

**APPLICATION/APPEAL FORM**

[For Completion by All Applicants]

Date 02-01-2021

TO: ZONING BOARD OF ADJUSTMENT  
CERRO GORDO COUNTY, IOWA

I (WE), Paul and Amy Boetelman  
(NAME)

OF 745 250th Street Britt, Iowa 50423  
(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 02-01-2021 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 22 of 96 North Township.  
The property affected is zoned R-2 according to the Cerro Gordo County Zoning District Maps. Legal description of the property is: Lot 149 ec. com at SWly cor th Nely 16.25' th Sely to a PT 65.75' SWly from Nely cor th 3.85' to Sely cor th Wly 47' to POB

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

Describe what you are proposing to do on the property affected.  
We would like a variance to give us permission to  
replace current shed with a new shed attached to house.  
Current foot print will remain the same.

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 *Saul Babin* *Amy Boetman*

-----  
**OFFICE USE ONLY**

Date Filed 2/1/21 Case Number 21-31  
Date Set for Hearing 2/23/21 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) Paul and Amy Boekelman

Type of Variance Requested The proposed addition is 8' 10" from rear lot line.  
A 30' rear yard setback is required.

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

The shed will flow well with the original foot print of the property.  
It will improve the appearance of the property.

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

We don't have any other means for storage.

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

It will blend in just like the current shed.

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

Need variance for rear property line.

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

A 30' rear yard setback is required in the R-3 District  
We will be at 8' 10" from rear set back.

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

The shed will flow well with original foot print of  
the property. It will improve the appearance of  
the property.

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

We will be able to continue to keep the outside of our  
property clutter free.

We are able to store our outdoor items inside out of the wind and rain,  
and out of the neighbors view.

Paul [Signature] Amy Boek Quae certify that

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

**Case No. 21-31**  
**Paul & Amy Boekelman (15383 1<sup>st</sup> Street)**

***Figure 1***

Looking at the proposed location of the storage addition



February 3, 2021, J. Robbins

***Figure 2***

Looking southeasterly along the rear lot line



February 3, 2021, J. Robbins

N 1st st.

39.95

West Property Line

Drive way

Existing House

East Property Line

65.75

69.6

Screened Porch

bathroom addition

Attach shed to House

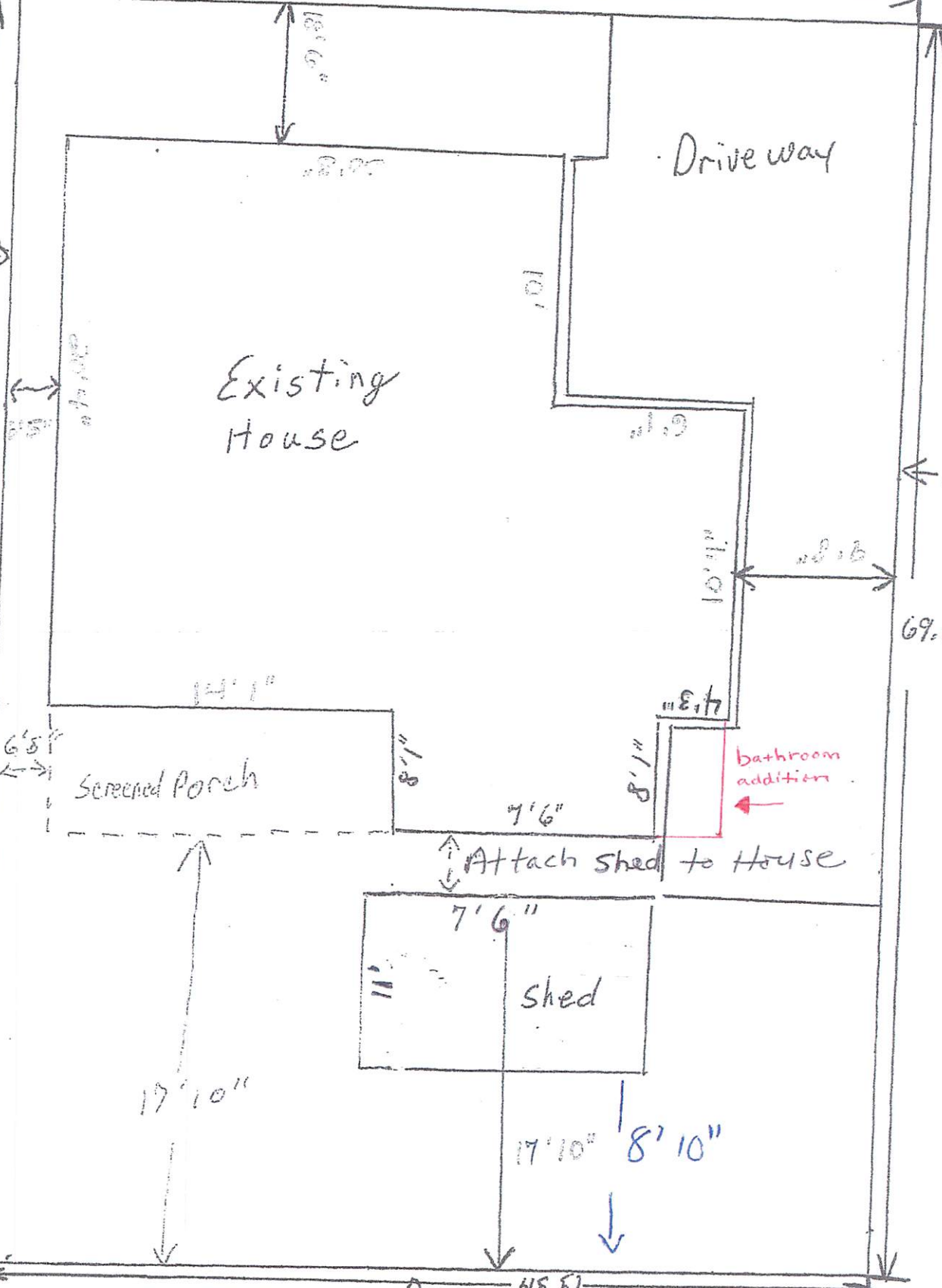
shed

17'10"

17'10" 8'10"

45.51

South Property Line





22