

APPLICATION/APPEAL FORM

[For Completion by All Applicants]

Date 12-7-20

TO: ZONING BOARD OF ADJUSTMENT
CERRO GORDO COUNTY, IOWA

I (WE), David & Mary Ann Amend (Ron Louneburg)
(NAME)

OF 15310 Pascal St. Clear Lake, Iowa 50428
(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 12-1-20 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 Sec/Twp/Rng 6030 of _____ Township.
The property affected is zoned R-3 according to the Cerro Gordo County Zoning District Maps. Legal description of the property is: L 10 BLK 1 PM PARK

I am the Owner Contract Purchaser Other (Explain) Contractor
for the owner of the property affected.

Describe what you are proposing to do on the property affected.

Raise the exist. house to add 2' more head clearance
to basement level the add second level new windows
& siding

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 Rm Houdenburg

OFFICE USE ONLY

Date Filed 12-7-20 Case Number 21-26
Date Set for Hearing 1/26/21 Fee Paid 200
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 & Mary Amend (Ron Loudenburg)
Type of Variance Requested Hardship

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

Existing property does not meet current
set back requirements

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

Currently access is on the side of the house
opposite the street. New plan will have entry
door on street side

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

This house is relatively small compared to the other houses in the neighborhood. A small new lot of structure will be comparable to surrounding structures

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

Originally built in 1948 before setback requirements had been established.

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

Distance from exist. structure to property lines does not meet current guidelines

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

Other houses in the area have similar setback issues

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

Same footprint, will not be affected.

I, Ryan Howlandburg certify that all of the above statements are true to the best of my knowledge and belief.

Case No. 21-26
Ron Laudenburg for David and Mary Ann Amend (15310 Pascal Street)

Figure 1

Looking at the existing house (southeast corner)



December 11, 2020, J. Robbins

Figure 2

Looking at the existing house (north side)



December 11, 2020, J. Robbins

Figure 3

Looking north along the west side lot line



December 11, 2020, J. Robbins

Figure 4

Looking east along the rear side of the existing house

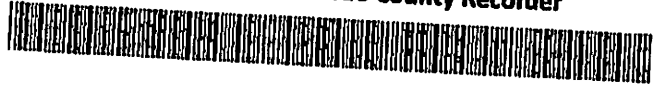


December 11, 2020, J. Robbins

INDEX LEGEND	
LOCATION LOT 10 AND PART OF LOT SEVEN BLK. 1 IN PATRIARCHS MILITANT I.O.O.F. PARK, CERRO GORDO COUNTY, IOWA	
PROPRIETOR DAVID J. AMEND MARY ANN AMEND	
SURVEY REQUESTED BY RON MEINTS	
SURVEYOR COMPANY STARK SURVEYING INC. 1622 S. TAFT AVE. MASON CITY, IOWA, 50401 PHONE: 641-423-7847	
RETURN TO: BENJAMIN STARK 1622 S. TAFT AVE. MASON CITY, IOWA, 50401	12.00ck

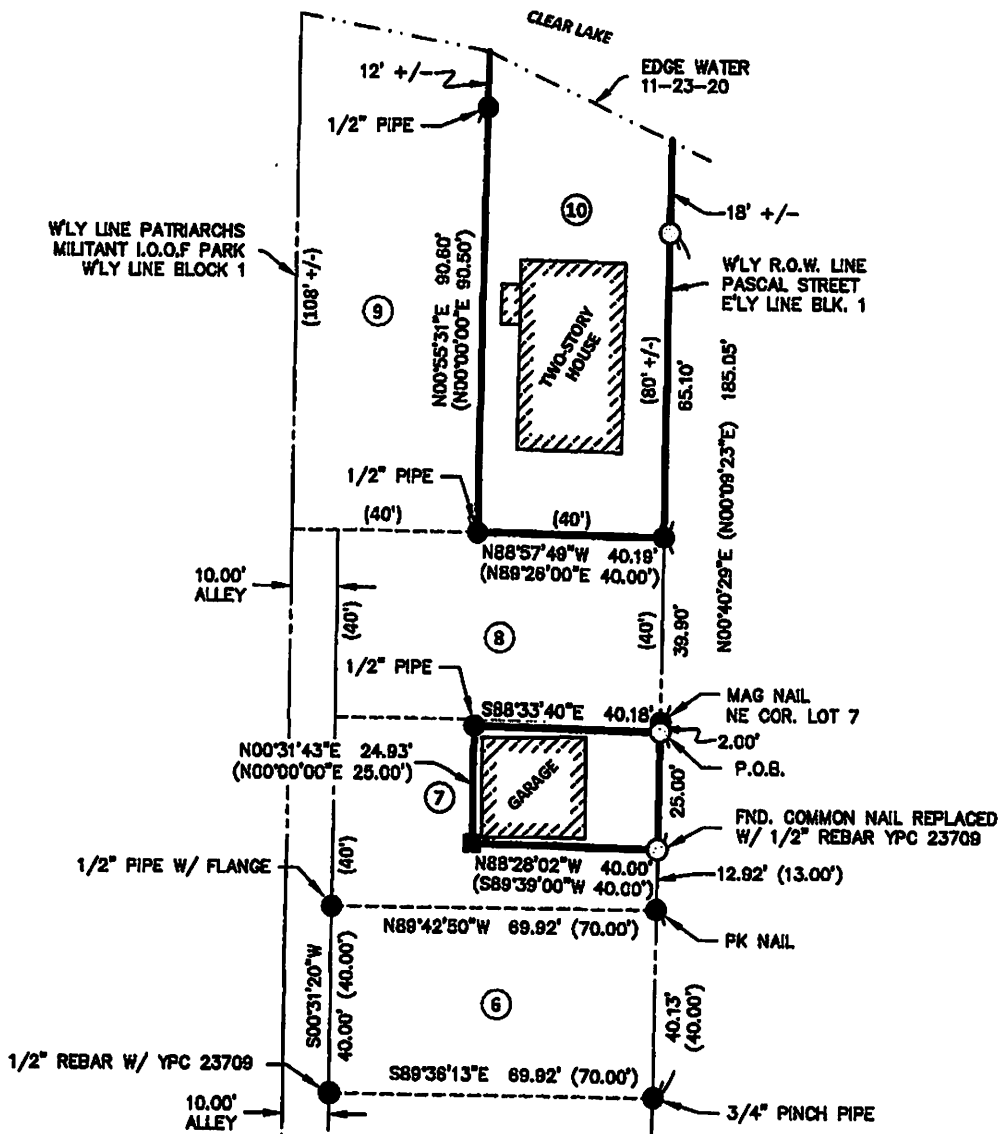
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 Pymt: Check

AnnMarie Legler, Cerro Gordo County Recorder



Aud

RETRACEMENT PLAT OF SURVEY

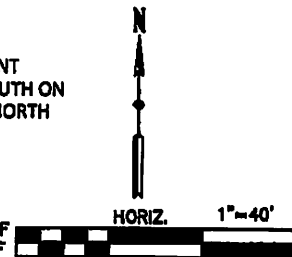


DESCRIPTION OF RECORD

A PARCEL OF LAND BEGINNING AT A POINT ON THE EAST LINE OF LOT SEVEN (7) IN BLOCK ONE (1) IN PATRIARCHS MILITANT I.O.O.F. PARK, CERRO GORDO COUNTY IOWA, TWO FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT SEVEN (7), SOUTH ON THE EAST LINE OF SAID LOT SEVEN (7) A DISTANCE OF TWENTY-FIVE (25) FEET, THENCE WEST FORTY (40) FEET, THENCE NORTH TWENTY-FIVE (25) FEET, THENCE EAST FORTY (40) FEET TO PLACE OF BEGINNING, AND LOT TEN (10) IN BLOCK ONE (1) IN PATRIARCHS MILITANT I.O.O.F. PARK, CERRO GORDO COUNTY, IOWA.

LEGEND

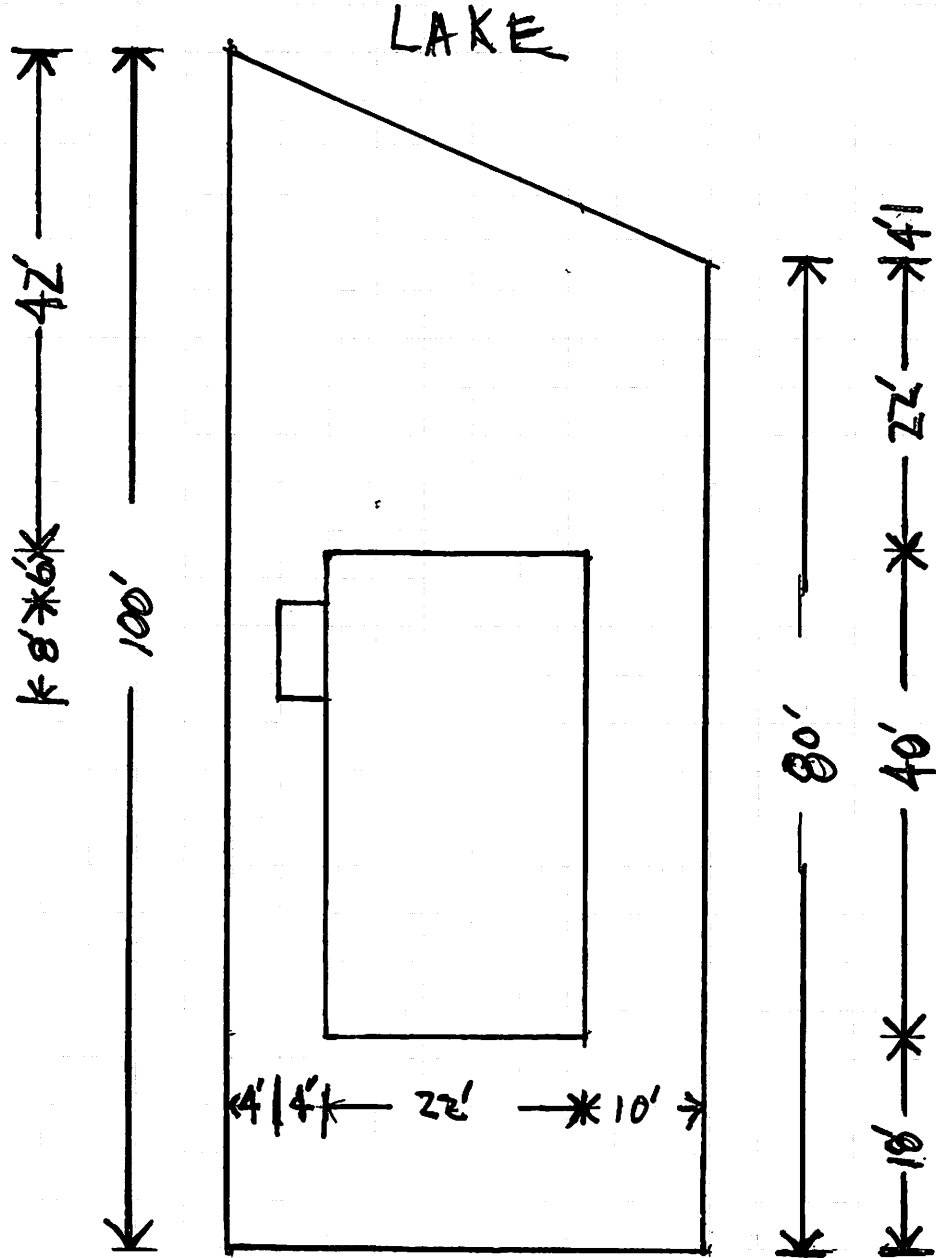
SURVEYOR'S NOTES:
 1) IGRCS ZONE 2 IS THE BASIS OF BEARING FOR THE PURPOSE OF



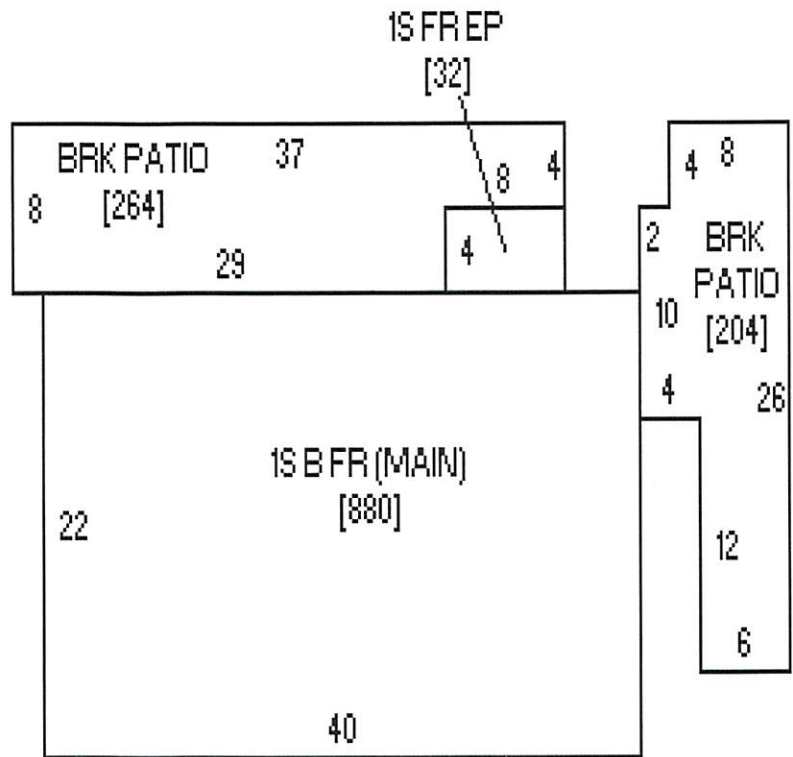


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Email: smeints@netins.net



JOB NAME: DAVID & MARY ANN AMEND JOB #: _____
LOCATION: 15310 PASCAL ST. CL. SHEET: _____ OF: _____
SALESMAN: _____ BY: _____ DATE: _____



15310 Pascal St.



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PASCAL ST