



PLANNING AND ZONING Cerro Gordo County Courthouse

220 N Washington Ave Mason City, IA 50401-3254
Tom Meyer, Zoning Administrator
Michelle Rush, Assistant Zoning Administrator

(641) 421-3075
FAX (641) 421-3088
plz@cerrogordo.gov

SPECIAL EXCEPTION STAFF REPORT

SUMMARY OF REQUEST

Case No.: 24-25

Hearing Date: June 24, 2025

Staff Contact: Michelle Rush, Assistant Zoning Administrator

Applicant:

Owner:

Barry Nielsen – Contract Purchaser
2208 243rd St
Ventura, IA 50482

Property Address: 2208 243rd St, Ventura, IA 50482

Brief Legal Description: Lots 4 & 9-12, Blk 6, Ventura Heights, Clear Lake Township

Zoning: R-3 Single Family Residential District

Background

The applicant is proposing to construct a 44'x68' addition on the east side of the existing dwelling that will then extend south towards 243rd Street and also north onto vacant Lot 4 lying between 2207 244th Street and 15398 Bittersweet Ave. The cabin on Lot 9 has been removed. The existing dwelling is 928 square feet in size and does not include a garage. The existing dwelling was constructed in 1950.

SPECIAL EXCEPTION REQUEST		
Structure	Request(s)	Requirement(s)
44'x68' 1-story dwelling addition	15' front yard setback 15' rear yard setback	30' front yard setback is required 30' rear yard setback is required

FINDINGS OF FACT

1. Barry Nielsen is the contract purchaser of lots 4 and 9-12.
2. The proposed addition will be constructed on lots 4 and 9-10.
3. The property is zoned R-3 Single Family Residential.
4. The proposed addition will be 15' from the front lot line (243rd Street).
5. The proposed addition will be 15' from the rear lot line of lot 10.
6. A 30' front yard setback is required in the R-3 District.
7. A 30' rear yard setback is required in the R-3 District.
8. All other setbacks in the R-3 district will be met.
9. The existing dwelling on lot 9 has been removed.
10. The application was filed on May 13, 2025.

ANALYSIS

The Board of Adjustment is provided the power to grant special exceptions under Section 24.4(A)(2) of the Zoning Ordinance. The Board may grant special exceptions to bulk standards of the ordinance if, in its judgement, the standards established in Section 24.4(A)(2)(a) are met. In its review, the Board may attach certain conditions to any special exception granted in order to observe the spirit of the Zoning Ordinance and Comprehensive Plan and mitigate any potential impacts that may directly result from the requested special exception.

Discussion of Standards of Review

- 1. Strict compliance with the standards governing setback, frontage, height, or other bulk provisions of this ordinance would result in a practical difficulty upon the owner of such property and only where such exception does not exceed 50 percent of the particular limitation or number in question.***

The existing dwelling straddles two separate lots (Lots 10-11) owned by the applicant; the lots are contiguous and will be used as a unit under the provisions of the Zoning Ordinance. The addition will be on the east side of the dwelling and will also extend north onto Lot 4. The proposed addition will be 15' from the front lot line (243rd St) and 15' from the rear lot line of Lot 10 which does not exceed 50% of the respective 30' required front and rear yard setback requirement. The standard appears to be met.

- 2. The exception relates entirely to a permitted use (principal, special, or accessory) classified by applicable district regulations, or to a permitted sign or off-street parking or loading areas accessory to such a permitted use.***

A single-family dwelling is a principal permitted use in the R-3 District. The standard appears to be met.

- 3. The practical difficulty is due to circumstances specific to the property and prohibits the use of the subject property in a manner reasonably similar to that of other property in the same district.***

The applicant owns Lots 9-12 and also Lot 4 which results in a L shape to the parcels. The existing dwelling is already close to the rear lot line of Lot 10. Any addition to the side of the existing dwelling would require a special exception. The standard appears to be met.

- 4. A grant of the special exception applied for, or a lesser relaxation of the restriction than applied for, is reasonably necessary due to practical difficulties related to the land in question and would do substantial justice to an applicant as well as to other property owners in the locality.***

As stated above, due to the placement of the existing dwelling on the lots, any addition to the sides of the dwelling would require a special exception to the required rear yard setback. There is also an existing well located in front of the dwelling in the southwest corner of Lot 10. The applicant would prefer the addition to be in line with the rear of the existing dwelling. However, the addition will be moved to the south to meet 50% of the required rear yard setback. The standard appears to be met.

5. Such practical difficulties cannot be overcome by any feasible alternative means other than an exception.

The existing dwelling is approximately 6' from the rear lot line. Any proposed addition to the east side of the dwelling would require a rear yard special exception. There is a well in the southwest corner of Lot 10 which is in front of the existing dwelling. The standard appears to be met.

6. Relief can be granted in a manner that will not alter the essential character of the locality.

The proposed addition will not alter the essential character of the neighborhood. The standard appears to be met.

Discussion of Potential Impacts to Immediate Area

The applicant is trying to clean up the lots. The smaller cabin on Lot 9 has been removed. The 18' wide portion of the addition that will be constructed on Lot 4 will be 54' from 244th Street and should not impact any views of the neighbors to the east or west. There will be no significant impacts to the immediate area.

Staff Conclusions and Recommendation

Staff recommends approval of the request. All standards of review appear to have been met, and there are no foreseeable negative impacts as a direct result of the proposed new dwelling.

BOARD DECISION

The Board of Adjustment may consider the following alternatives:

Alternatives

1. Grant the requested special exceptions subject to any conditions as deemed necessary by the Board.
2. Grant relief less or different from the requested special exception by modifying the requested special exception.
3. Deny the requested special exception.

The following motions are provided for the Board's consideration:

Provided motion of approval:

- I move to adopt the staff report as the Board's findings and to approve the special exception as requested by Barry Nielsen, subject to the following conditions:
 1. All construction shall comply with the application submitted on May 13, 2025 and the updated site plan received on June 11, 2025.
 2. No construction shall begin until a Zoning Permit has been issued by the Planning and Zoning Office.

Provided Alternate Action:

- I move to adopt the staff report as the Board's findings and to approve a special exception with the following changes (list changes).

1. No construction shall begin until a Zoning Permit has been issued by the Planning and Zoning Office.

Provided motion of denial:

- I move to adopt the staff report as the Board's findings and to deny the special exception as requested by Barry Nielsen for the following reasons:
[STATE REASONS FOR DENIAL]

EXHIBITS

- | |
|--|
| <ul style="list-style-type: none">• Exhibit 1: Figures 1-8 photos• Exhibit 2: Special Exception Application dated May 13, 2025• Exhibit 3: Dwelling Addition Site Plan• Exhibit 4: Parcel Highlight |
|--|

Figure 1

Looking at proposed addition site on east side of dwelling



Figure 2
Proposed location of addition 15' from the front lot line



Figure 3
Looking from west to east along proposed front of addition 15' from front lot line



Figure 4
looking east to west along rear (north) lot line of Lot 10 and rear of addition



Figure 5
Looking north towards 244th St at location of 18' wide living room addition on Lot 4



Figure 6

Looking south at location of east wall of addition on Lot 4



SPECIAL EXCEPTION APPEAL

APPLICATION

Date Filed 5-13-24

Date Set for Hearing 6-24-25

Case Number: 24-25

Applicant Name: Barry Nielsen

Phone: 641-590-7344

E-Mail: Benn395@gmail

Mailing Address: 2208 243RD ST VENTURA, IA 50482

Property Owner Name: Barry Nielsen

Phone: 641 590 7344

E-Mail: SAME

Property Owner Address: SAME

Property Description (Not to be used on legal documents): Parcel # _____ Township CLEAR LAKE

Property Address: 2208 243RD ST VENTURA, IA 50482 Zoning: R3

Brief Legal Description:

Project Description

DWELLING addition

Decision Date: 5-12-25

Special Exception(s) Requested (As cited on results from denied Zoning Permit Application)

Front and Rear Set Back.

Criteria Justifying Special Exception under Standards for Review (You may add more details in the Additional Information)

I am the ☒ Owner ☐ Contract Purchaser ☐ Other (Explain) _____

_____ of the property affected.

I, the applicant, being duly sworn, depose and say that I am the owner, or that I am authorized and empowered to make affidavit for the owner, who makes the accompanying application; that the application and plan are true and contain a correct description of the proposed building, lot, work, and use to which the structure is to be placed if a special exception is granted. The Planning & Zoning staff is also given permission to enter the above property in reviewing this Application.

Applicant Signature



Date 05-13-25

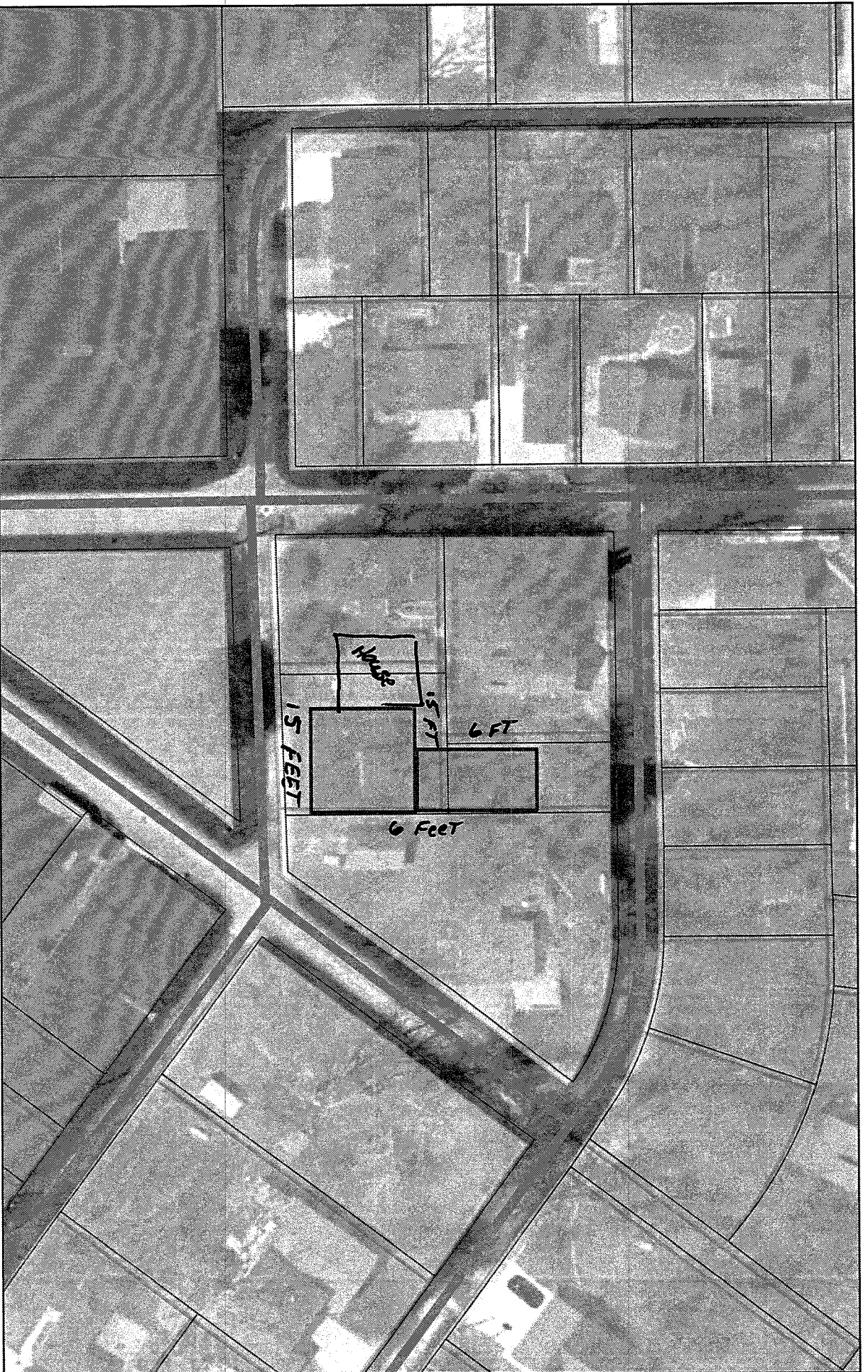
SPECIAL EXCEPTION APPEAL

ADDITIONAL INFORMATION

Please provide any additional details below needed to fully address the standards for review and any potential impacts to the immediate vicinity that may directly result from the special exception requested.

- We are requesting 50% of the Required Front and rear setback.
- addition to House on Lot 10 and 11 and i have removed the House on Lot 9.
- The Lots are shaped like an L and the well is in the southwest corner of Lot 10.
- I am working with adding to Home that is already close to the Rear Lot Line of Lot 10.
- any addition will require a special exception.
- this will only help the look of the area.

ArcGIS Web Map



6/11/2025, 3:21:12 PM

☐ Parcel Features

Zoning

☐ R-2 Single Family Residential

☐ R-3 Single Family Residential

☐ Public Roads

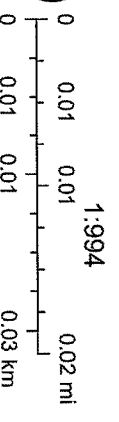
World Imagery

Low Resolution 15m Imagery

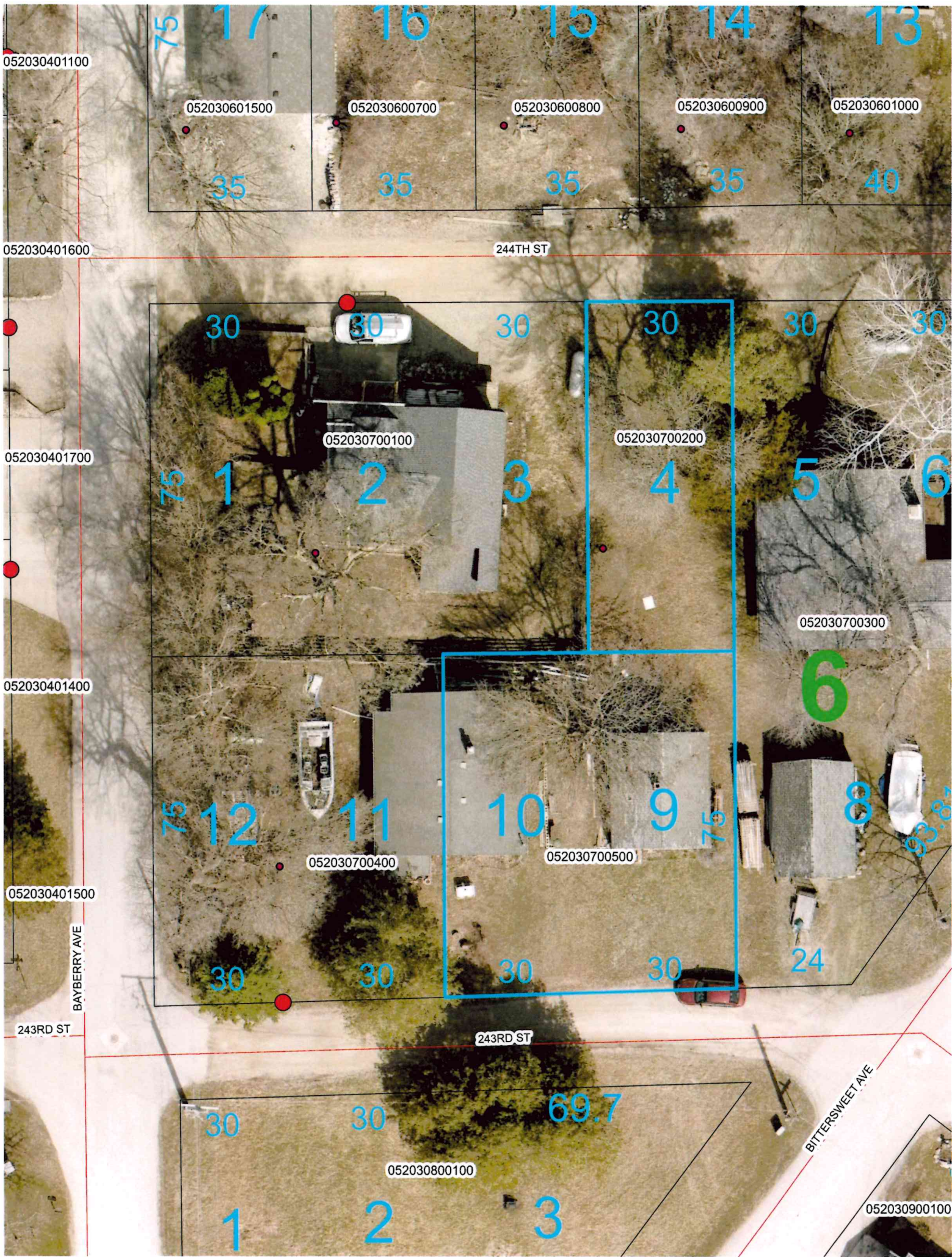
High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations



Cerro Gordo County GIS, Iowa DNR, Cerro Gordo County, Maxar, Microsoft



052030401100

052030601500

052030600700

052030600800

052030600900

052030601000

052030401600

244TH ST

052030401700

052030700100

052030700200

052030401400

052030700300

052030401500

052030700400

052030700500

BAYBERRY AVE

243RD ST

243RD ST

BITTERSWEET AVE

052030800100

052030900100