

**APPLICATION/APPEAL FORM**

[For Completion by All Applicants]

Date 5-26-20

TO: ZONING BOARD OF ADJUSTMENT  
CERRO GORDO COUNTY, IOWA

I (WE), Maints Construction Builders - Ren Loudenburg  
(NAME)

OF 801 6th Ave So - Clear Lake, Ia 52428  
(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 5-21-20 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 R-4 according to the Cerro Gordo County Zoning

District Maps. Legal description of the property is: Lots 28 & 29

Long Beach Subdivision  
Cerro Gordo County, Iowa

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

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

Replace Existing deck  
\_\_\_\_\_  
\_\_\_\_\_

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 Rm Kaufenberg

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**OFFICE USE ONLY**

Date Filed 5/26/20

Case Number 20-32

Date Set for Hearing 6/30/20

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) RON LOUDENBURG - Meints Const. Builders

Type of Variance Requested Hardship

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

N/A

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

N/A

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

Same as existing

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

When structure was constructed new a variance was previously granted.

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

Side yard setbacks are 1.6' & 4.3'. 10' setback is required in the R-4 District.

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

N/A

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

It will be replacing old decking & railing. Existing decking is deteriorating and causes safety concerns.

Rm Adamberg

certify that

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

**Case No. 20-32  
Rusticove (5796 Southshore Drive)**

**Figure 1**

Looking at the existing decks (2<sup>nd</sup> story deck removed) on the rear side of the building



May 28, 2020, J. Robbins

**Figure 2**

Looking at the existing deck and steps on the west side of the building



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**Figure 3**

Looking at the existing deck and steps on the east side of the building



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**Figure 4**

Looking southerly along the west side lot line



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**Figure 5**  
Looking southerly along the east side lot line



May 28, 2020, J. Robbins

**Figure 6**  
Looking southerly along the east side lot line



May 28, 2020, J. Robbins

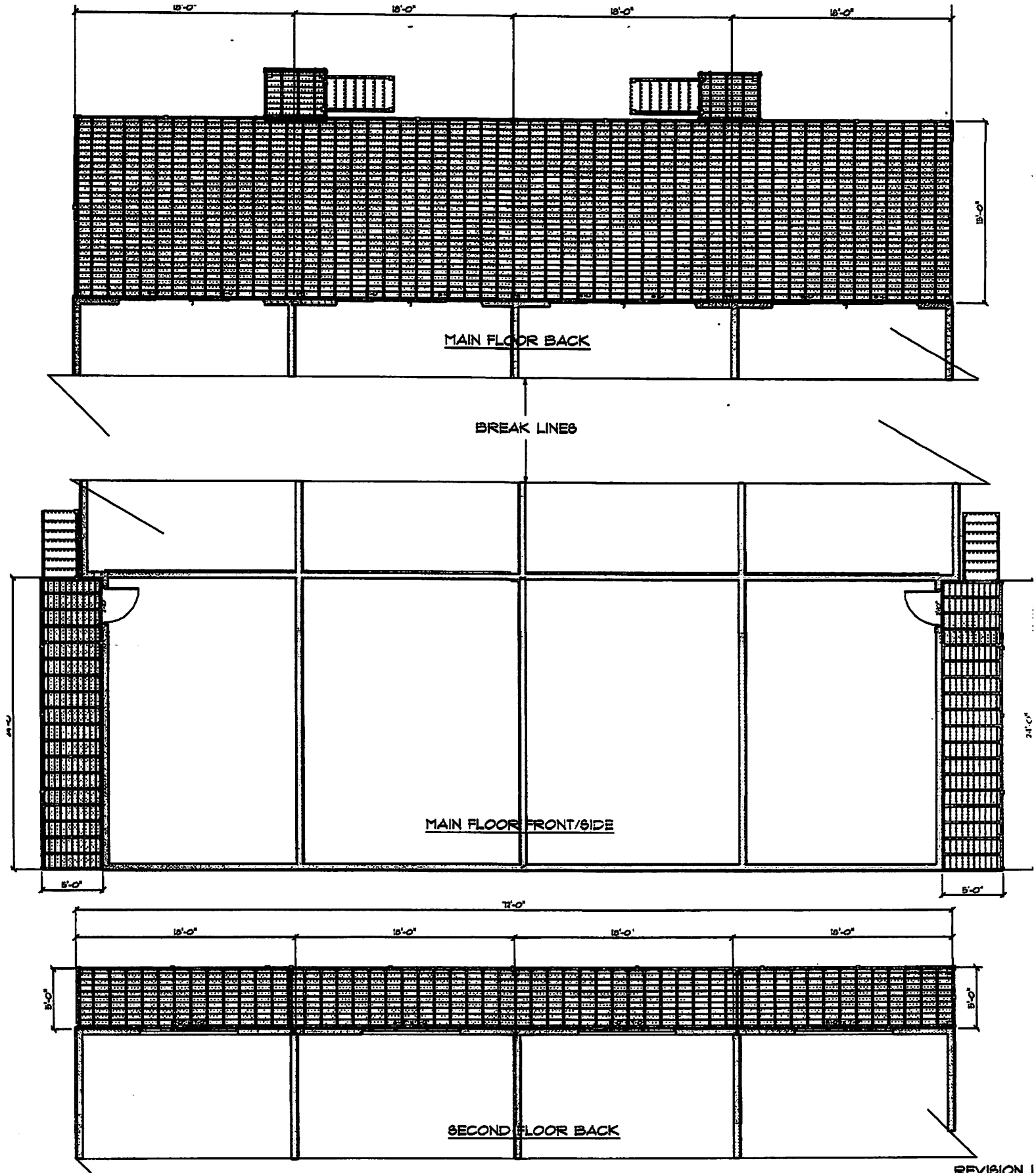


**Figure 7**  
Looking northerly along the west side lot line



May 28, 2020, J. Robbins





REVISION I

THESE GENERAL DRAWINGS ARE NOT PRODUCED BY AN ARCHITECT OR ENGINEER. ANY QUESTIONS CONSULT AN ARCHITECT TO DETERMINE STRUCTURAL REQUIREMENTS AND BUILDING CODES. MP HOME DESIGN ASSUMES NO RESPONSIBILITY FOR SITE CONDITIONS, CLAIMS OR DAMAGES ARISING FROM ERRORS, OMISSIONS, AND DEFECTS OF THESE DRAWINGS.



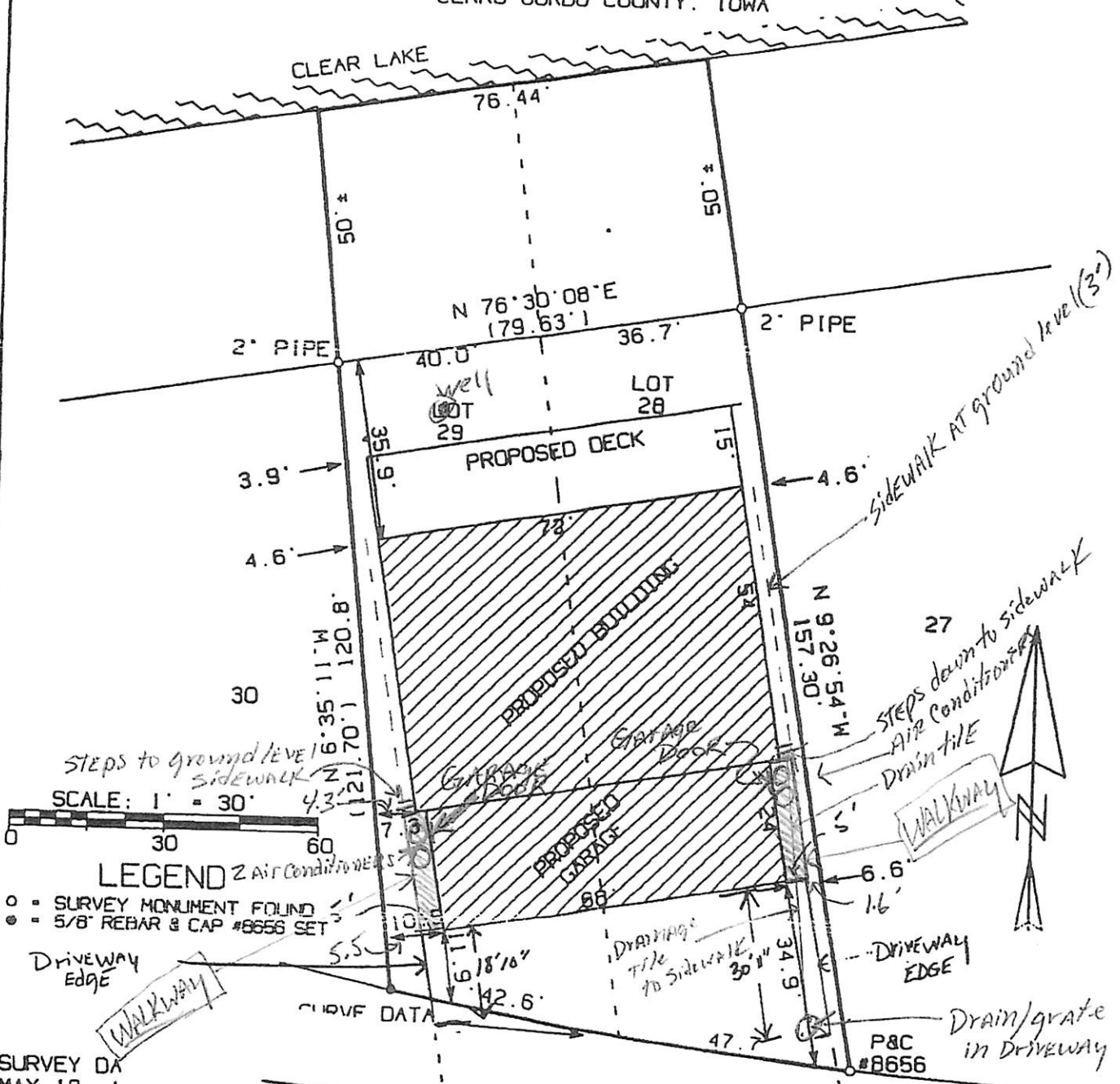
Home Design

MEGAN PETERSON  
 708.638.5298  
 MEGAN@MPHOMEDSIGN.COM  
 WWW.MPHOMEDSIGN.COM  
 BASED OUT OF CLEAR LAKE, IA

RUSTIC & CLEAR LAKE CONDO'S  
 FLOOR PLANS  
 Friday, January 10, 2020

### PROPOSED BUILDING SITE

LOTS 28 & 29  
LONG BEACH SUBDIVISION  
CERRO GORDO COUNTY, IOWA



SCALE: 1" = 30'

#### LEGEND

- = SURVEY MONUMENT FOUND
- = 5/8" REBAR & CAP #8656 SET

SURVEY DA  
MAY 19, 1

SURVEY RE  
ROBERT KI

LEGAL DE  
LOTS 28  
OF ROAD  
PLAT OF  
LOT 1 II  
CERRO G

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Clear Lake

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**SOUTH SHORE DR**

