

APPLICATION/APPEAL FORM

[For Completion by All Applicants]

Date 11-8-18

TO: ZONING BOARD OF ADJUSTMENT
CERRO GORDO COUNTY, IOWA

I (WE), Anthony Heldorfer
(NAME)

OF 2522 S. shore Dr. Clear Lake IA 50428
(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 Nov 8th 2018 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 25 of Clear Lake Township.

The property affected is zoned A-1 according to the Cerro Gordo County Zoning

District Maps. Legal description of the property is: 6201 South Shore Dr. located on governmat lot 7 in the NW 1/4 section 25, Clear Lake Township.

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

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

Build a 72' x 200' building that would include a house in it
as well as a ~~garage~~ garage and workshop. The house would become
my primary residence. The garage and workshop are for my own
personal use.

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 Anthony Helledal

OFFICE USE ONLY

Date Filed 11-9-18

Case Number 19-15

Date Set for Hearing 11-27-18

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) Anthony Helderfer

Type of Variance Requested Hardship variance to build house/shop

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

The size and shape of the property would make it hard to
build within the setbacks. The ~~west~~ end of property with required
setbacks would only allow for a 26' building area remaining.

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

The property is surrounded by trees and no adjoining residences
near by. State of Iowa property surrounds the property. The property is
shallow in depth.

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

Currently the property has dead trees along the road and in the property. If a variance is approved, a new structure with some new vegetation screening will enhance the property and give it life.

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

The property was purchased from the previous owners to become my residence with the hope of adding a workshop. Due to a tragic fire that consumed the house, I am left with no option but to build from the loss.

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

It would be difficult to build on the property within the setbacks. The new build would allow for more setback on the south property line than the current house structure that existed.

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

The current structure that is burnt is currently only 6' from the rear lot line. The north end of the current burnt structure is ~~at the same~~ less than the 50' front line setback.

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

The placement of buildings on the property will not effect the health of residents as well as have no safety concerns.

I, Anty Reed

certify that

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

Case No. 19-15
Anthony Helderfer (6021 Southshore Drive)

Figure 1

Looking southwest at the west half of the lot



November 14, 2018, J. Robbins

Figure 2

Looking southeast at the east half of the lot



November 14, 2018, J. Robbins

Figure 3

Looking at the existing state of the destroyed house



November 14, 2018, J. Robbins

Figure 4

Looking west along the front property line from the driveway



November 14, 2018, J. Robbins

Figure 5

Looking east along the front lot line from the west side lot line



November 14, 2018, J. Robbins

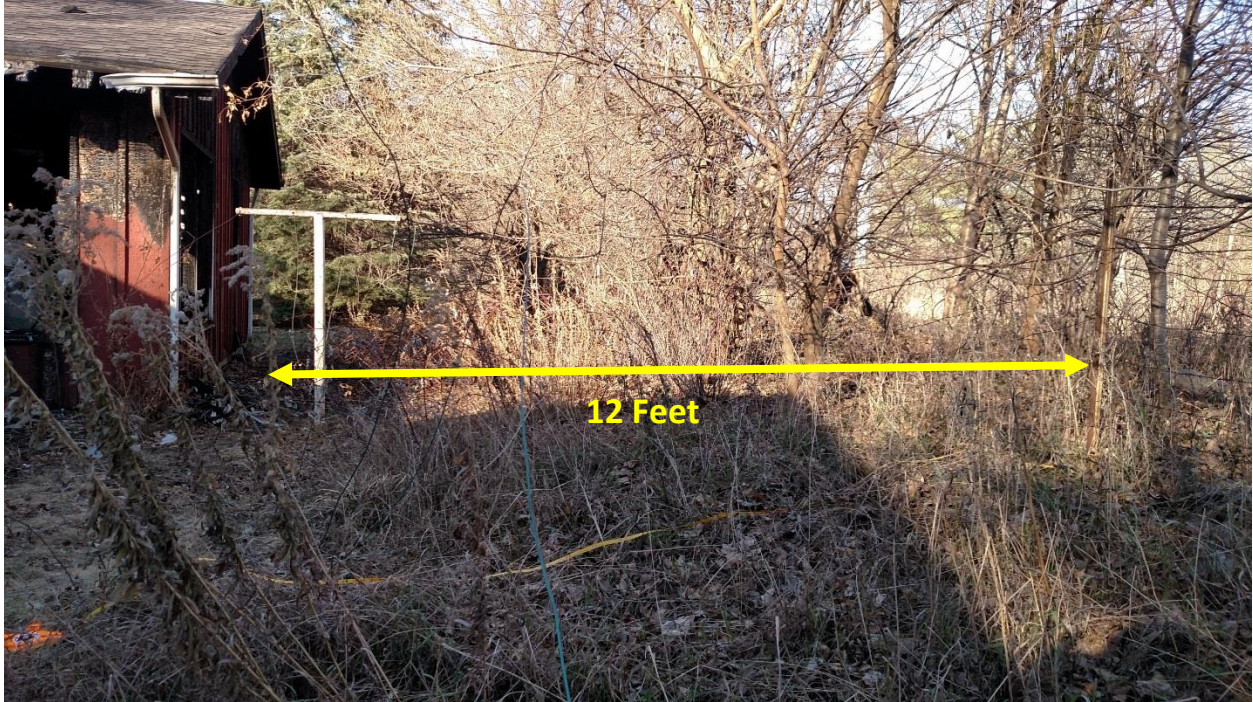
Figure 6

Looking east along the front lot line from the east side lot line



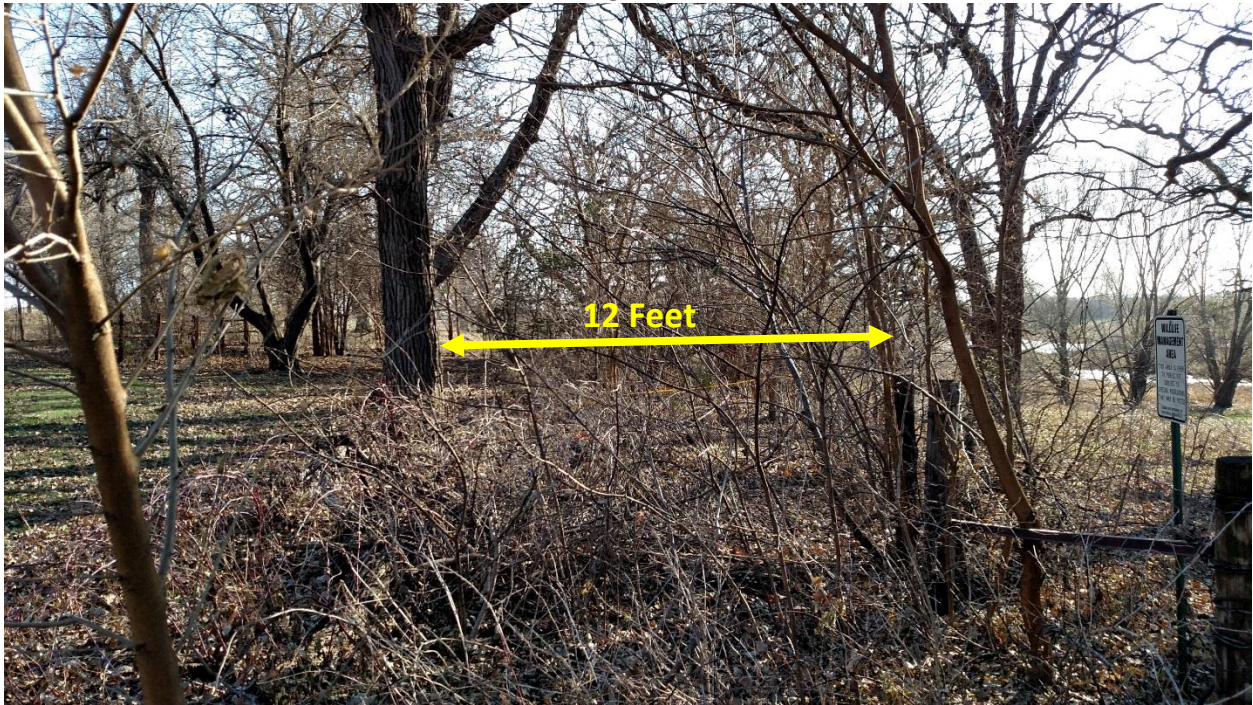
November 14, 2018, J. Robbins

Figure 7
Looking north along the east side lot line



November 14, 2018, J. Robbins

Figure 8
Looking south along the west side lot line



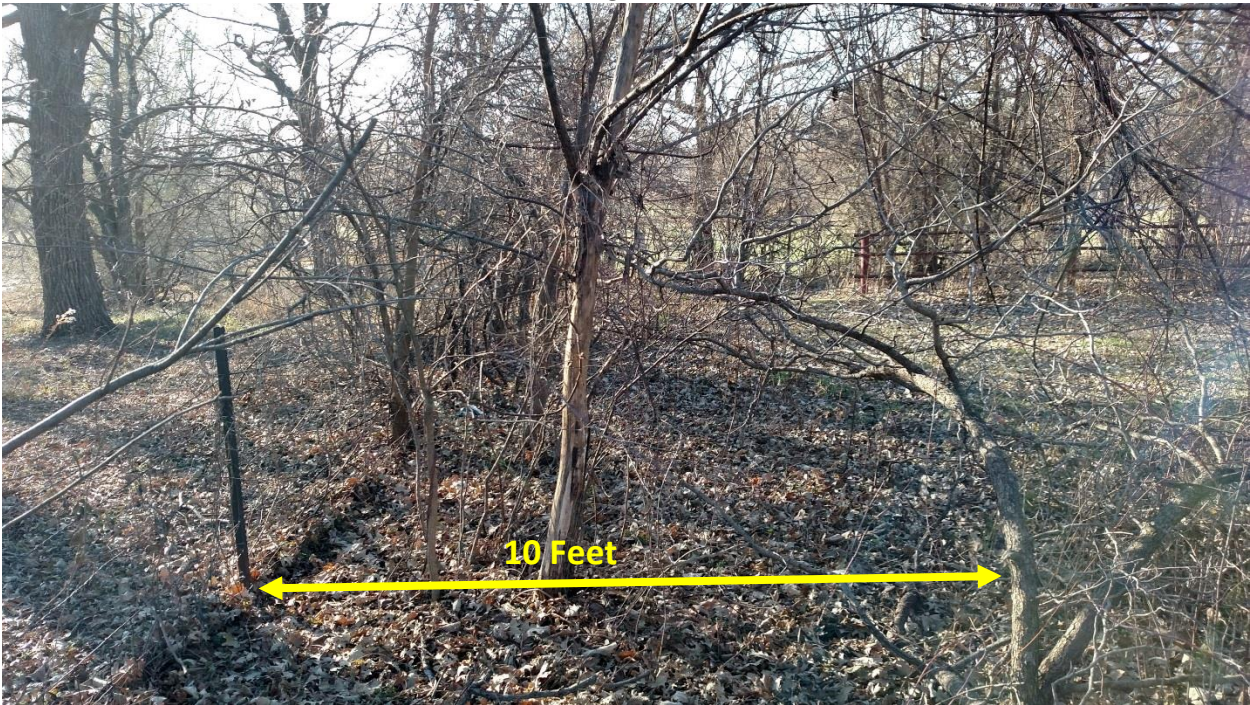
November 14, 2018, J. Robbins

Figure 9
Looking east along the rear lot line



November 14, 2018, J. Robbins

Figure 10
Looking west along the rear lot line line



November 14, 2018, J. Robbins

Figure 11

Looking at Clear Lake State Park to the north of the acreage



November 14, 2018, J. Robbins

Figure 12

Looking at the farmland to the east of the acreage



November 14, 2018, J. Robbins

Figure 13

Looking at the abandoned golf course/wetlands to the west of the acreage



November 14, 2018, J. Robbins

Figure 14

Looking at the east half of the lot from Southshore drive



November 14, 2018, J. Robbins

Figure 15

Looking at the west half of the lot from Southshore drive



November 14, 2018, J. Robbins

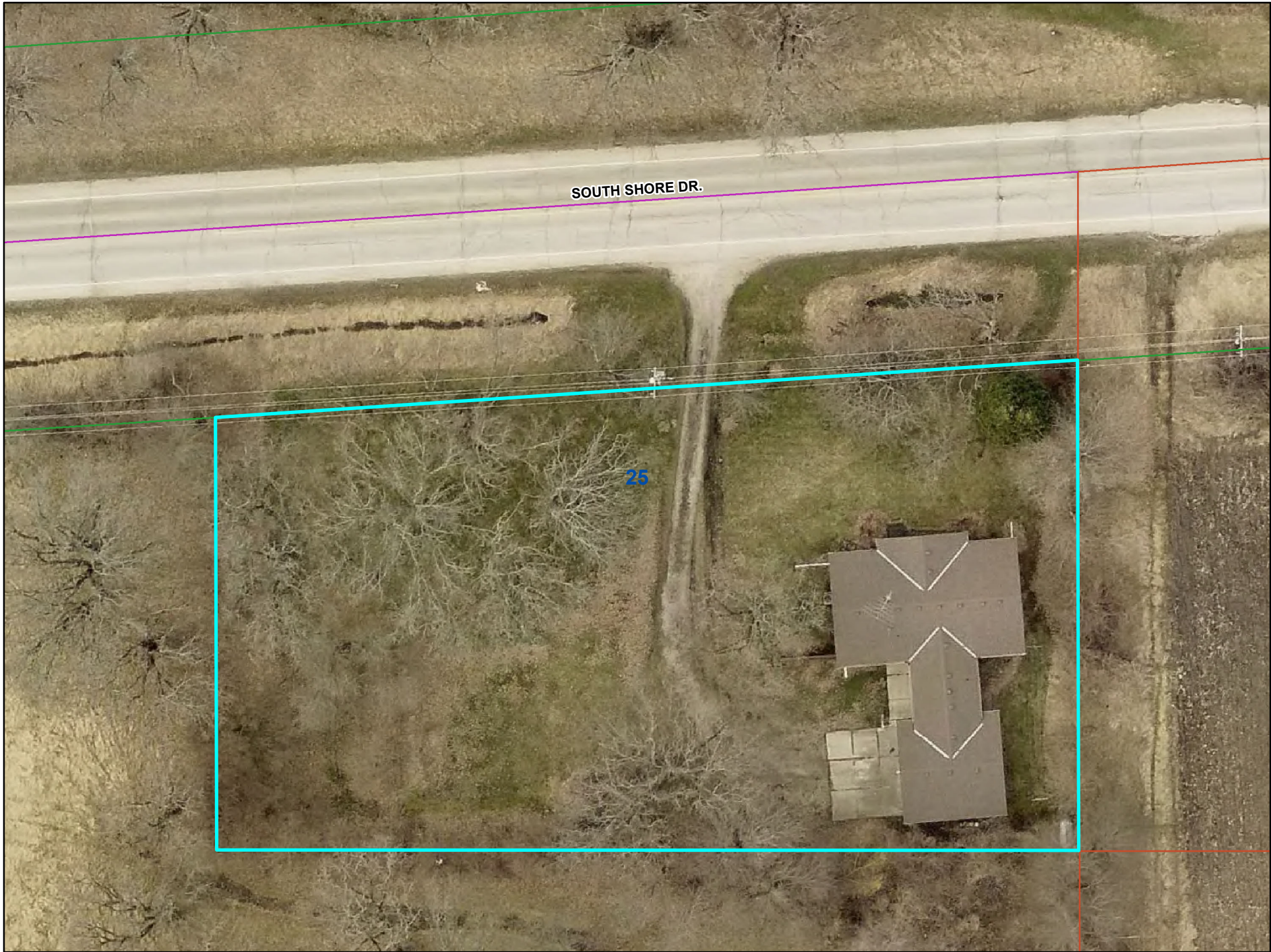


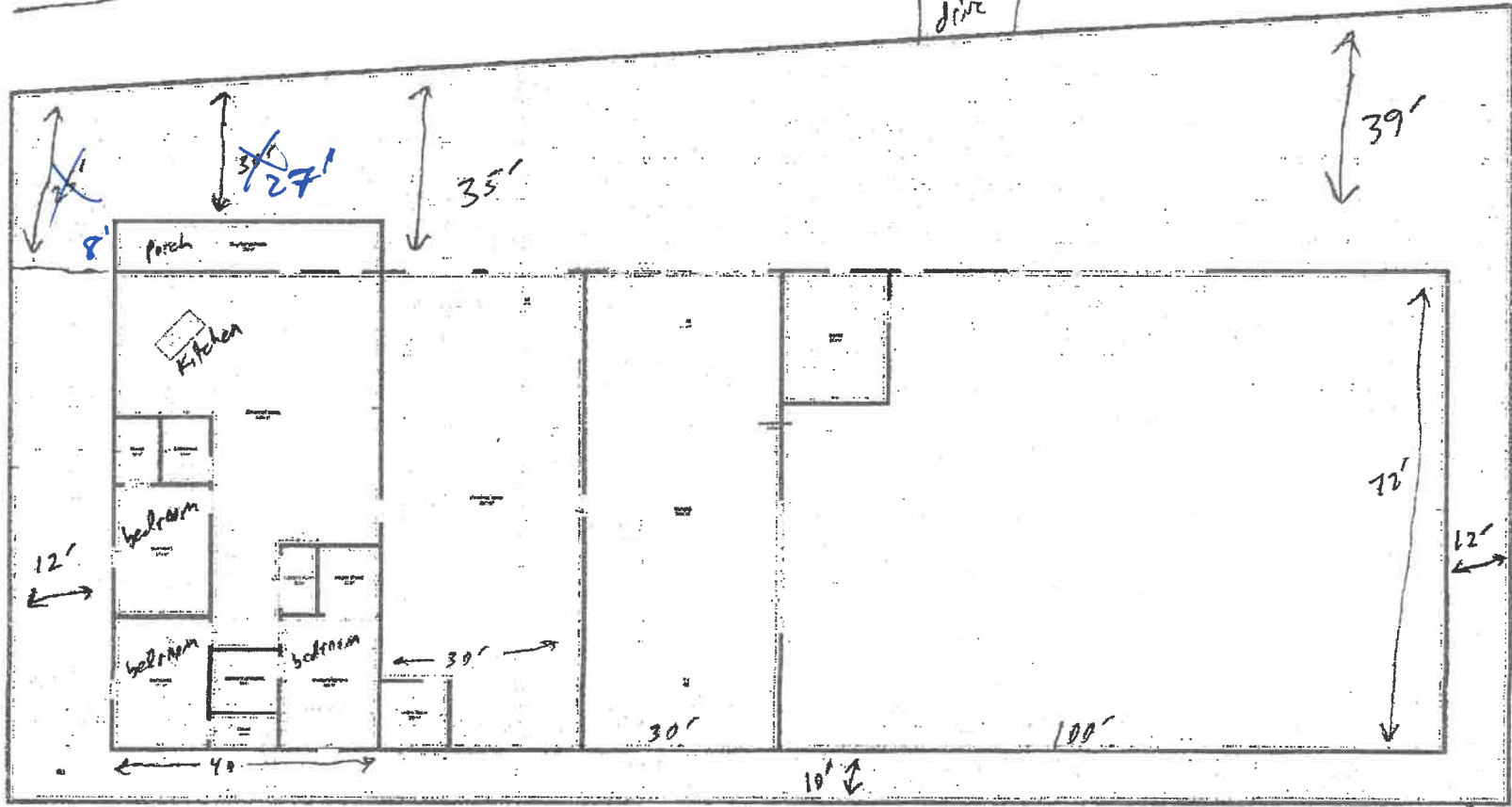
6201 S SHORE DR

20 ft
5 m

SOUTH SHORE DR.

25





↑
10' ↓
↑
property line