



PLANNING AND ZONING Cerro Gordo County Courthouse

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APPEAL INSTRUCTIONS AND PROCEDURES Zoning Board of Adjustment ~ Cerro Gordo County

Read the attached **Rules of Procedure** for the Cerro Gordo County Board of Adjustment. These rules will be complied with in all applications or appeals before the Board of Adjustment. Please do not ask for a variance in these rules as none will be given.

Ordinance sections referred to in this document may be found at www.co.cerro-gordo.ia.us under the Planning and Zoning Department. Click on Zoning Ordinance.

All forms must be typewritten or written in black ink and returned to the address listed above.

FORMS OF APPEAL (choose one):

- 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.**

Required items for review:

- Fully completed application/appeal form (pp. 3 & 4) with necessary site plans
- Fully completed Variance Criteria Supplemental information (pp. 5 & 6)
- Six (6) copies of the property plat if the original plat filed with the Application for Zoning Certificate was drawn larger than 8½" x 14"
- \$100.00 non-refundable filing fee made payable to *Cerro Gordo County Treasurer*

- Special Uses listed in Article 20.2 of the Zoning Ordinance and upon which the Board is required to act under the Ordinance.**

Required items for review:

- Fully completed application/appeal form (pp. 3 & 4) with necessary site plans
- If the area to be considered is located within a flood plain, attach copy of Iowa Department of Natural Resources approval
- Written letter:
 - ✓ Describing the special use and how such building or use will affect the character of the neighborhood, traffic conditions, public utility facilities and

APPLICATION/APPEAL FORM

[For Completion by All Applicants]

Date 2 October 2019

TO: ZONING BOARD OF ADJUSTMENT
CERRO GORDO COUNTY, IOWA

I (WE), John Rogers & Lori Rogers
(NAME)

OF 14319 Gammon Road, Greenwood MO 64034
(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 1 October 2019 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 Thirty (30) of Ninty-Six (96) North Township.

The property affected is zoned A-1 Agricultural according to the Cerro Gordo County Zoning District Maps. Legal description of the property is: The North East Quarter (NE¼) of the North East Quarter (NE¼) of Section Thirty (30), Township Ninety-six (96) North, Range Twenty-two (22), West of the 5 P.M., except for the North one-fourth (¼) thereof.

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) John Rogers & Lori Rogers

Type of Variance Requested Request a bathroom to be allowed in the workshop/satellite office building

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

The land is currently agricultural without a house or workshop. As the new owner, my family needs
a place to live and to be productive outside of agricultural production and plan to build a house and
workshop on the property.

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

While the other properties are being farmed, a small area of this property on the North East corner
will be used for building a new house and workshop.

Case No. 20-20
John and Lori Rogers (NE¼ of the NE¼, Section 30, Clear Lake Township)

Figure 1

Looking at the site of the workshop



October 16, 2019, J. Robbins



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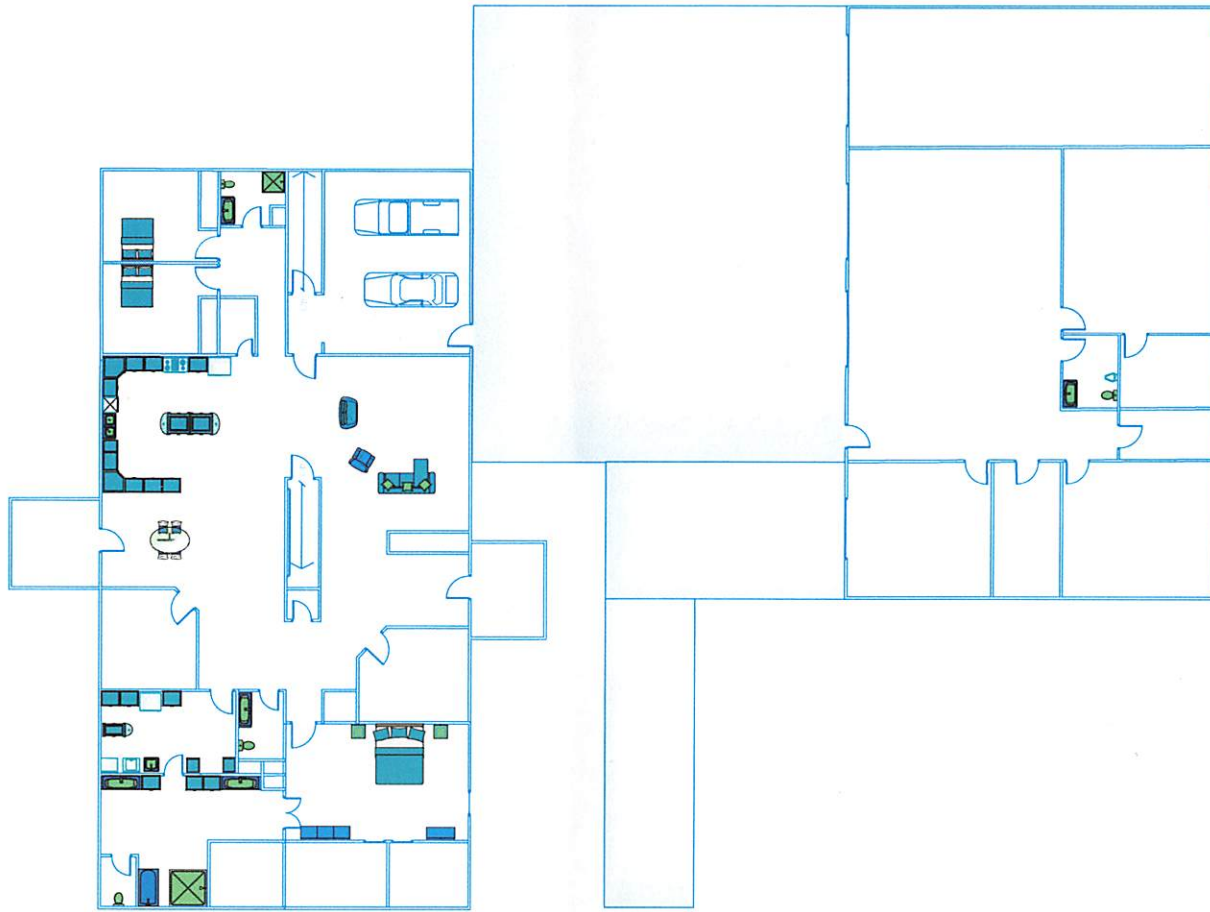
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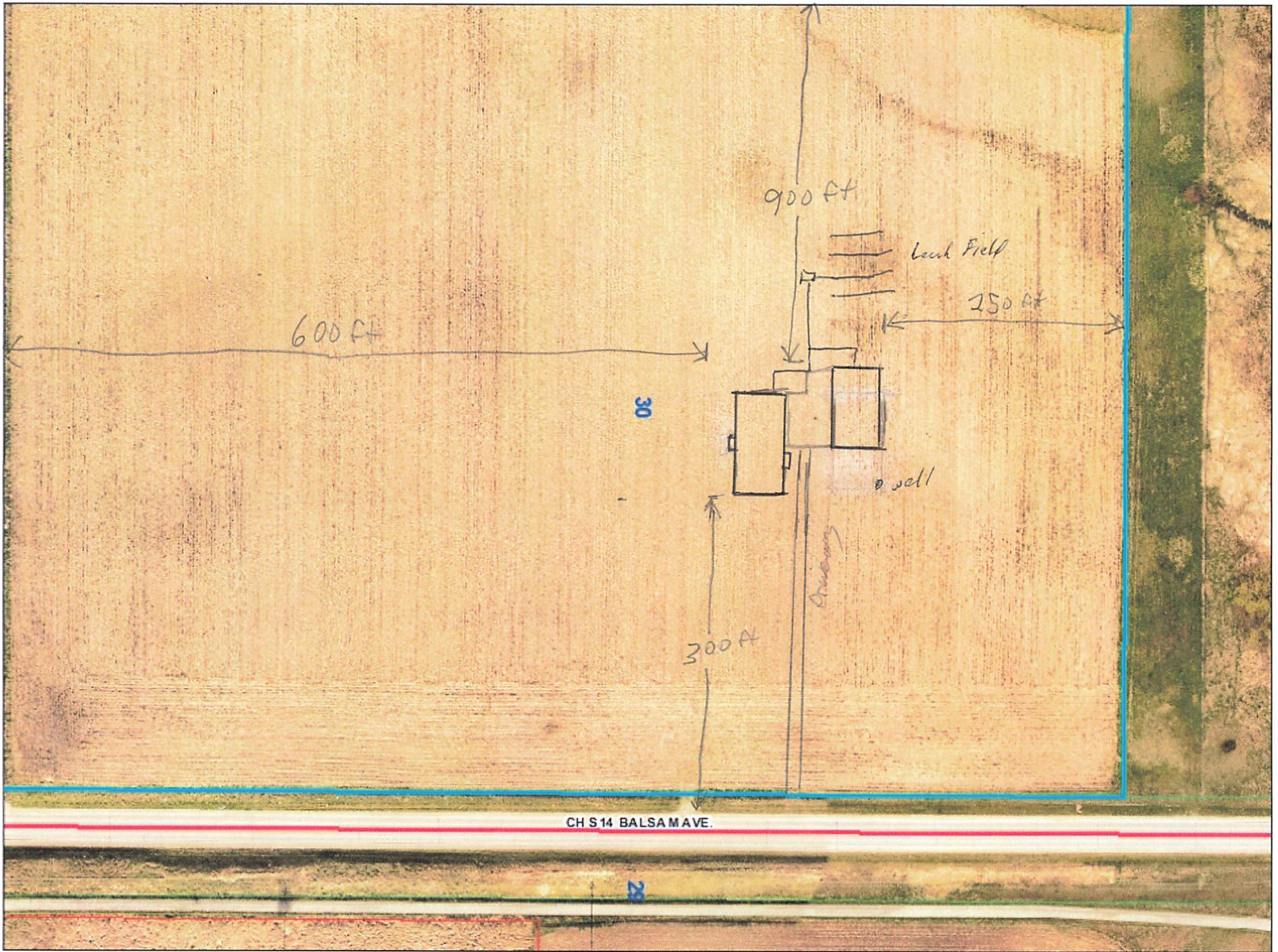
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CHIS14 BALSAM AVE.

237th ST.





600 ft

900 ft

Leach Field

250 ft

30

well

Driveway

300 ft

CH S 14 BALSAM AVE.

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