

APPLICATION/APPEAL FORM

[For Completion by All Applicants]

Date 8/13/18

TO: ZONING BOARD OF ADJUSTMENT
CERRO GORDO COUNTY, IOWA

I (WE), CRAIG AND DIANE BUSCH
(NAME)

OF 15340 BAYBERRY AVE, VENTURA IA 50482
(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 AUG 10 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 20 of CLEAR LAKE Township.

The property affected is zoned R2 according to the Cerro Gordo County Zoning District Maps. Legal description of the property is: THE SOUTH 132 FEET OF THE NORTH 264 FEET OF OUTLOT "A" IN VENTURA HEIGHTS, CERRO GORDO COUNTY IOWA

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

Describe what you are proposing to do on the property affected.
ground level decks w/ garden wall

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 Craig Busch

OFFICE USE ONLY

Date Filed 8-13-18 Case Number 19-06
Date Set for Hearing 8-28-18 Fee Paid _____
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) Craig Busch

Type of Variance Requested FRT 4D SET BACK

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

current code doesn't allow for deck on front of house

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

large lot drainage abward (to remedy drainage)

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

residential use

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

87 requirements met (external cause)
N/A

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

within current front yd set back

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

current guide compact residential area + this meets those goals

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

not interfering with any neighbors

Craig Burch

certify that

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

Case No. 19-06
Craig and Dianne Busch (15340 Bayberry Drive)

Figure 1

Looking at the wall and deck in question



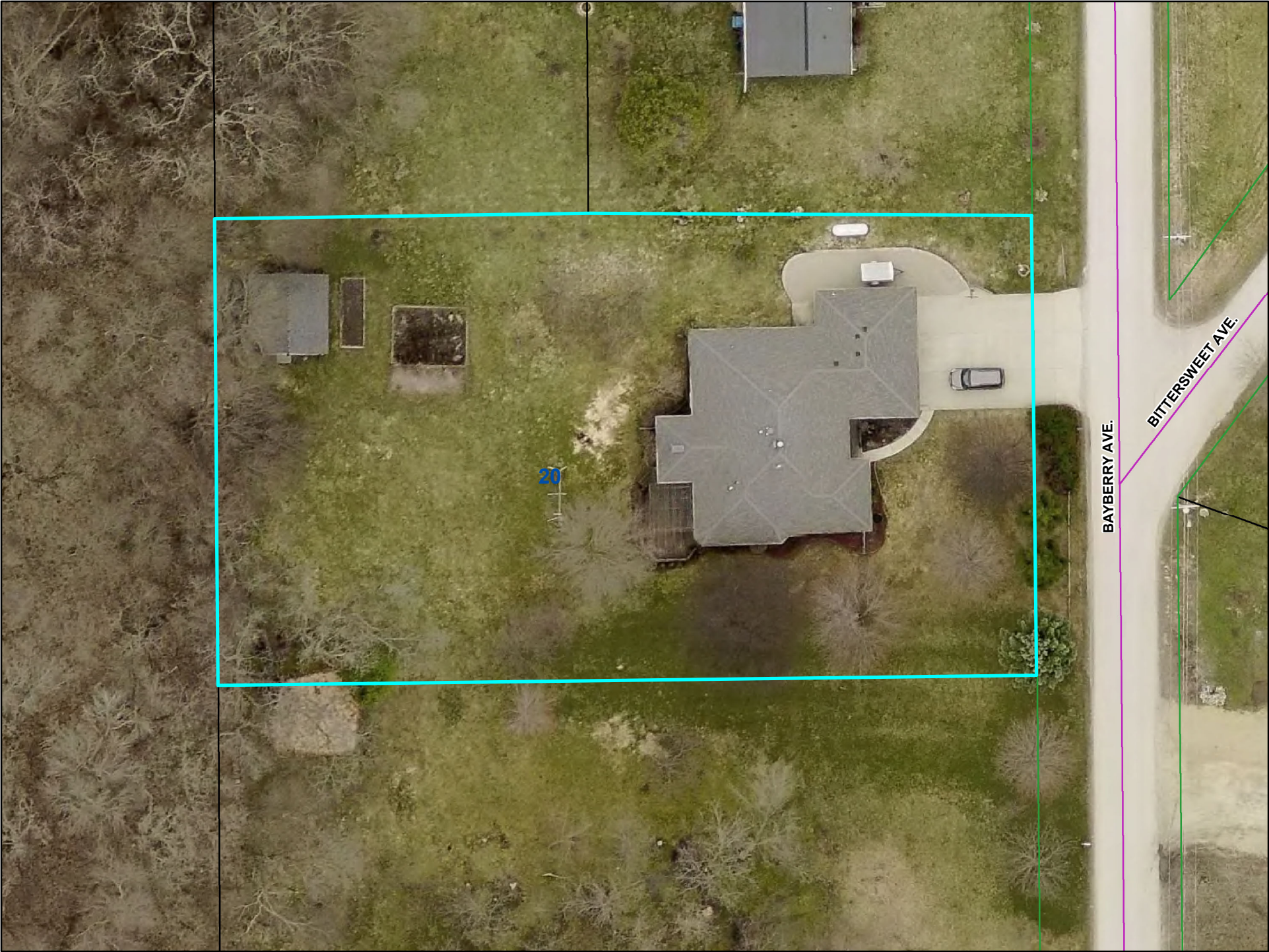
August 13, 2018, J. Robbins

Figure 2

Looking north along the front lot line



August 13, 2018, J. Robbins



CRAIG BUSCH
15340 FAUBERRY

