

APPLICATION/APPEAL FORM

[For Completion by All Applicants]

Date 4/13/2020

TO: ZONING BOARD OF ADJUSTMENT
CERRO GORDO COUNTY, IOWA

I (WE), Doug Kroyman (Steage Construction) Greg Stockdale
(NAME)

OF 15425 B Bayside Ave Clear 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 4/9/2020 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 East 26' of Lot 1, Block 2 of Oakwood Park Addition Township.

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

District Maps. Legal description of the property is: The East 26' of Lot 1, Block 2 Oakwood Park, Cerro Gordo County, Iowa, and the North 20' of the East 26' of vacated Lake Shore Drive - which lies south of said East 26' of Lot 1, Block 2, Oakwood Park, Cerro Gordo County, Iowa.

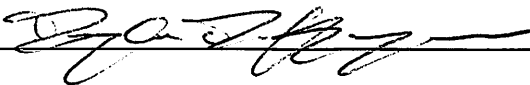
I am the Owner Contract Purchaser Other (Explain) Project Manager
and Representative of the property affected.

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

- 1) Re-build existing steps from ground access to "main level." Rebuild existing footings and structure. Add Railing. Steps will be 4' wide and approx 24' Long. Steps will be on the West Side of the property.
- 2) Add on to Main Level Deck - 8'. Existing Deck is 16' wide. Addition on to the existing deck would go 8' to the North. New railing will be installed

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 

OFFICE USE ONLY

Date Filed 5/1/20

Case Number 20-30

Date Set for Hearing 5/24/20

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) Devy Kroyman (Steeger Construction Representative) 15425 B Bayside Ave

Type of Variance Requested Variance to a Zoning District requirement.

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

Existing setbacks to the originally built structure infringe on
set back requirements. Our effort with the steps is to rebuild in the
existing location. The deck addition will go back no further than
an existing retaining wall currently does on the property.

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

There is already a landscaping retaining wall that is at the
rear setback. The deck addition will match this existing
setback.

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

The variance will allow for a safer and more durable set of stairs to be re-built in the original space. Stairs will be 4' wide and safely accommodate accessing the lake front. The deck addition will keep existing height and utilize an existing retaining wall as a footing.

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:

The North setback requirement is not met. The proposed deck is 8.0' from rear lot line. A 30' rear setback is required. The West setback requirement is not met. The proposed steps (staircase) is 2' from side lot line. A 6' side setback is required.

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

- ① The staircase will be re-built in the same location as the existing steps
- ② The deck addition will go out to the same distance as an existing retaining wall. The rear setback will remain the same distance as the existing landscaping retaining wall.

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

The new staircase will accommodate safe access to the lake front. The deck addition will be using an existing retaining wall as the footing.

I, [Signature] certify that

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

Case No. 20-30
Gregory and Alison Stockdale (15425-B Bayside Avenue)

Figure 1

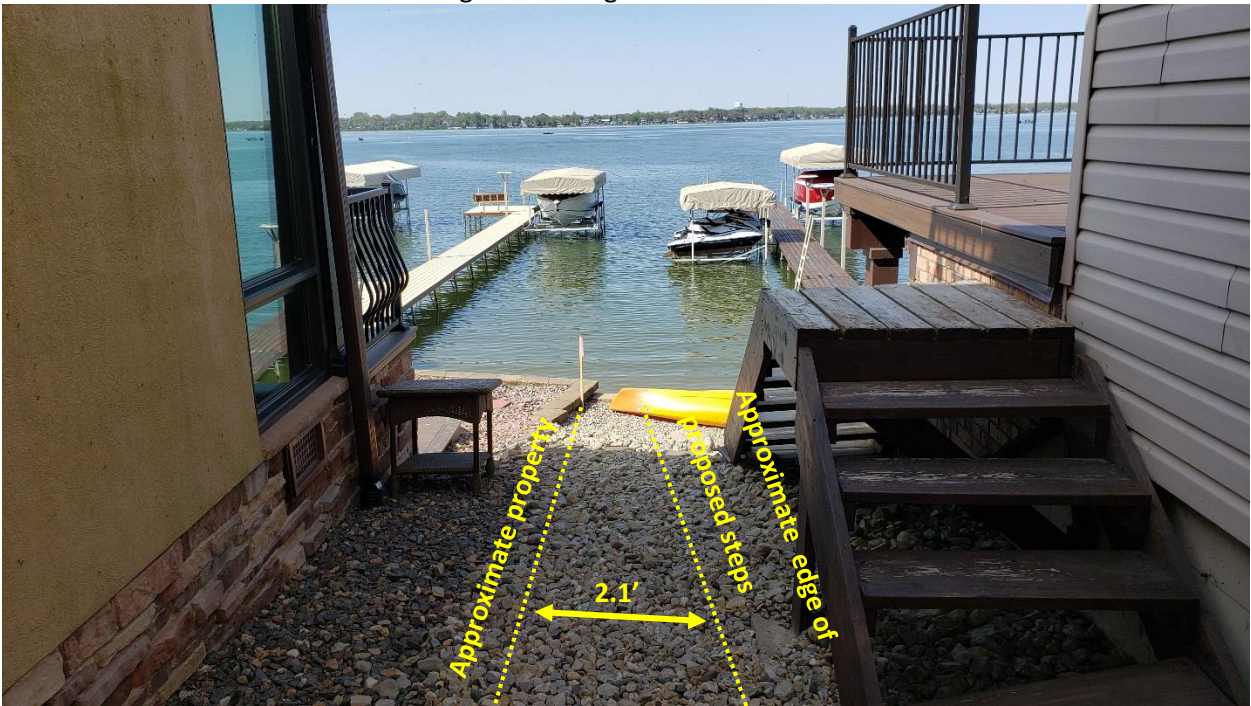
Looking at the existing deck and steps



May 12, 2020, J. Robbins

Figure 2

Looking north along the west side lot line



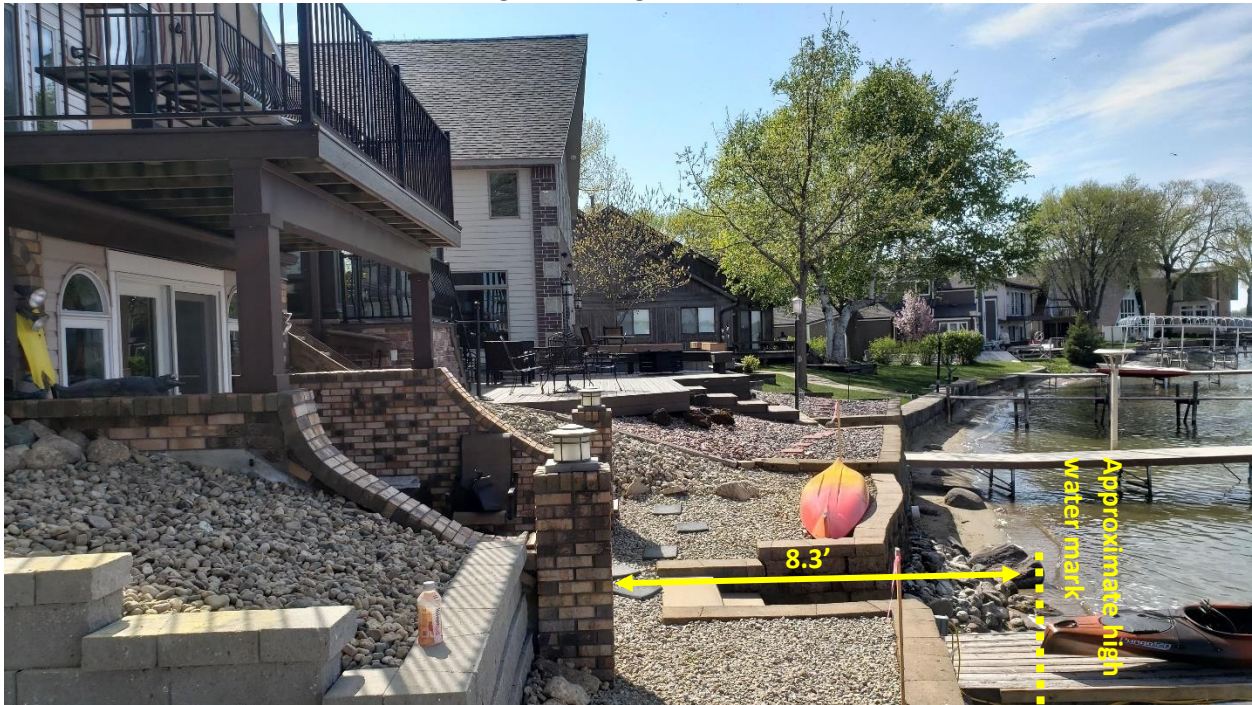
May 12, 2020, J. Robbins

Figure 3
Looking north along the east side lot line



May 12, 2020, J. Robbins

Figure 4
Looking west along the rear lot line



May 12, 2020, J. Robbins

Figure 5
Looking east along the rear lot line



May 12, 2020, J. Robbins

Figure 6
Looking northwest from the adjacent property to the east



May 12, 2020, J. Robbins

Figure 7

Looking northeast from the adjacent property to the west



May 12, 2020, J. Robbins

Figure 8

Looking at the deck on the adjacent property to the east



May 12, 2020, J. Robbins

INDEX LEGEND

LOCATION
 EAST 26 FT. OF LT.1 BLK.2 OAKWOOD PARK,
 CERRO GORDO COUNTY, IOWA AND NORTH 20 FT.
 OF THE EAST 26 FT. OF VACATED LAKE SHORE
 DRIVE LYING SOUTH OF THE SAID EAST 26 FT. OF
 LT.1 BLK.2 OAKWOOD PARK CERRO GORDO COUNTY

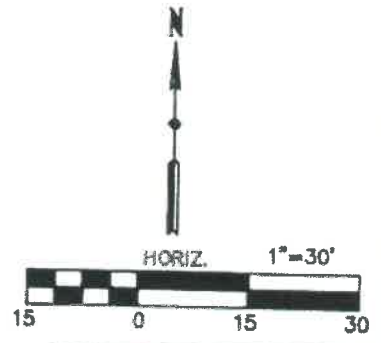
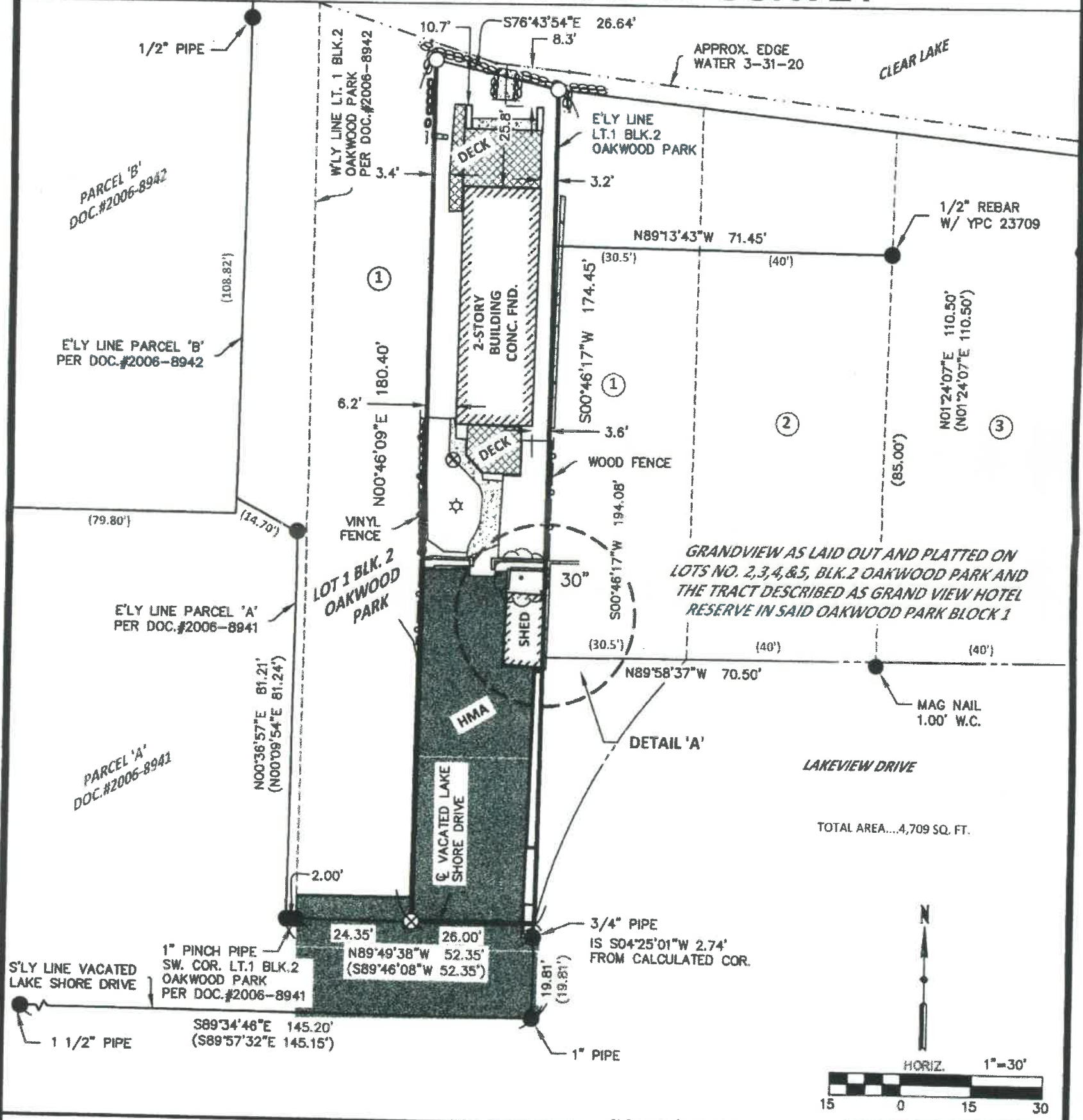
PROPRIETOR
 GREGORY A. STOCKDALE
 ALISON M. STOCKDALE

SURVEY REQUESTED BY
 DOUGLAS KROYMANN

SURVEYOR COMPANY
 STARK SURVEYING INC.
 1622 S. TAFT AVE.
 MASON CITY, IOWA, 50401
 PHONE: 641-423-7947

RETURN TO:
 BENJAMIN STARK
 1622 S. TAFT AVE.
 MASON CITY, IOWA, 50401

RETRACEMENT PLAT OF SURVEY



LEGEND

○ SET 1/2" REBAR 24" LONG YPC 23709 (P.O.B.) POINT OF BEGINNING
 ● FOUND 1/2" REBAR W/ YPC 13804 MONUMENT UNLESS NOTED
 ⊗ SET MAG NAIL
 (0.00') RECORD MEASUREMENT (65) LOT NUMBER

SURVEYOR'S NOTES:
 1) IARCS ZONE 2 IS THE BASIS OF BEARING FOR THE PURPOSE OF THIS SURVEY.

DOCUMENTS USED FOR THIS SURVEY
 PLATS: DOC.#2006-8941,
 DOC.#2006-8942, DOC.#2009-6312
 DEED: DOC.#2013-7027

DATE SURVEYED	3-31-20
SCALE:	AS SHOWN
PROJECT NO.:	20225
DRAWN BY:	BVS
CHECKED BY:	BVS
SHEET	1 of 2



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Benjamin Stark
 Benjamin Stark Date _____

License number 23709 Sheets covered by this seal: 2
 My license renewal date is December 31, 2021

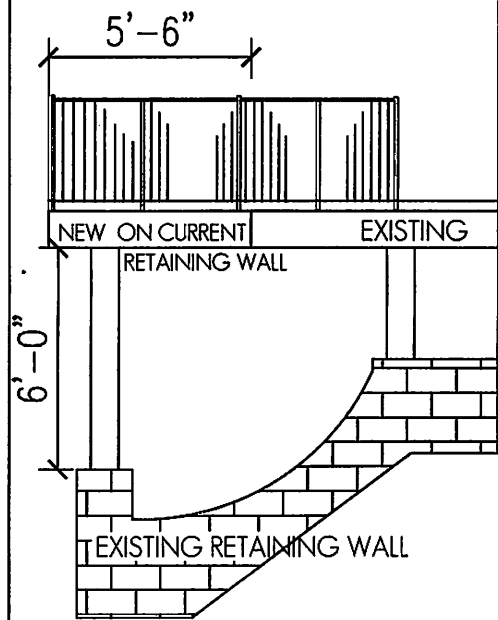
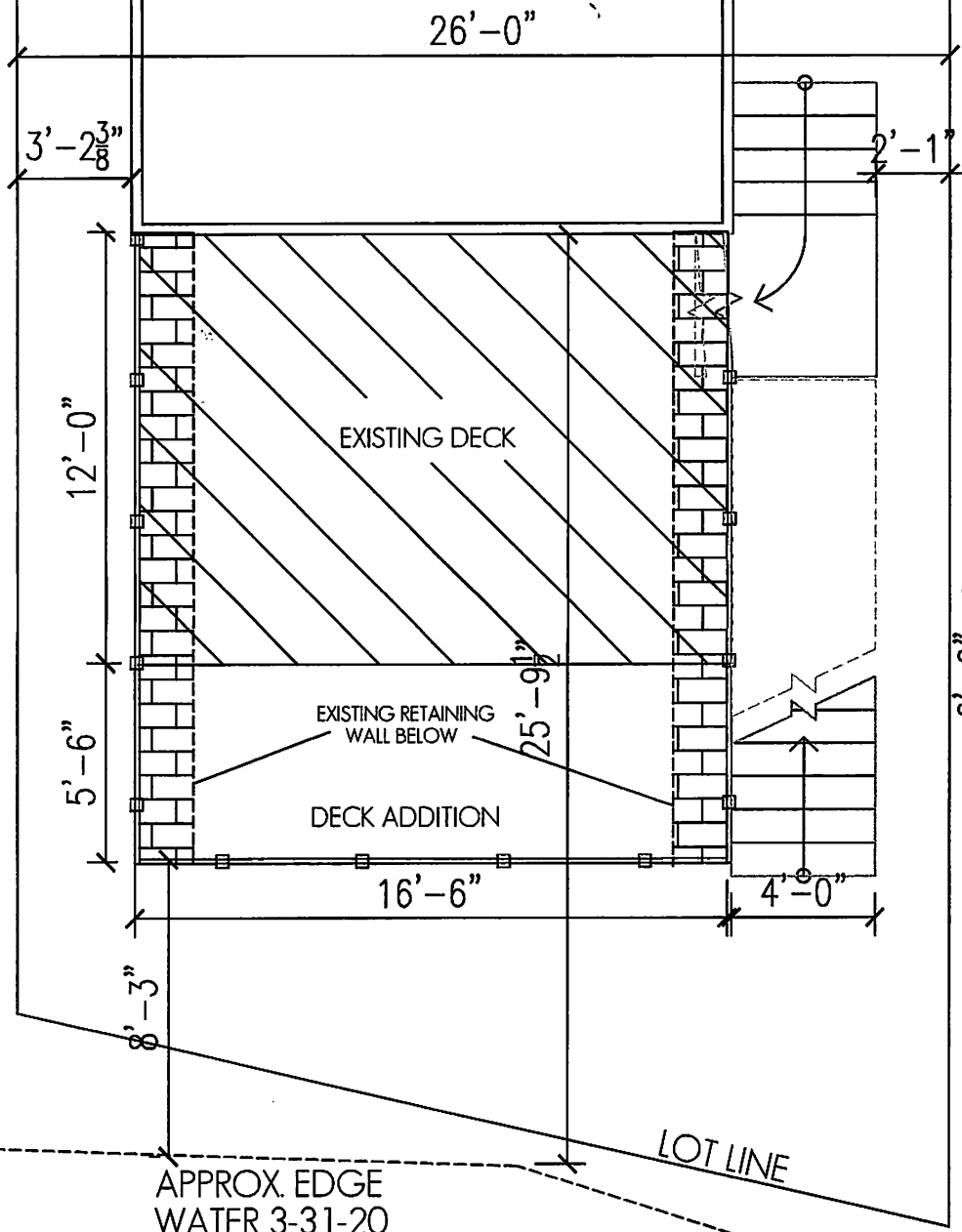
STARK
 SURVEYING
 INC.



Clear Lake

23

LAKEVIEW DR



DECK ADDITION

CLEAR LAKE, IA 50428

STILLER
 2801 EASTON AVE.
 WAVERLY, IA 50877
 319-240-3492

Project	CLEAR LAKE	Sheet	
Date	4.27.20		1 OF 1
Scale	NOT TO SCALE		