



**PLANNING AND ZONING
Cerro Gordo County Courthouse**

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**Staff Report
Board of Adjustment
Variance Request
June 2, 2026**

Case No.: 25-26

Hearing Date: June 2, 2026

Request: A variance request for the construction of a 4'x12' ramp related to the front of the lot.

Applicants:

Jim Hansen & Christine Friederich
11315 Thrush Avenue
Mason City, IA 50401

Owner:

Same

Property Address: 15319 5th Street, Clear Lake, IA 50428

Brief Legal Description: Lot 219, Clear Lake Methodist Camp, Clear Lake Township

Zoning: R-3 Single Family Residential District

Variance Request

Structure	Request(s)	Requirement(s)
4'x12' ramp	8-foot front yard setback	17.4-foot front yard setback average

Findings of Fact

1. Jim Hansen & Christine Friederich are the owners of the property.
2. The property is zoned R-3 Single Family Residential.
3. An accessibility ramp is needed to access the dwelling.
4. The proposed 4'x12' accessibility ramp will be 8 feet from the front lot line; a 17.4-foot front yard setback average is required.

Analysis

1. Public interest: Granting the variance will not be contrary to the public interest. Iowa Code Section 335.15(4).

A single-family dwelling with a front deck has existed on this property for many years, and the proposed use will remain residential in nature. The request is limited to an accessibility ramp serving the existing dwelling.

The only proposed physical change to the existing deck area is construction of a 4-foot by 12-foot ramp extending toward 5th Street from the northeast corner of the dwelling/deck area. No other changes are proposed to the existing deck or dwelling footprint.

The ramp does not appear to create a new use, increase residential density, or introduce an activity inconsistent with the surrounding residential character. Approval should be conditioned on the ramp remaining outside the public right-of-way.

2. Special conditions – practical difficulties: Owing to special conditions a literal enforcement of the provisions of the ordinance will result in practical difficulties to the property owner in making a beneficial use of the property allowed by the zoning ordinance. Iowa Code Section 335.15(4)

The applicants need a ramp to provide access to the dwelling. The proposed ramp length appears intended to follow a recognized accessibility design standard of approximately one inch of rise for each twelve inches of ramp run.

The practical difficulty is not based solely on the personal need for a ramp. The zoning issue arises because of the existing conditions of the property and structure, including the lawful preexisting placement of the dwelling and front deck, the location of the existing entry door at the northeast corner of the dwelling, the orientation of the dwelling in relation to the lot lines, and the limited area available to provide a safe ramp slope without encroaching further into the required setback.

Literal enforcement of the setback requirement would limit the owner's ability to provide safe, functional access to the existing residential dwelling, which is a use allowed by the zoning ordinance.

3. Spirit observed – substantial justice done: The spirit of the Ordinance is observed, and substantial justice is done by granting relief. Iowa Code Section 335.15(4).

The requested relief is narrow and directly related to access to an existing residence. The applicant is not seeking to enlarge the dwelling, add a new residential unit, or substantially expand the intensity of use on the property.

The entry door into the dwelling is located near the northeast corner of the house where the ramp is proposed. Allowing a limited setback encroachment for an accessibility ramp would permit continued beneficial residential use of the property while maintaining the general purpose of the setback ordinance.

The spirit of the ordinance is observed because the request is limited to the minimum practical improvement needed for access and does not appear to undermine the overall setback pattern or land use expectations in the neighborhood.

4. Unique and not self-created: The owner must prove under Iowa Code Section 335.15(4) the practical difficulties are unique to the property and not self-created.

Self-created. A difficulty could be considered self-created when the claimed practical difficulty was caused or materially contributed to by the owner's own conduct, project design, construction choices, lot configuration, demolition, expansion, or failure to comply with or investigate applicable zoning requirements.

Not self-created. A difficulty could be considered not self-created when it arises from special conditions of the property itself, such as lot shape, topography, lawful preexisting structure placement, easements, right-of-way constraints, or similar property-based conditions not caused by the owner.

Here, the practical difficulty appears to arise from the existing property and structure conditions rather than from a new building expansion or voluntary redesign. The dwelling and deck have existed on the property for many years, the existing entry point is located near the northeast corner of the dwelling, and the dwelling does not sit parallel to the lot lines. The northwest corner of the existing deck is already closer to the front lot line than the northeast corner where the ramp is proposed.

The proposed ramp will extend onto an existing cement area used for parking. The requested variance appears limited to allowing a safe access improvement in relation to existing site constraints. Based on the facts presented, the practical difficulty appears unique to the property and not self-created in the ordinary zoning sense.

5. Neighborhood character protected: The applicant must demonstrate under Iowa Code Section 335.15(4) that granting the variance will not significantly alter the essential character of the surrounding neighborhood.

Both dwellings to the east of this property have decks located along 5th Street. The lot to the west contains a garage. The addition of a limited accessibility ramp to the existing residential structure does not appear to significantly alter the essential character of the surrounding neighborhood.

The ramp is accessory to the existing dwelling, is residential in character, and does not appear to create adverse impacts on surrounding properties.

Staff Conclusions

The requested variance is an area/dimensional variance from the front yard setback requirement under Iowa Code Section 335.15(4). The existing wood deck is approximately 8 feet deep on the front of the house. The proposed 4-foot by 12-foot accessibility ramp is necessary to provide access to the existing dwelling and would extend toward 5th Street from the northeast corner of the dwelling/deck area.

Staff finds that the practical difficulty is tied to the existing conditions of the property, including the lawful preexisting placement of the dwelling and deck, the existing entry door location, the orientation of the dwelling in relation to the lot lines, and the ramp length needed to provide

safe access. The dwelling itself does not sit parallel to the lot lines, and the northwest corner of the existing deck is already closer to the front lot line than the northeast corner where the ramp is proposed.

Adding an additional 4 feet toward 5th Street from the northeast corner of the dwelling/deck area does not appear contrary to the public interest and does not appear likely to significantly alter the essential character of the surrounding neighborhood. The proposed ramp will extend onto the existing cement area used for parking and does not appear to create a new use or substantially expand the existing residential use.

The request also serves an accessibility-related purpose by allowing a resident who uses a wheelchair to safely access and use the dwelling. While the Board must decide the request under the variance criteria in Iowa Code § 335.15(4), the limited setback relief requested is consistent with the broader public interest in allowing reasonable accessibility improvements to existing residential dwellings when the relief is limited, property-specific, and does not adversely affect neighboring properties or public safety.

Staff recommends approval of the requested variance, subject to the conditions listed below.

BOARD DECISION

The Board of Adjustment may consider the following alternatives:

Alternatives

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

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 variance as requested by the applicants, based on the Board's findings that all criteria in Iowa Code Section 335.15(4) have been met, subject to the following conditions:
 1. All construction shall comply with the Site Plan submitted on May 5, 2026.
 2. Any material change in the submitted plans including a change in project size, location, height, use, or setback encroachment shall require review by the Zoning Office and may require further Board approval.
 3. 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 variance 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 variance as requested by the applicants for the following reasons:
The request does not meet the criteria in Iowa Code Chapter 335.15.
[STATE ANY OTHER REASONS FOR DENIAL]

EXHIBITS

- Exhibit 1: Figure 1 Photo
- Exhibit 2: Variance Application
- Exhibit 3: Site Plan
- Exhibit 5: Parcel Highlight

Figure 1

Looking at front of dwelling from 5th Street & proposed location of ramp extending from the NE corner of the house to access the front entry door



VARIANCE APPEAL

APPLICATION

Date Filed 5/18/26

Date Set for Hearing 6-2-26

Case Number: 25-26

Applicant Name: Jim Hansen/Christine Friederich Phone: 641-425-2602 E-Mail: _____

Mailing Address: 11315 Thruway Ave Mason City IA 50401 friedrichchristine@gmail.com

Property Owner Name: Jim Hansen/Christine Friederich Phone: 641-425-2602 E-Mail: _____

Property Owner Address: 11315 Thruway Ave Mason City IA 50401

Property Description (Not to be used on legal documents): Parcel # D52241000800 Township 22/96/22

Property Address: 1319 5th Street Clear Lake IA 50428 Zoning: R-Residential

Brief Legal Description: L213 Methodist Camp

Project Description

Decision Date: _____

Addition of a ramp to the entrance to the dwelling to allow my husband's wheelchair to get into the dwelling.

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

The proposed ramp will be 8' from the front lot line. This does not meet the average front yard setback within 200' of your lot. The average front yard setback is 17.9'.

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

The ramp does not go over the current concrete pad. It does not affect the neighbors property in any way nor the traffic flow.

The homeowner is handicapped and is confined to a wheelchair. The ramp is designed to follow the ADA specifications for the angle of rise per foot.

There is still adequate setback for traffic and so that the ramp can not enter the house.

I am the [X] 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 variance is granted. The Planning & Zoning staff is also given permission to enter the above property in reviewing this Application.

Applicant Signature Christine Friederich

Date 5/14/26

REAR

side yard

Ground Level sidewalk

Existing House

Re Frame Existing Deck

Wheelchair Ramp

Street



