frontage road so that neighbors' views of the lake are not obscured.

The impact of the 1½ story house will be minimal. The house to the east is set back 16 feet from the Juhlin's east lot line (see Figure 4). The house to the west is setback 12'-4" from Juhlin's westerly lot line (see Figure 3). The changes to the plan result in an additional encroachment of 10 inches on the southwesterly side and 8 inches on the northwesterly side.

Both dwellings have windows that will face the Juhlin's house. The new house will come out as far as the dwelling to the west (see Figure 1), and further than the house to the east (see Figure 2). The neighbors on both sides previously signed the site plan a year ago stating that the variances requested were acceptable to them.

The impact of the front yard variance should be minimal. Since vehicles will be backing onto a frontage road rather than directly onto Southshore Drive, safety should be less of an issue. Also, the entry to the attached garage will be setback further than garages to the east (see Figure 5). Structures to the west are set back much further from the frontage road than what the Juhlins propose (see Figure 6).

The plan modifications result in a minimal increase in the encroachments approved by the Board last year and again earlier this month. This seems to be a relatively good plan for a narrow lot that will not adversely impact the adjacent property owners. I recommend approval.