

APPLICATION/APPEAL FORM

[For Completion by All Applicants]

Date 1/9/21

TO: ZONING BOARD OF ADJUSTMENT
CERRO GORDO COUNTY, IOWA

Rex Bergo
1001 N Commercial Alley
Mason City, IA 50460

I (WE), JANE FOGG
(NAME)

OF 13156 Pinecrest Ln. Clive, IA. 50325
(MAILING ADDRESS) (4322 S. SHORE DR.) summer

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 1/6/21 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.

parcel# 052232602900 SLY 40' LOT 7 BLK 9 Dodge point. park

The property affected is located in Section _____ of _____ Township.

The property affected is zoned Residential according to the Cerro Gordo County Zoning

District Maps. Legal description of the property is: _____

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

Describe what you are proposing to do on the property affected.
Garage & mud room
Remove existing deck & shed.

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 ABJ for Jane Fogg

OFFICE USE ONLY

Date Filed 1/12/21 Case Number 21-28
Date Set for Hearing 2/23/21 Fee Paid \$ 200
Application/Appeal was Granted Denied Tabled

VARIANCE CRITERIA SUPPLEMENTAL INFORMATION

Cerro Gordo County Zoning Board of Adjustment

[For completion by Variance Applicants Only]

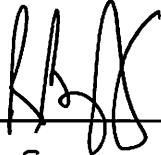
This attachment is intended to supplement the Appeal to the Board of Adjustment Application for requests for variances. This attachment shall be submitted as a part of and attached to the Appeal Application and serve to enable the Board to make fair and equitable decisions. Failure to complete this form 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) _____



Type of Variance Requested _____

Set Back Variance

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

stating that this is "corner lot" presumes a street that doesn't exist is in existence. (FYI the home owner has maintained adjacent land since home was built)

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

As with the neighbor to north trying to get garage storage on property with same setback we afforded him @ time of request of 3'6" we will lose deck + storage shed, to accomplish this request. (indicated by dotted lines on plot plan) Deck is 10'x20' (where mudroom is) storage ^{shed} area is 12'x18' out by street

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

It will line up with other properties
and is only single story not 2 story

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

n/a

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

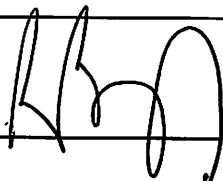
now compliant

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

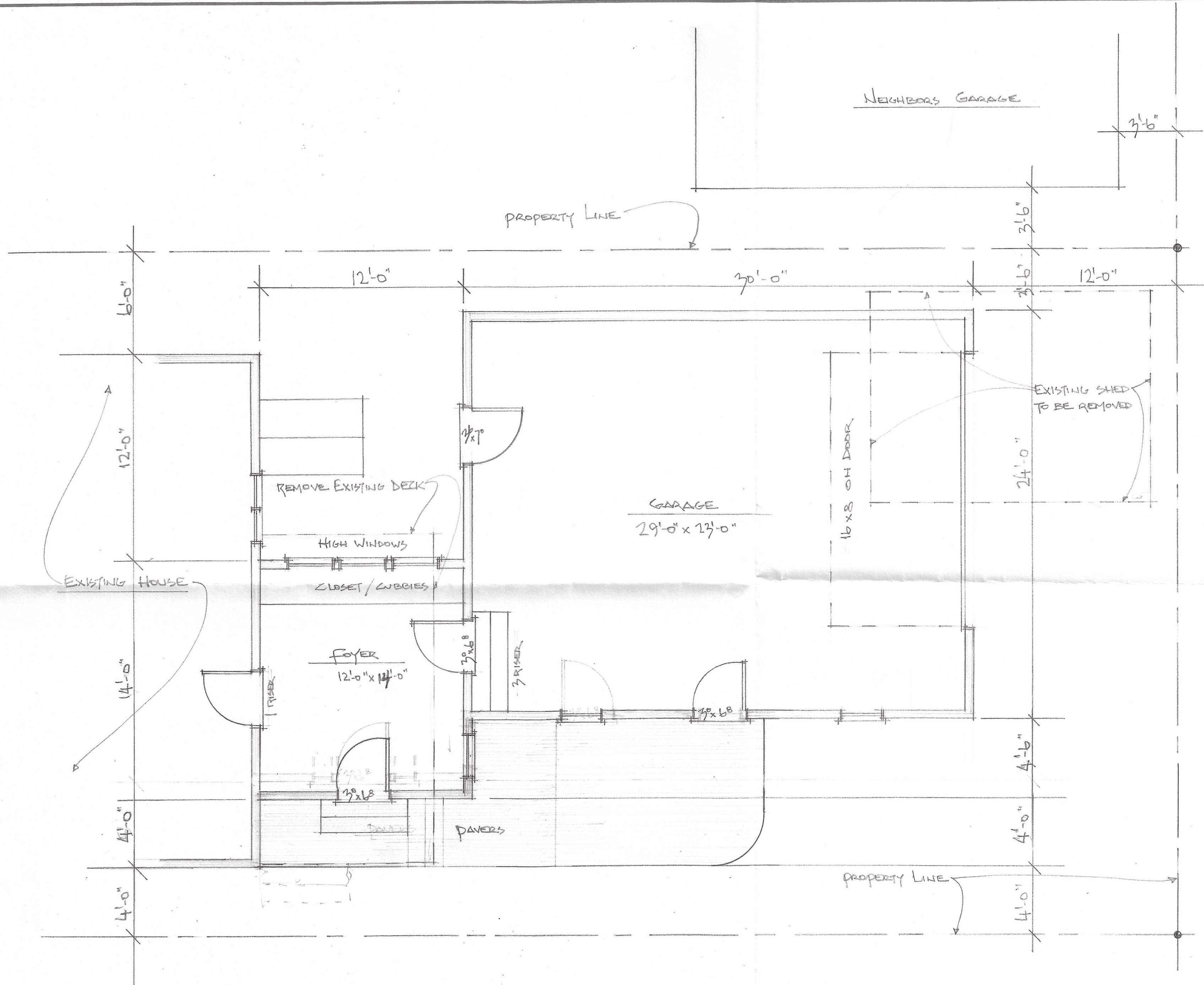
it fits the area + improves property

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

Not that we can identify

I,  certify that

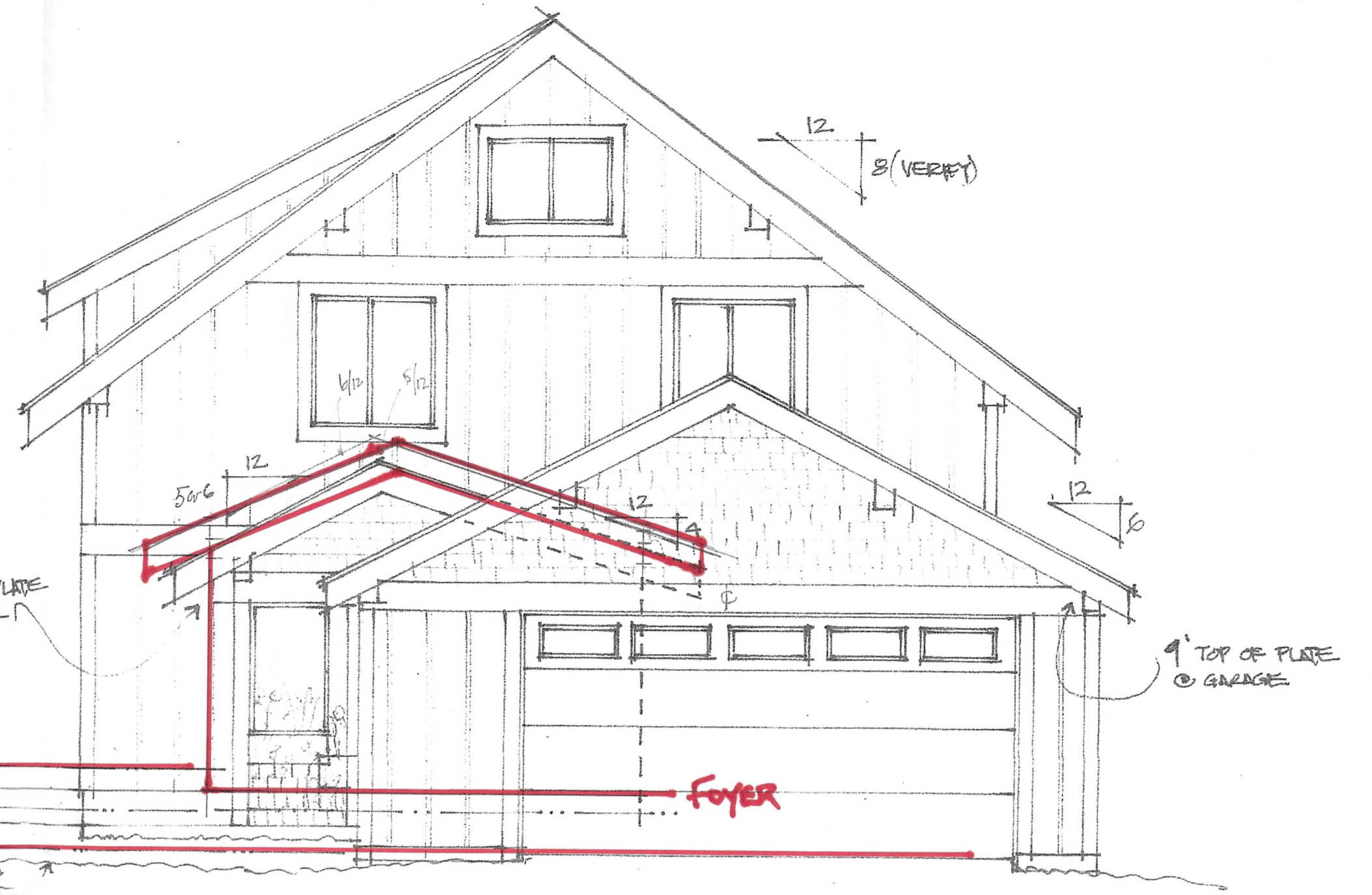
all of the above statements are true to the best of my knowledge and belief.



FLOOR PLAN
 SCALE 1/4" = 1'-0"

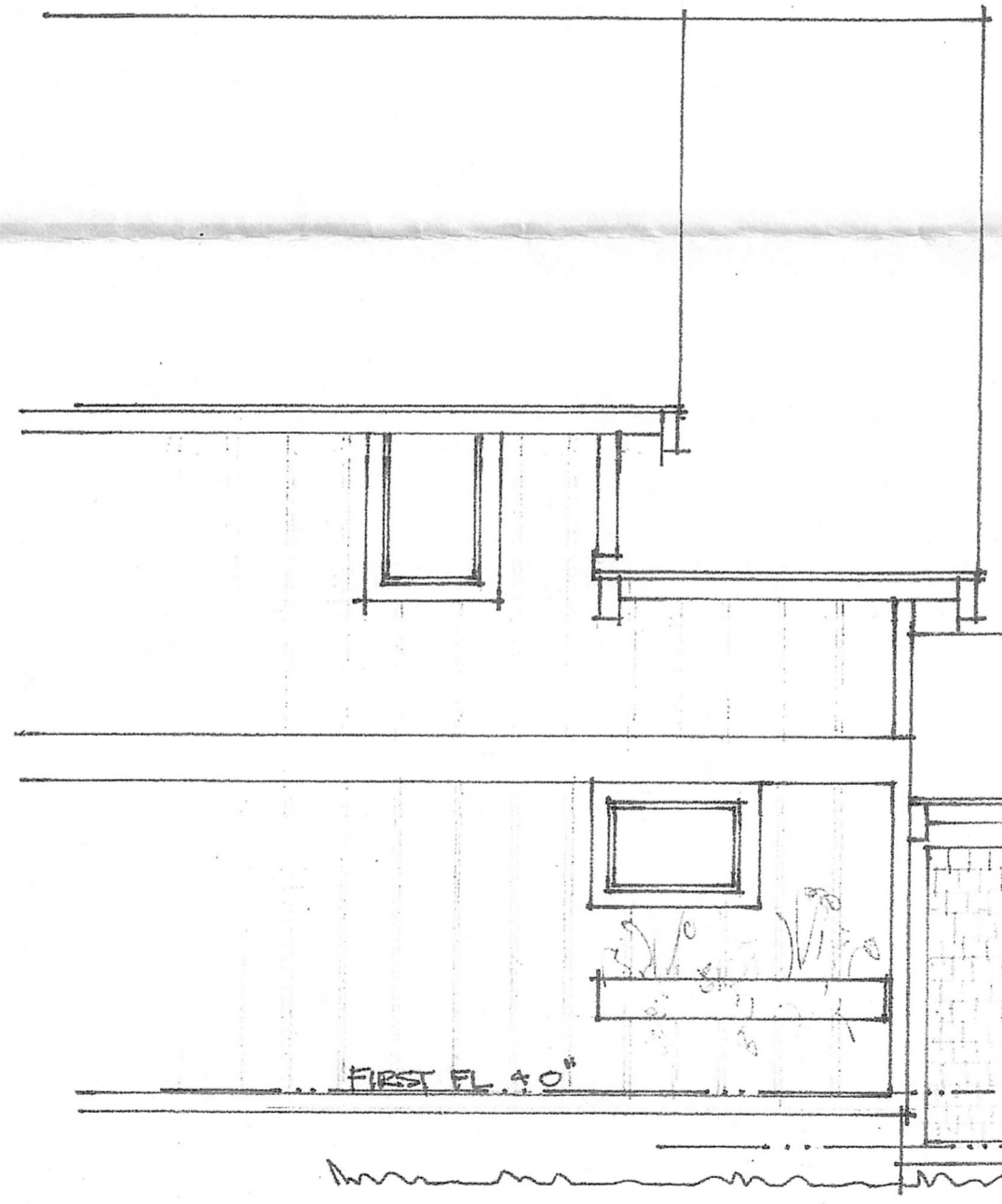
ADDRESS: 4322 SOUTH SHORE DRIVE CLEAR LAKE

<u>FOGG RESIDENCE</u>		
SCALE:	APPROVED BY:	DRAWN BY <u>EB</u>
DATE: 12-20		REVISED
<u>MASON CITY LUMBER CO.</u>		
<u>BERGO CONSTRUCTION</u>		DRAWING NUMBER



FIRST FL. ELEV. +0"
 FOYER ELEV. -14"
 GARAGE ELEV. -28"
 GRADE AT STREET -31"

FOGG - SOUTH ELEVATION
 SCALE: 1/4" = 1'-0"



FIRST FL. +0"

FOYER FL. -14"

GARAGE FL. -28"

EDGE OF GRAVEL STREET
 -31"

FOGG RESIDENCE - WEST ELEVATION
 SCALE: 1/4" = 1'-0" • R. CRAM AIA EMER. • 11.6.20

**Case No. 21-28
Jane Fogg (4322 Southshore Drive)**

Figure 1

Looking at the proposed location of the addition



January 21, 2021, J. Robbins

Figure 2

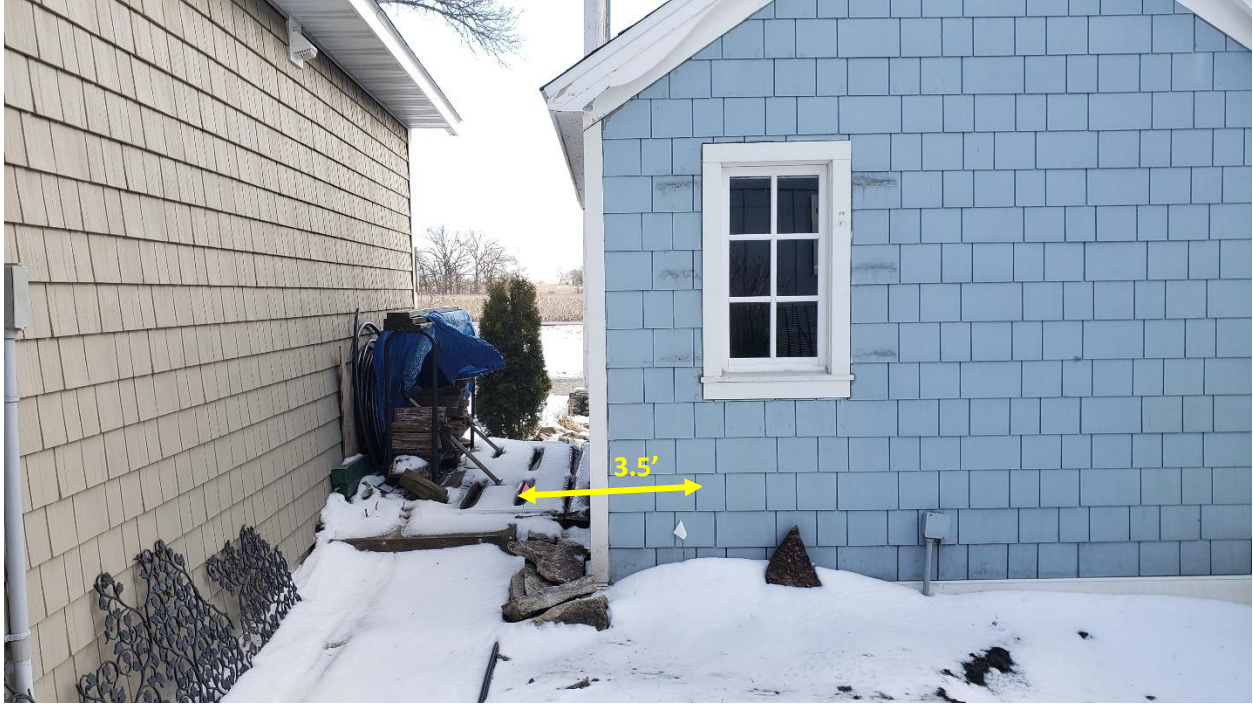
Looking at the existing shed



January 21, 2021, J. Robbins

Figure 3

Looking southeasterly along the northeast side lot line



January 21, 2021, J. Robbins

Figure 4

Looking northwesterly along the southwest side lot line



January 21, 2021, J. Robbins

Figure 5

Looking northeasterly along the front line



January 21, 2021, J. Robbins

Figure 6

Looking at an attached garage of similar character to the east of the Fogg property



January 21, 2021, J. Robbins



SOUTHSHORE DR