

**APPLICATION/APEAL FORM**

[For Completion by All Applicants]

Date 11/30/18

TO: ZONING BOARD OF ADJUSTMENT  
CERRO GORDO COUNTY, IOWA

I (WE), Danell D. Cobeen  
(NAME)

OF 15378 Oakwood Ave - Deer Lake  
(MAILING ADDRESS)

respectfully request that a determination be made by the Board of Adjustment on this Application/Appeal based on the letter written by the Zoning Administrator dated \_\_\_\_\_ for the reason that it was a matter which, in his/her opinion, should come before the Board of Adjustment.

This Application/Appeal is: (Please Check One)

- A Variance to a Zoning District requirement where there are unusual conditions or circumstances which cause a hardship when the provisions of Zoning are strictly applied.
- A Special Use listed in Article 20.2 of the Zoning Ordinance upon which the Board is required to act under the Ordinance.
- An Appeal where it is alleged there is error in any order, requirement, decision or determination made by the Zoning Administrator in the enforcement of the Zoning Ordinance.

The property affected is located in Section \_\_\_\_\_ of \_\_\_\_\_ Township.

The property affected is zoned R-3 according to the Cerro Gordo County Zoning

District Maps. Legal description of the property is: Lot 10 & N. HALF Lot 11, Block 1, Payson add.

I am the  Owner  Contract Purchaser  Other (Explain) \_\_\_\_\_  
\_\_\_\_\_ of the property affected.

Describe what you are proposing to do on the property affected.  
2 1/2 ft Deck on S. Side of House  
I own the House & Property on the South Side

I (We) grant permission to the Planning & Zoning staff and Board of Adjustment members to enter onto the above described property for purposes of review.

I (We) further state that if this request is granted, I (We) will proceed with the actual construction in accordance with the purposes herein stated and any conditions and/or requirements the Board of Adjustment may stipulate.

Signature of Applicant Donald W. Cheer

**OFFICE USE ONLY**

Date Filed 12-4-18 Case Number 19-20  
Date Set for Hearing \_\_\_\_\_ Fee Paid \$100  
Application/Appeal was  Granted  Denied  Tabled

**VARIANCE CRITERIA SUPPLEMENTAL INFORMATION**

Cerro Gordo County Zoning Board of Adjustment

[For completion by Variance Applicants Only]

This attachment is intended to supplement the Appeal to the Board of Adjustment Application for requests for variances. This attachment shall be submitted as a part of and attached to the Appeal Application and serve to enable the Board to make fair and equitable decisions. Failure to complete this form in its entirety may result in postponing the request until adequate information is submitted.

The Board of Adjustment shall authorize upon appeal, in specific cases, such variance from the terms of the Ordinance as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the Ordinance will result in unnecessary hardship, and so that the spirit of the Ordinance shall be observed and substantial justice done.

The Applicant shall be held responsible to provide adequate evidence that the literal enforcement of the Ordinance will result in unnecessary hardship. "Hardship" as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use if used under the conditions allowed by the provisions of the Ordinance, the plight of the landowner is due to circumstances unique to his property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality.

The Board shall ensure that their decision shall not be contrary to the public interest, that the spirit of the Ordinance shall be observed, and substantial justice done.

Applicant(s) David D Cohen

Type of Variance Requested Set Back Variance

1. The land in question cannot yield a reasonable use for the following reasons:

Rule of Law and, as Stopping Me From  
Building & develop acc. To Deck

2. What is unique about this property compared to other properties in the vicinity?

Combined Lot

3. Explain how the variance will fit in with the character of the area (i.e., size, height, scale, etc.):

Not changing anything

4. The need for the variance cannot be attributed to the present or past property owner for the following reasons:

N/A

5. The Zoning Ordinance requirements have resulted in a need for a variance for the following reasons:

With The Required Set Back

6. The variance is in accord with the purposes and intent of the Zoning Ordinance and Comprehensive Plan for the following reasons:

In Res area —

7. The variance will not impair the public health, safety and general welfare of the residents of the County for the following reasons:

No

Donald A. Gher

certify that

all of the above statements are true to the best of my knowledge and belief.

**Case No. 19- 20  
Darrell and Kathy Cobeen (15378 Oakwood Avenue)**

**Figure 1**  
Looking at the existing house



February 5, 2019, J. Robbins

**Figure 2**  
Looking at the proposed location for the balcony



February 5, 2019, J. Robbins

**Figure 3**

Looking west along the south side yard lot line



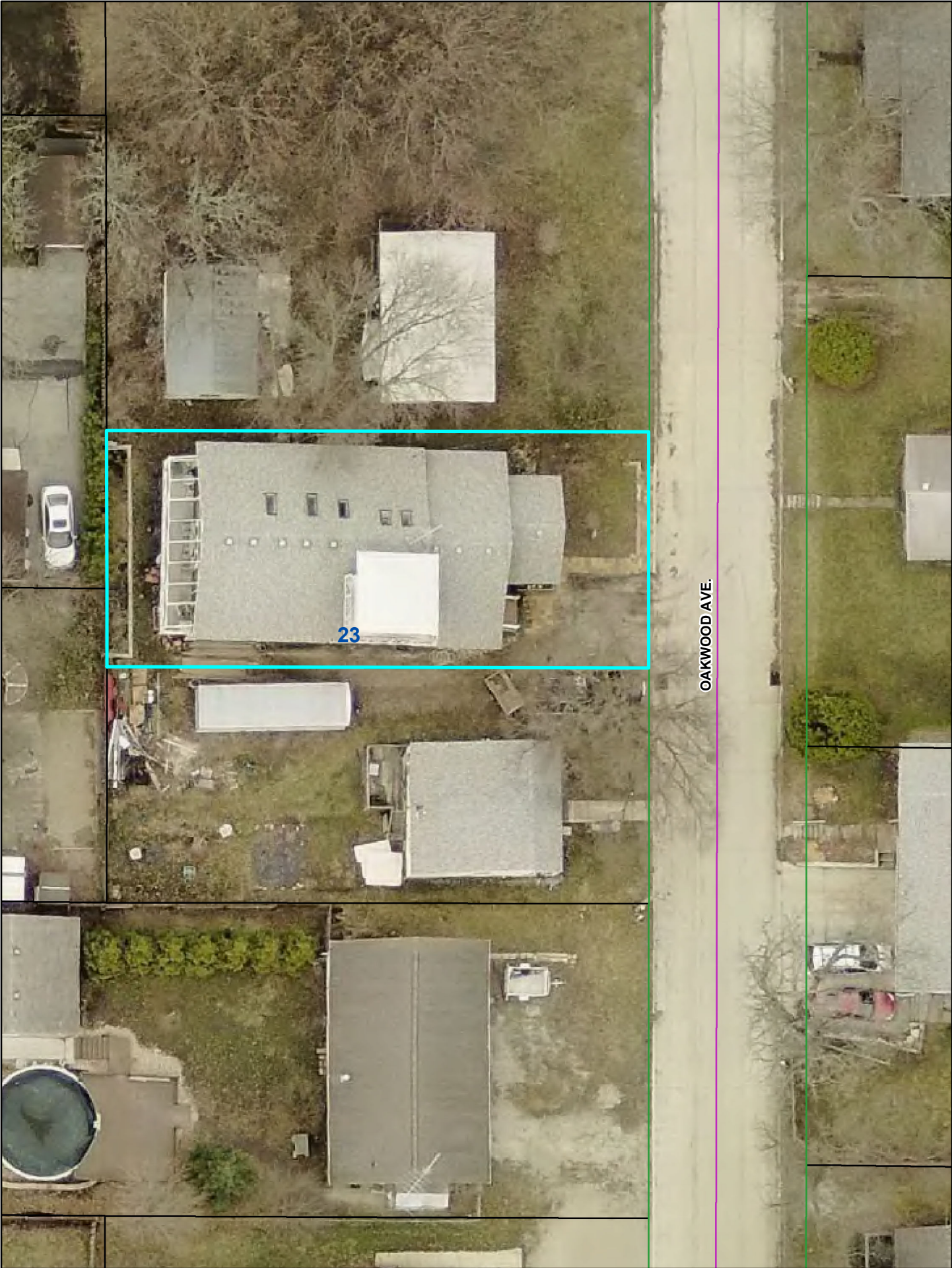
February 5, 2019, J. Robbins

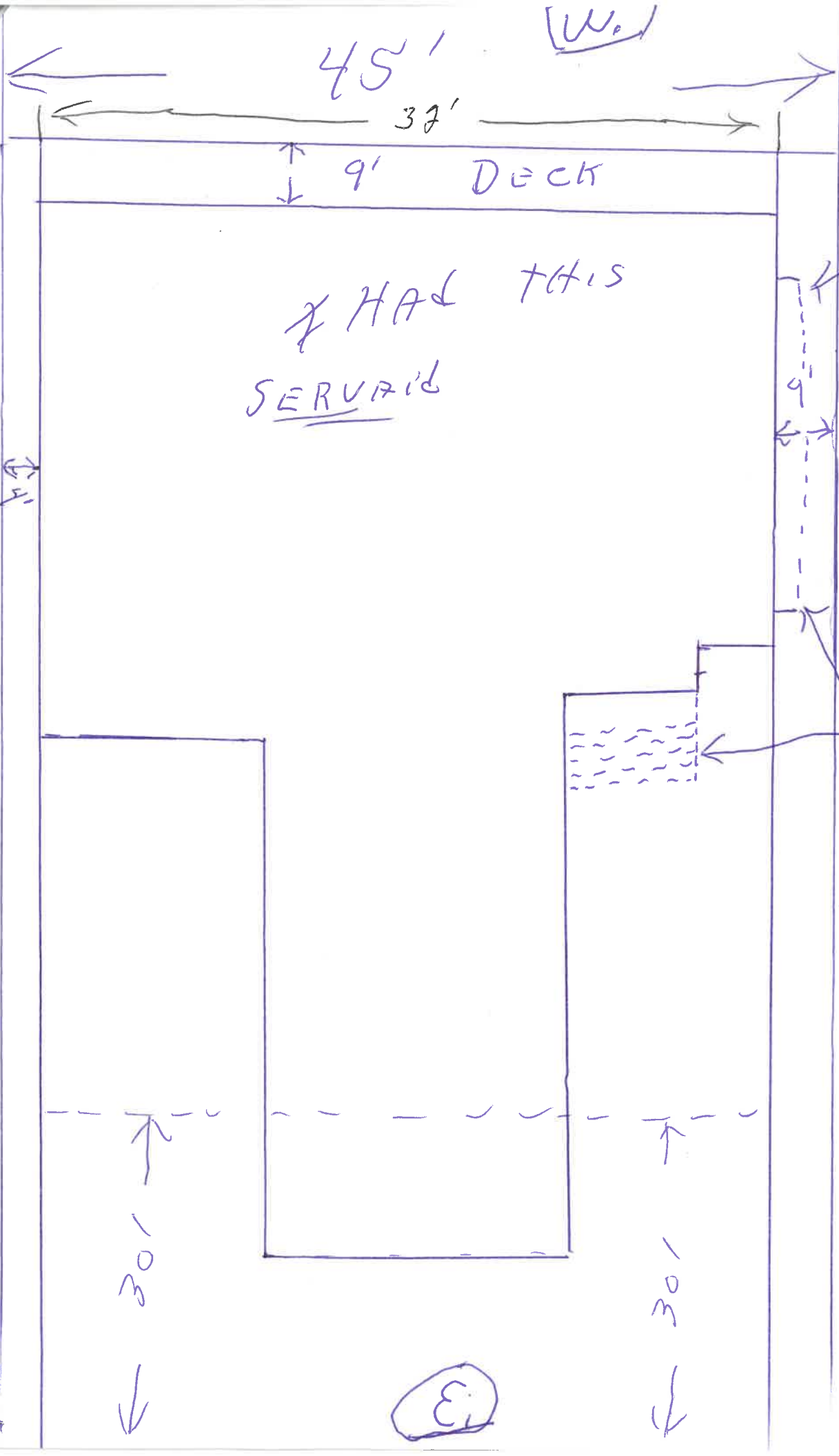
**Figure 4**

An aerial illustrating the proposed rear yard setback



February 7, 2019, Pictometry Aerial Imagery





I HAD THIS  
SERVANT

2 1/2 BICYCLES  
FOUR HOUSE  
TO 5'



STEPS

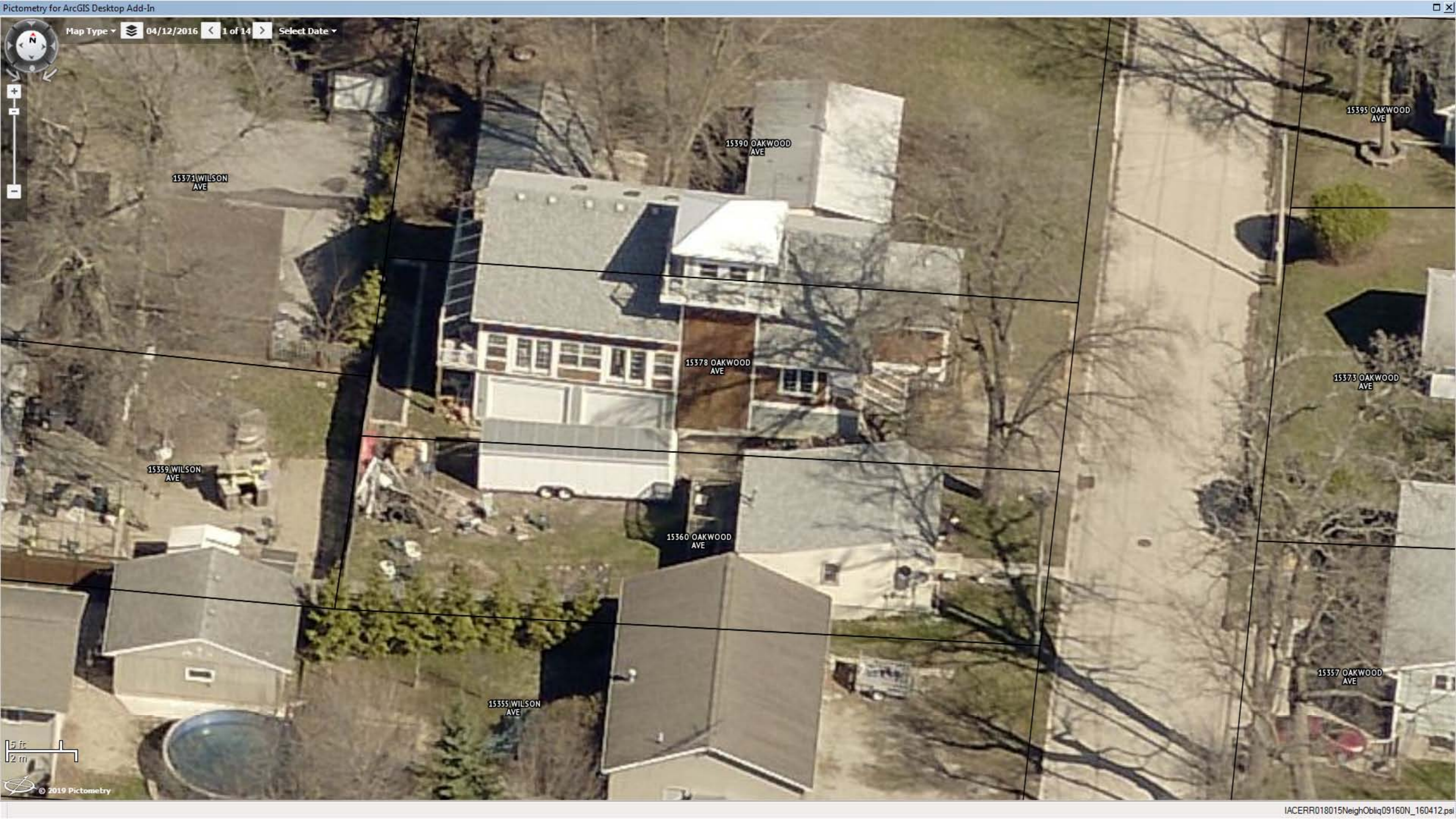
2 1/2  
BICYCLES

BICYCLE RACKS

(N)

(E)





15371 WILSON AVE

15390 OAKWOOD AVE

15395 OAKWOOD AVE

15378 OAKWOOD AVE

15373 OAKWOOD AVE

15359 WILSON AVE

15360 OAKWOOD AVE

15355 WILSON AVE

15357 OAKWOOD AVE

15 ft  
2 m