



PLANNING AND ZONING Cerro Gordo County Courthouse

220 N Washington Ave Mason City, IA 50401-3254

(641) 421-3075

Tom Drzycimski, AICP, Administrative Officer

FAX (641) 421-3088

John Robbins, Assistant Administrative Officer

Michelle Rush, Executive Assistant

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

other matters pertaining to the public safety, public health and general welfare

- ✓ Addressing the provisions of Section 24.4(A)(2)(a-g) in the Zoning Ordinance, and
- ✓ Addressing the performance standards in the applicable subsection of Article 20.2
- Seven (7) copies of the schematic drawing
- \$175.00 non-refundable filing fee made payable to *Cerro Gordo County Treasurer*

Site plans are required for the following special uses and an additional fee of \$100.00 made payable to *Cerro Gordo County Treasurer* is required for an area of one acre or less, and \$200.00 for an area of more than one acre. Site plans shall comply with the provisions of Section 18.12(D) of the Zoning Ordinance. This fee is for site plan review only.

- Go-Kart Tracks, Racetracks, Drag strips
- Sewage Treatment Plants and Waste Stabilization Lagoons
- Public or Private Utility service
- Anhydrous Ammonia Pumping and Storage Facilities
- Wholesale Storage of Gasoline, Fuels, Oils, Flammable or Toxic Substances
- Commercial Feedlots and Confinement Operations
- Salvage Yards and/or Junk Yards
- Extraction and Primary Material Processing
- Permanent Asphalt Plants
- Mobile Home Park
- Travel Trailer Park

- Appeal an error in any order, requirement, decision or determination made by the Zoning Administrator in the enforcement of the Zoning Ordinance.**

Required items for review:

- Fully completed application/appeal form (pp. 3 & 4) with necessary site plans
- Written letter describing the reasons or facts you feel the order, requirement, decision or determination was in error.
- \$175.00 non-refundable filing fee made payable to *Cerro Gordo County Treasurer*

The Applicant shall, immediately after filing the appeal paperwork, mark all corners of the lot with lath and colored flags. The Applicant shall also mark with a different colored flag the location of the addition/structure being proposed.

APPLICATION/APPEAL FORM

[For Completion by All Applicants]

Date 10-4-19

TO: ZONING BOARD OF ADJUSTMENT
CERRO GORDO COUNTY, IOWA

I (WE), Gabriel Beal Agent of Michael Tetmeyer
(NAME)

OF 4025 Evergreen Ave Soice, IA 50446
(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 9-26-19 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 R3 District according to the Cerro Gordo County Zoning

District Maps. Legal description of the property is: Lot 3, Block 1, Grandview Addition

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

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

I propose to Rebuild the Existing Screen Porch to the width of the House and keep it the same depth as exist to not obstruct the view of neighbors. Rebuild Existing Decks that are in disrepair. Rebuild steps to make them safer and more stable

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 Cowley Beal

OFFICE USE ONLY

Date Filed 10/4/2019

Case Number 20-18

Date Set for Hearing 10/29/2019

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) Gabriel Bral Agent of Michael Tetmeyer

Type of Variance Requested Set Back Requirements

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

The size of lot Restricted setback requirements, The House
sit below lower than the road level pushing it back. The Decks
and stairs need rebuilt to accommodate safe access to the lake.

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

The Grade is a little steeper, The size of lot, The level below
the road grade

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

The Screen Porch Replacement will match Existing Porch on Adjoining Properties in The Area. it be of similar design and Character That is in The neighborhood.

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

The lot sits lower than the Road Pushing Back The Building Area The lot Provides Lake Access, The lot is Narrow, The Structure Needs Rebuilt To make it in Good Repair

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

The property can not meet The setback Requirement

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

It is Residential Neighborhood and Will Remain That Way.

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

There is An Existing Screen Porch That has not impact Any of These items

I, Conroy Beck

certify that

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

**Case No. 20-18
Michael Tetmeyer (5190 Lakeview Drive)**

Figure 1

Looking at the upper deck



October 17, 2019, J. Robbins

Figure 2

Looking at the screened porch



October 17, 2019, J. Robbins

Figure 3
Looking at the lower deck



October 17, 2019, J. Robbins

Figure 4
Looking south along the west side lot line



October 17, 2019, J. Robbins

Figure 5
Looking west along the rear lot line



October 17, 2019, J. Robbins

Figure 6
Looking west along the rear lot line



October 17, 2019, J. Robbins

INDEX LEGEND

LOCATION
 LT. 3 IN BLK. 1, IN GRAND VIEW AS LAID OUT AND PLATTED ON LT. 2,3,4, AND 5 IN BLK. 2 IN OAKWOOD PARK, AND THE TRACT DESIGNATED AS GRAND VIEW HOTEL RESERVE IN SAID OAKWOOD PARK CERRO GORDO COUNTY IOWA.

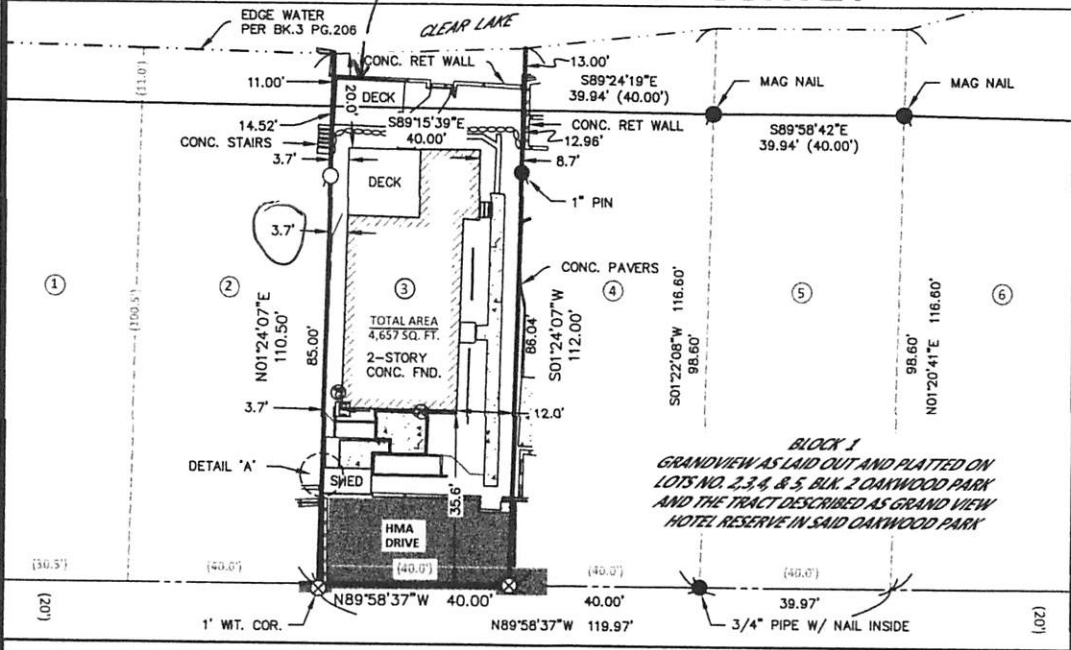
PROPRIETOR
 MICHAEL G. TETMEYER, TRUSTEE OF THE MICHAEL G. TETMEYER 2005 REVOCABLE TRUST

SURVEY REQUESTED BY
 WILLIAM FISHER

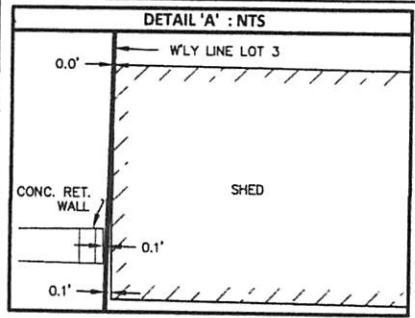
SURVEYOR COMPANY
 STARK SURVEYING INC.
 1622 S. TAFT AVE.
 MASON CITY, IOWA, 50401
 PHONE: 641-423-7947

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

RETRACEMENT PLAT OF SURVEY



*BLOCK 1
 GRANDVIEW AS LAID OUT AND PLATTED ON
 LOTS NO. 2,3,4, & 5, BLK. 2, OAKWOOD PARK
 AND THE TRACT DESCRIBED AS GRAND VIEW
 HOTEL RESERVE IN SAID OAKWOOD PARK*



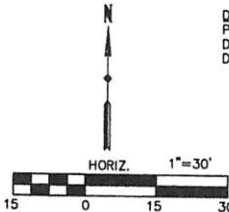
DESCRIPTION OF RECORD

LOT THREE (3) BLOCK ONE (1), IN GRAND VIEW AS LAID OUT AND PLATTED ON LOTS TWO (2), THREE (3), FOUR (4), AND FIVE (5) IN BLOCK TWO (2), OAKWOOD PARK, AND THE TRACT DESCRIBED AS GRAND VIEW HOTEL RESERVE IN SAID OAKWOOD PARK, CERRO GORDO COUNTY, IOWA.

- LEGEND**
- △ SET SECTION CORNER AS NOTED (P.O.C.) POINT OF COMMENCEMENT
 - SET 1/2" REBAR W/ YPC 23709 (P.O.B.) POINT OF BEGINNING
 - FOUND 1/2" REBAR W/ YPC 3862 MONUMENT UNLESS NOTED
 - ▲ FOUND SECTION CORNER AS NOTED
 - ⊗ SET MAG NAIL
 - (0.00') RECORD MEASUREMENT
 - ⑤ LOT NUMBER

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

DOCUMENTS USED FOR THIS SURVEY
 PLATS: BK.3 PG.206,
 DOC.#1994-7757, DOC.#2019-2397
 DEED: DOC.#2018-5169



DATE SURVEYED	10-4-19
SCALE:	AS SHOWN
PROJECT NO.:	19299
DRAWN BY:	BVS
CHECKED BY:	BVS
SHEET	1 of 1

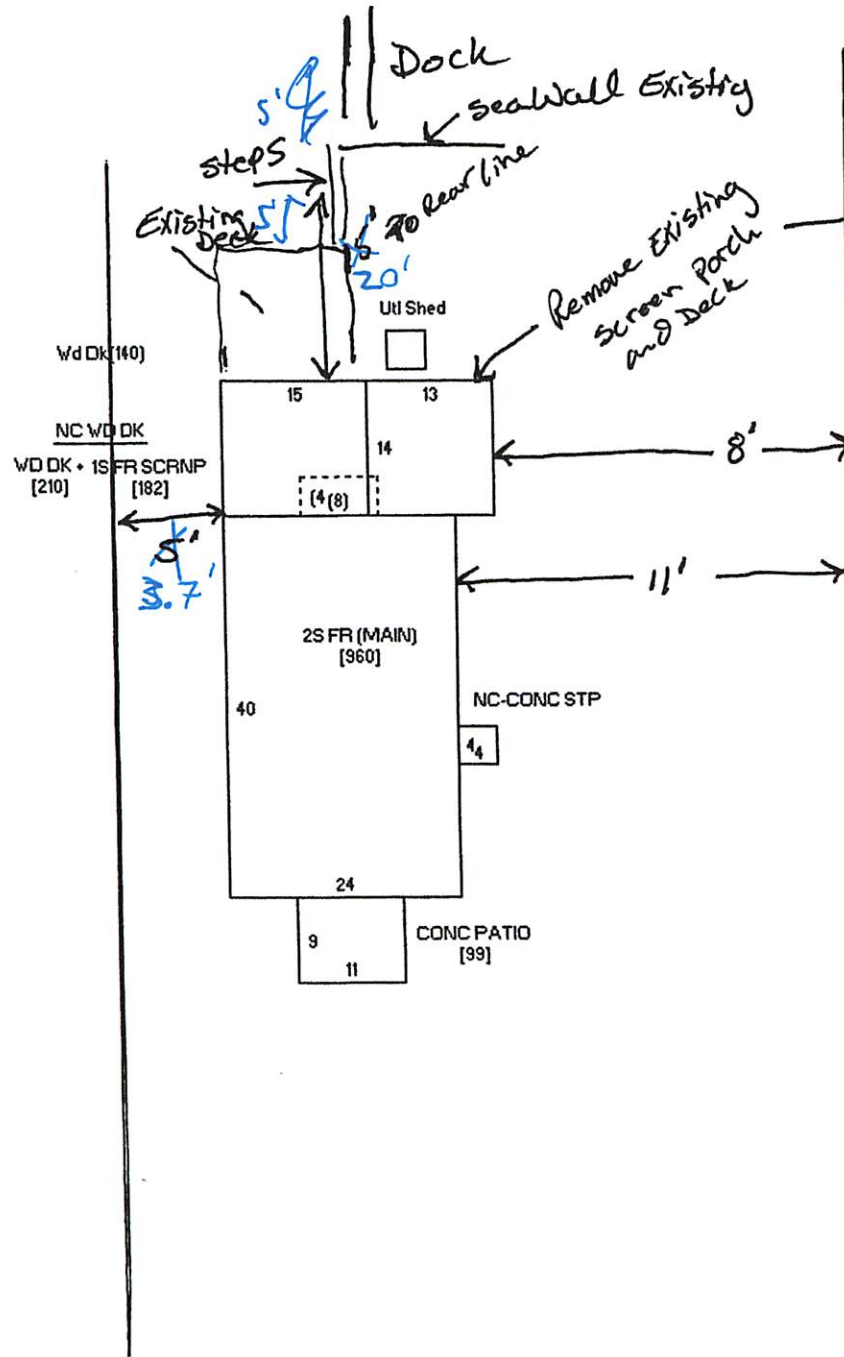


I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Benjamin Stark
 Benjamin Stark Date 10-9-19

License number 23709 Sheets covered by this seal: 1
 My license renewal date is December 31, 2019

**STARK
 SURVEYING
 INC.**



Sketch by www.camavision.com



5204 LAKEVIEW DR

5196 LAKEVIEW DR

5190 LAKEVIEW DR

5180 LAKEVIEW DR

5193 LAKEVIEW DR

15425 BAYSIDE AVE

108.65 Feet

110.1 Feet

40.38 Feet

Clear Lake

23

LAKEVIEW DR.

