

PLANNING AND ZONING Cerro Gordo County Courthouse

220 N Washington Ave Mason City, IA 50401-3254 (641) 421-3075
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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

APPLICATION/APEAL FORM

[For Completion by All Applicants]

Date 9/25/2019

TO: ZONING BOARD OF ADJUSTMENT
CERRO GORDO COUNTY, IOWA

I (WE), Robert Matthew Brunekeel and Sandra Jeanette Brunekeel
(NAME)

OF 1226 S. 46th Street, West Des Moines, Iowa 50265
(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 ~~9/24~~ 9/24/2019
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 _____ of Clarke Township.

The property affected is zoned R3 according to the Cerro Gordo County Zoning

District Maps. Legal description of the property is: Lot 3 Block 8 of P.M. Park

4974 Lee Street

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) Robert Matthew Brunekal and Sandra Jeanette Brunekal

Type of Variance Requested to a zoning district requirement where there are unusual conditions or circumstances which cause a hardship

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

The shape and size of the backyard does not allow for a storage shed of adequate size to store lawn equipment, outdoor furniture, and pwc trailer without a side lot variance

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

The width of the lot at the back of the property is significantly narrower than the width at the front of the lot.

Case No. 20-19
Matt and Sandra Bruinekool (4974 Lee Street)

Figure 1

Looking at the shed



October 16, 2019, J. Robbins

Figure 2

Looking northeast along the southeast side lot line



October 16, 2019, J. Robbins

Figure 3

Looking at the shed on the neighboring property to the northwest



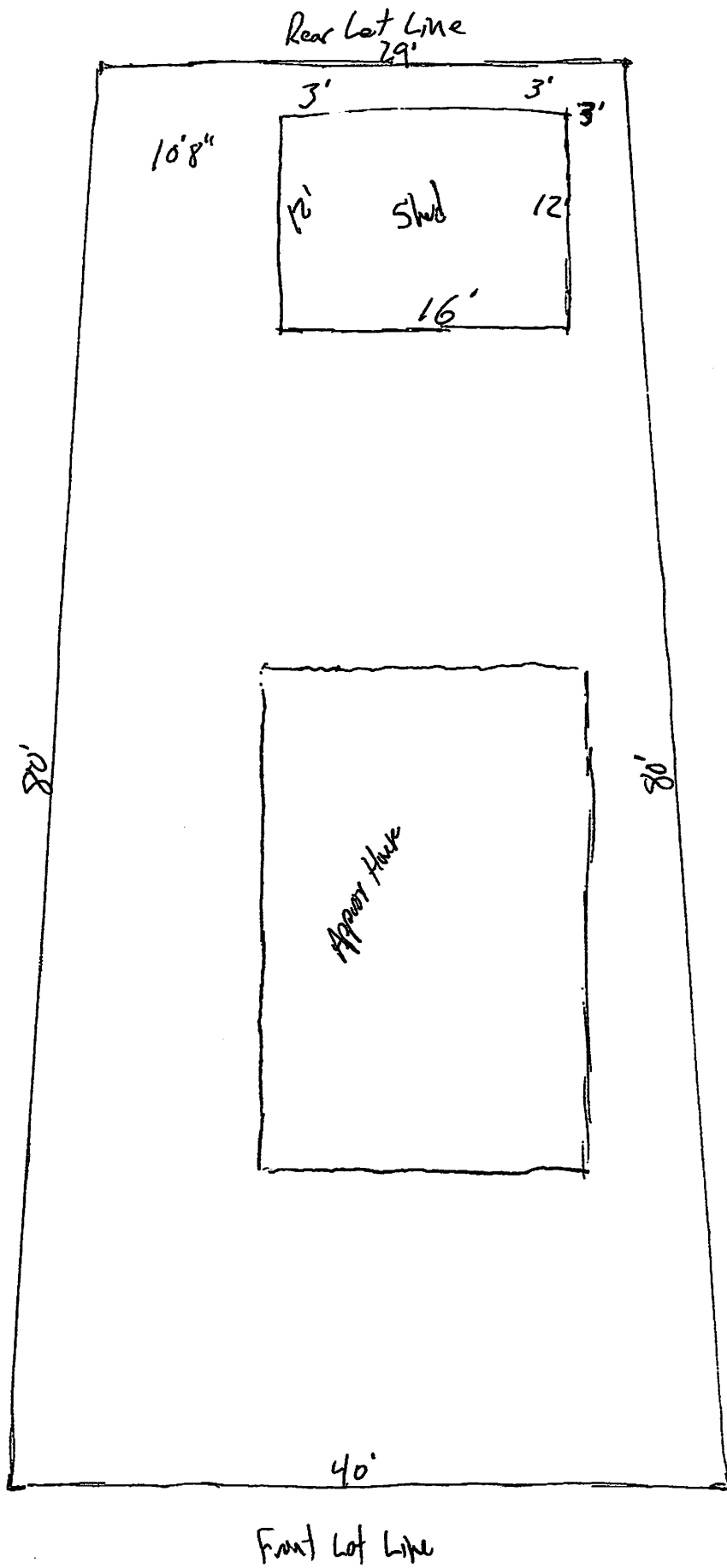
October 16, 2019, J. Robbins



22

RANEY DR.

LAMBERT DR.



Rear Lot Line

29'

3'

3'

3'

10'8"

12'

shed

12'

16'

80'

80'

Accessory House

40'

Front Lot Line

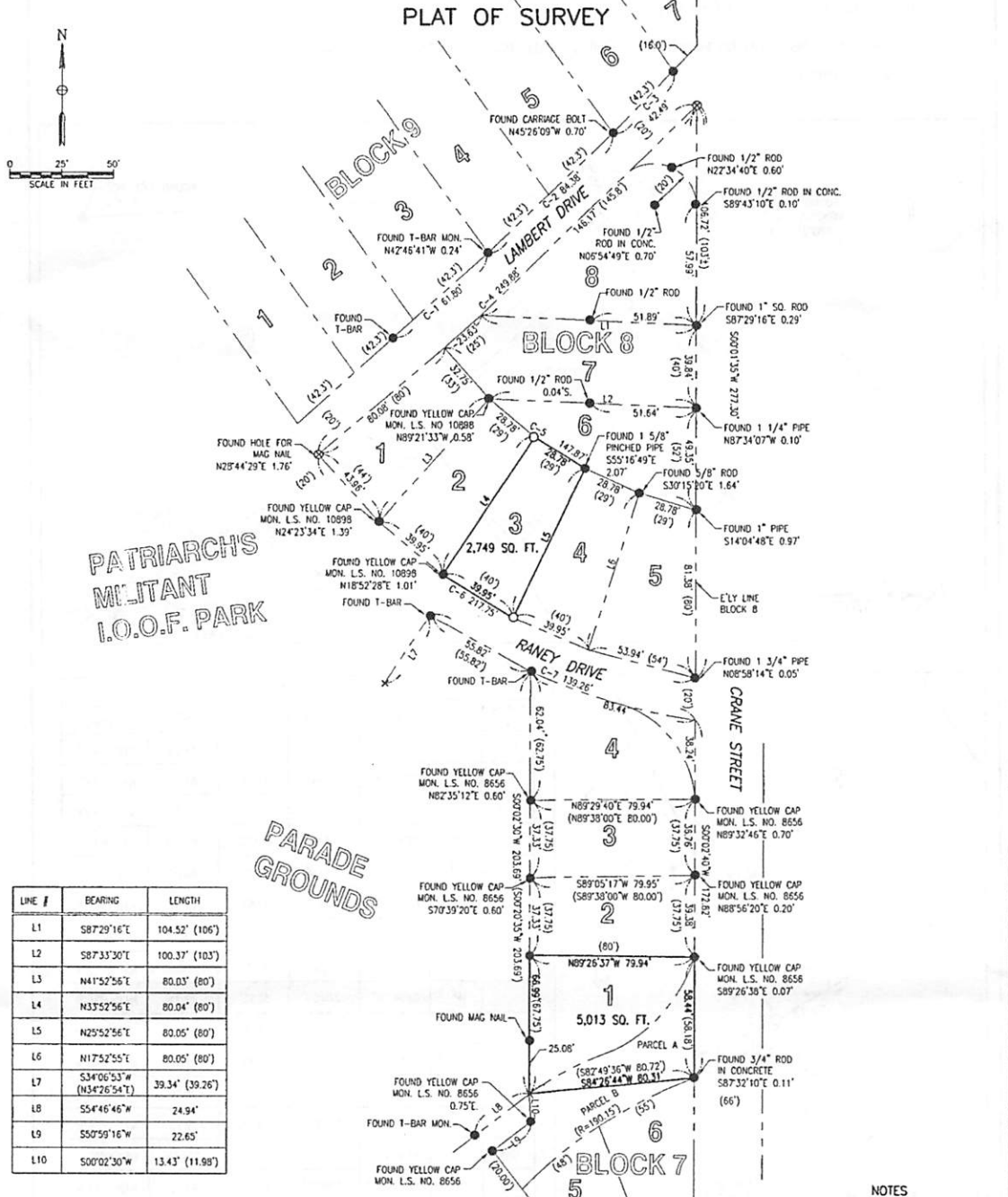
Doc. #: 2015-7561
 Type: ISUR Pages: 2 12/11/2015 09:32 AM
 R: \$10.00 - Tf: \$0.00 - M: \$1.00 - Tc: \$1 - N: \$0
 Pymt: Cash

Colleen Pearce, Cerro Gordo County Recorder



Aud

Prepared by: BRIAN J. DIEHL, L.S. 13644 10 SUMAC MASON CITY, IOWA 50401 -- (641) 512-8004



PATRIARCHS MILITANT I.O.O.F. PARK

PARADE GROUNDS

LINE #	BEARING	LENGTH
L1	S87°29'16"E	104.52' (106')
L2	S87°33'30"E	100.37' (103')
L3	N41°52'56"E	80.03' (80')
L4	N33°52'56"E	80.04' (80')
L5	N25°52'56"E	80.05' (80')
L6	N17°52'55"E	80.05' (80')
L7	S34°06'53"W (N34°26'54"E)	39.34' (39.26')
L8	S5°46'46"W	24.94'
L9	S50°59'16"W	22.65'
L10	S00°02'30"W	13.43' (11.98')

SURVEY REQUESTED BY:
 MS. CHRISTINE BRAGER
 15131 ELM STREET
 CLEAR LAKE, IOWA 50428
 PROPRIETORS LOT 1: CHRISTINE AYERS AND RAHN BRAGER
 LOT 2: LINDA J. THORNTON

LEGEND
 SET 5/8" ROD WITH BLUE L.S. CAP NO. 13644
 SET MAG NAIL
 FOUND MONUMENT AS NOTED
 CUT X
 RECORD

- NOTES
- 1) THIS SURVEY IS LOCATED IN THE SE1/4 OF SECTION 22-196N-R22W OF THE 5TH P.M., CERRO GORDO COUNTY, IOWA.
 - 2) THE E'LY LINE OF BLOCK B WAS ASSUMED TO BEAR S00°31'35"W USING GPS
 - 3) TOTAL AREA OF LOT 3 2,749 SQ. FT. LOT 1 5,013 SQ. FT.
 - 4) DATE OF SURVEY: AUGUST 22, 2015

BRIAN J. DIEHL, P.L.S.
 LAND SURVEYING SERVICES
 10 SUMAC
 MASON CITY, IA 50401
 641-512-8004
 brianjdiehlppls@gmail.com



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 Professional Land Surveyor under the laws of the State of Iowa.

Brian J. Diehl
 Date: October 24, 2015
 License number 13644.
 My license renewal date is December 31, 2015
 Sheets covered by this seal: 2