

APPLICATION/APPEAL FORM

[For Completion by All Applicants]

Date 6-6-19

TO: ZONING BOARD OF ADJUSTMENT
CERRO GORDO COUNTY, IOWA

I (WE), Buck's UPI Inc
(NAME)

OF PO Box 402 Manly IA 50456
(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 _____ 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 _____ according to the Cerro Gordo County Zoning

District Maps. Legal description of the property is: _____

I am the Owner Contract Purchaser Other (Explain) _____
209166 Monroe Av Mason City IA of the property affected.

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

Building and putting in a scale

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 

OFFICE USE ONLY

Date Filed 6/17/19 Case Number 19-32
Date Set for Hearing 6/25/19 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) Buck's UPI Inc.

Type of Variance Requested Set back / Seperation distance

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

Set back of building is not in a far enough distance from residential property and scale can not be put in a usable place and is necessary for our business.

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

It is an auto recycling facility.

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

Everything will be behind a fence and will not have much effect. The building will be tall but set back approximately 150 feet from road.

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

Existing salvage yard in a residential area that can't control.

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

The scale is within 50ft of property line and building within 200ft of residential area.

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

This is grandfathered.

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

It is only a building and scale in a fenced in area.

I,  certify that

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

Case No. 19-32
Buck's UPI, Inc. (20966 Monroe Street)

Figure 1

Looking at the proposed location of the machine building



June 12, 2019, J. Robbins

Figure 2

Looking at the proposed location of the truck scale



June 12, 2019, J. Robbins

Figure 3

Looking at sections of the truck scale that will be placed onsite



June 12, 2019, J. Robbins

Figure 4

Looking at the nearest residence to the southeast



June 12, 2019, J. Robbins

Figure 5

Looking at the fence and vegetative screening along Monroe Street



June 12, 2019, J. Robbins

Figure 6

Looking at the vegetative screening along the south property line



June 12, 2019, J. Robbins

Figure 7

Looking at the fence directly east of the proposed truck scale location



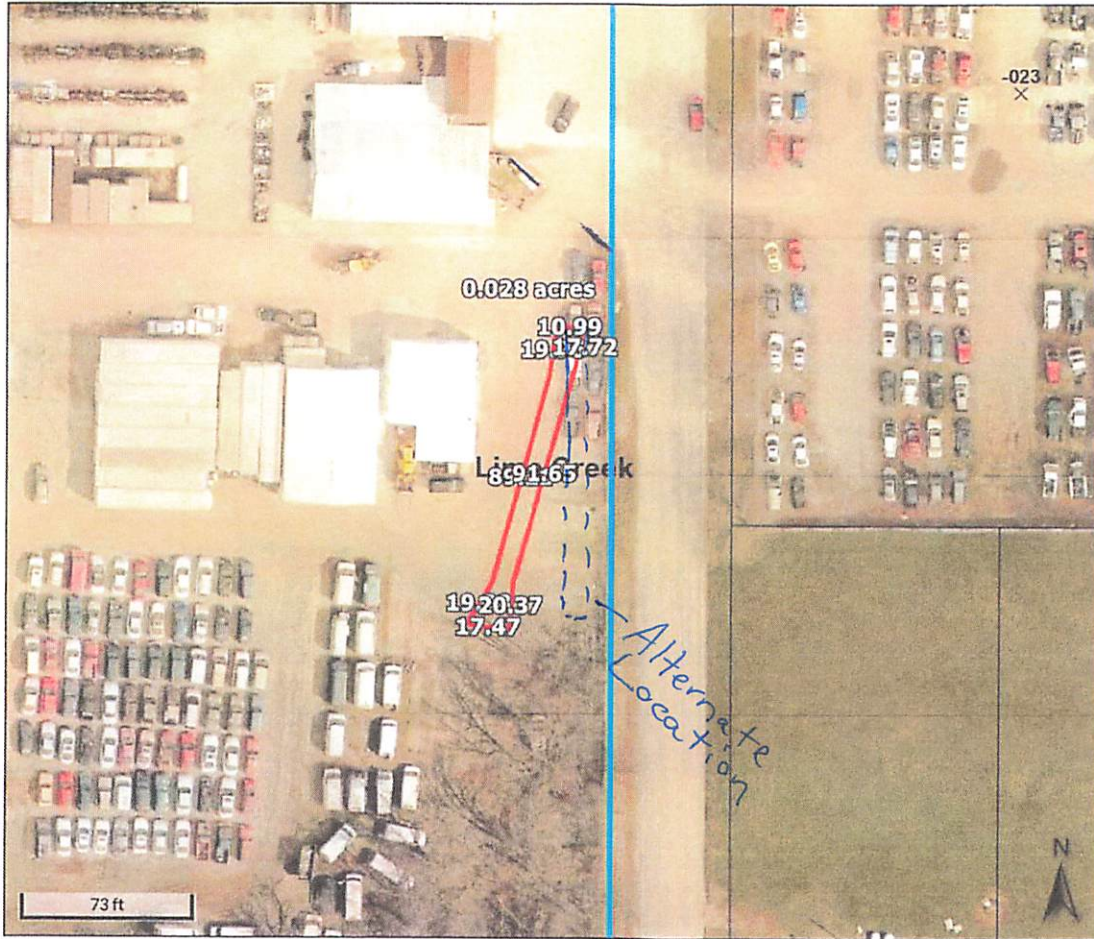
June 12, 2019, J. Robbins

Figure 8

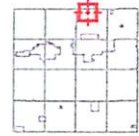
Looking easterly toward the area south of the proposed scale location



June 12, 2019, J. Robbins



Overview



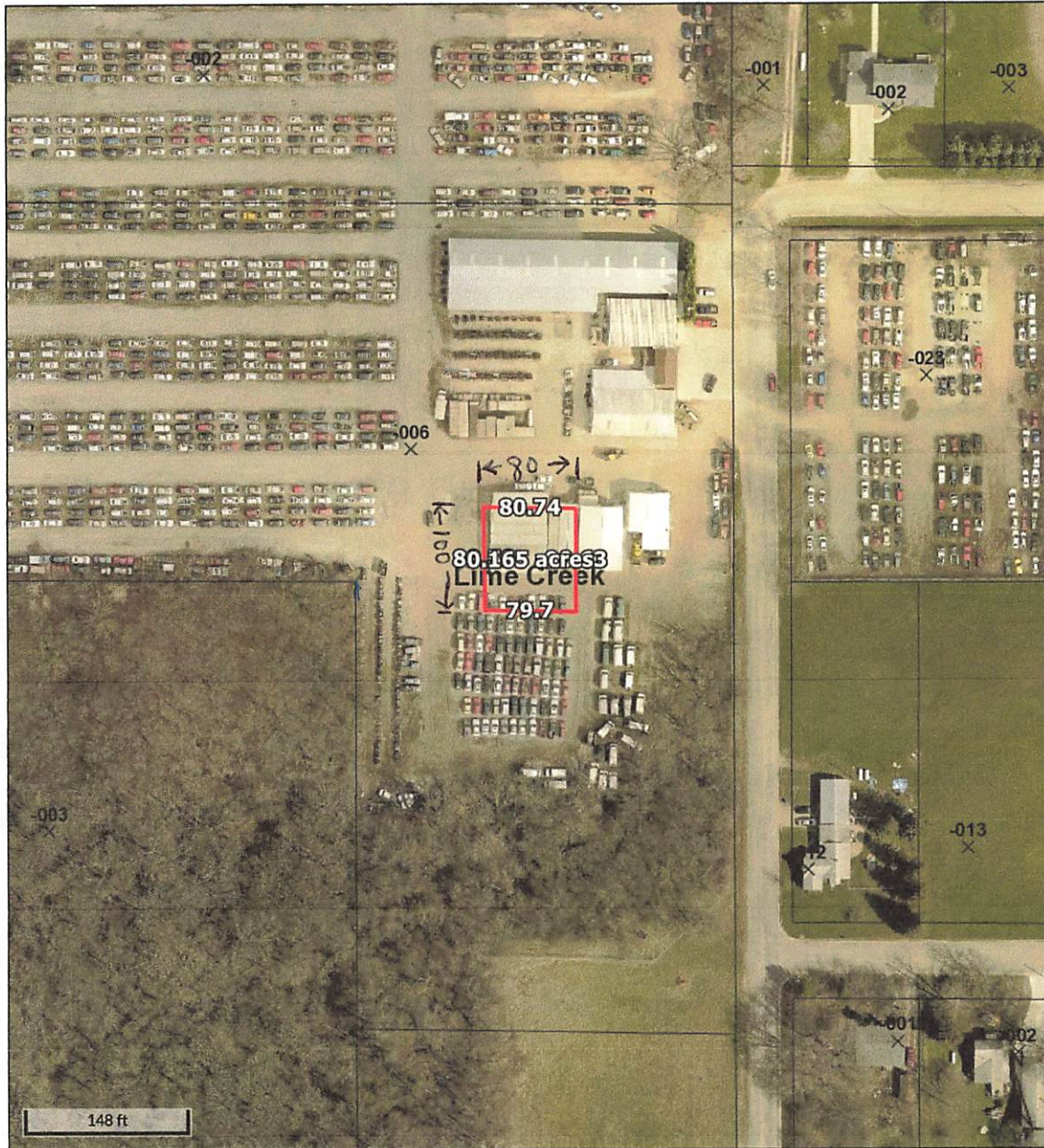
Legend

- x Parcel Point
- Parcels
- Corporate Limits
- Political Township

Parcel ID	032810100900	Alternate ID	n/a	Owner Address	VANHORN AUTO PARTS, INC
Sec/Twp/Rng	n/a	Class	C		20966 MONROE ST
Property Address	20966 MONROE ST	Acres	8.16		MASON CITY IA 50401
	MASON CITY				
District	19055				
Brief Tax Description	N 725' E 349' & N 330.7' OF W 398' OF E 747' NW NW 28-97-20				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 5/6/2019
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Developed by Schneider
 GEOSPATIAL



Overview

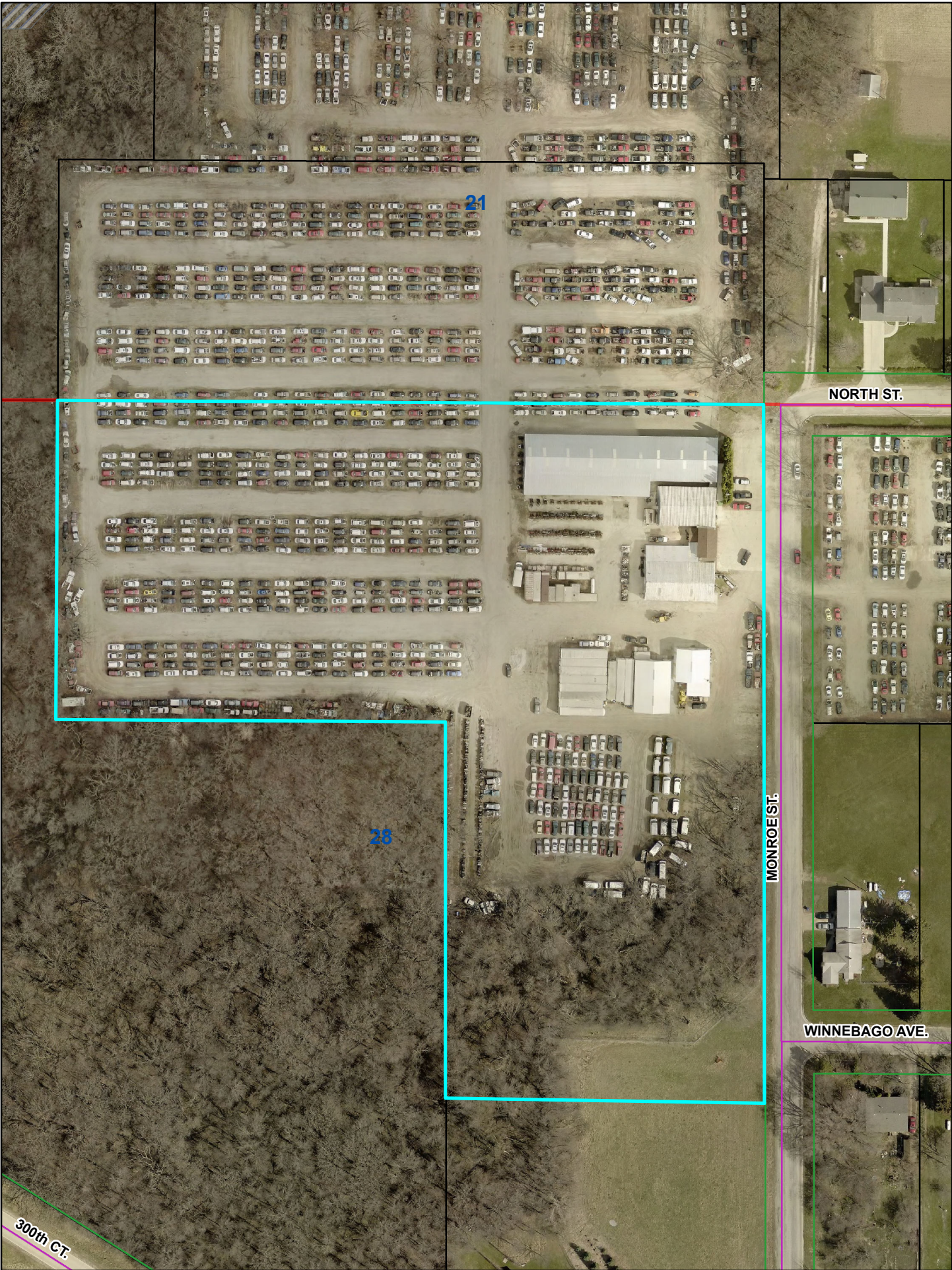


Legend

- × Parcel Point
- Parcels
- Corporate Limits
- Political Township

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Developed by  **Schneider**
GEO SPATIAL



21

28

NORTH ST.

MONROE ST.

WINNEBAGO AVE.

300th CT.



A-1

A-1

A-1

21

M-2

R-1

R-1

R-1

NORTH ST.

M-2

C-2

M-2

28

R-1

MONROE ST.

R-1

R-1

WINNEBAGO AVE.

R-1

R-1

R-1

R-1

300th CT.

R-1