APPLICATION/APPEAL FORM

[For Completion by All Applicants]

Date August 4, 2020

TO: ZONING BOARD OF ADJUSTMENT
CERRO GORDO COUNTY, IOWA

I (WE), Jed & Lisa Vorba
(NAME)

OF 5840 South Shore Drive Clear Lake, Iowa 50428
(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 July 31, 2020 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 26 of Clear Lake Township.
The property affected is zoned R4 according to the Cerro Gordo County Zoning District Maps. Legal description of the property is: LOT 23 - West Half of lot 24 - Block 2 - Long Beach

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

_____ of the property affected.

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

Addition to bedroom (to include closet and bathroom)

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 Jed H. Vorba

OFFICE USE ONLY

Date Filed 8/4/20 Case Number 20-9

Date Set for Hearing 8/25/20 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) Jed & Lisa Vorba

Type of Variance Requested Set Back

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

The setback rules don't permit us to do a lot with existing structure which is closer than setback rules

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

Limited to what able to do - wider than neighbors.

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

Existing multi family - not changing !

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

Narrow width

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

Set back larger than proposing

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

Residential area (no change)

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

Full support of neighbors
No impact negative of drainage
No demands on set back (no impact)

I, Jed H. Vorba ***certify that all of the above statements are true to the best of my knowledge and belief.***

Robbins, John

From: Jed Vorba <jedvorba@gmail.com>
Sent: Tuesday, August 4, 2020 1:12 PM
To: Robbins, John
Subject: Fwd: Letter of Support for Jed

External Email WARNING: DO NOT open attachments or click links from unknown senders or unexpected emails. Questions? Call 3-HELP.

---------- Forwarded message ---------
From: <cmcaslavka@yahoo.com>
Date: Tue, Aug 4, 2020 at 12:42 PM
Subject: Fwd: Letter of Support for Jed
To: <jedvorba@gmail.com>

Sent from my iPhone

Begin forwarded message:

> **From:** Kammeyer Brandon R <KammeyerBrandonR@JohnDeere.com>
> **Date:** August 1, 2020 at 6:09:38 PM CDT
> **To:** "cmcaslavka@yahoo.com" <cmcaslavka@yahoo.com>
> **Subject: Letter of Support for Jed**
>
> Hi Mom,
>
> Go ahead and review the following. Edit as you see fit or Forward on to Jed.
>
> To Whom it May Concern,
>
> We are writing in regards to the Vorba's recent Zoning Permit Application as they plan an addition to their portion of the property at 5840 S. Shore Drive in Clear Lake, Iowa. As the Vorba's neighbor and partner in the Cougar Bay Condos Association, we are writing this letter in support of their planned addition. The details of the addition have been discussed between our two families during our regular Association meetings, as well as through our normal interactions

and conversations as progress is made. We, the Caslavka's, are in full support. If there are any questions or concerns, please don't hesitate to contact us at 319-240-0553 or by mail at 110 Bruce Ln., Waterloo, IA 50701.

Regards,

Clarice Caslavka

Brandon Kammeyer
JDPS Win in Aftermarket Project Manager
John Deere Power Systems
PEC, Waterloo, IA 50613
Office: (319) 292-5266
Mobile: (319) 429-3828

Case No. 21-9
Jed & Lisa Vorba (5840-D Southshore Drive)
Figure 1
Looking at the proposed location of the addition

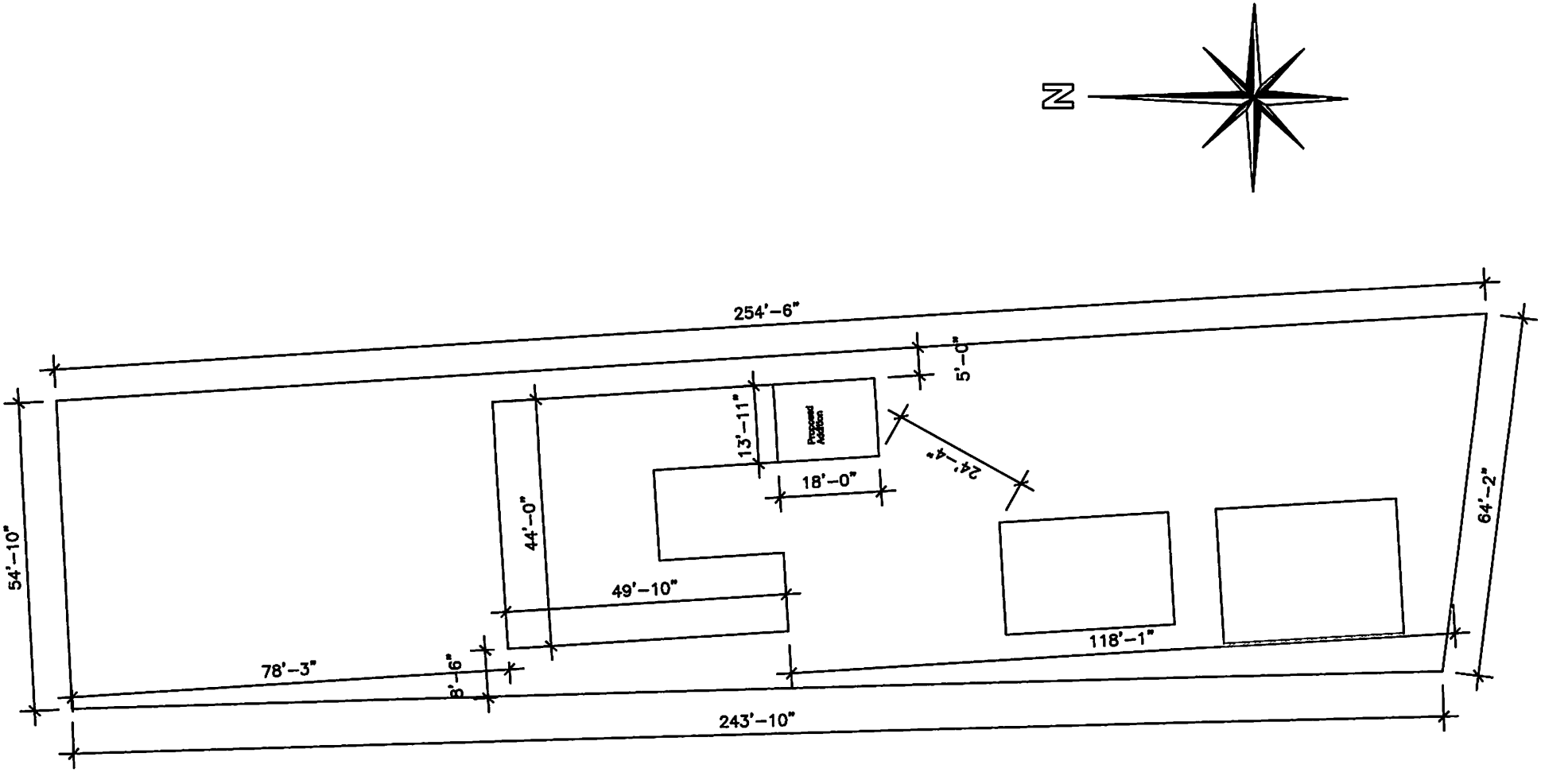
August 7, 2020, J. Robbins

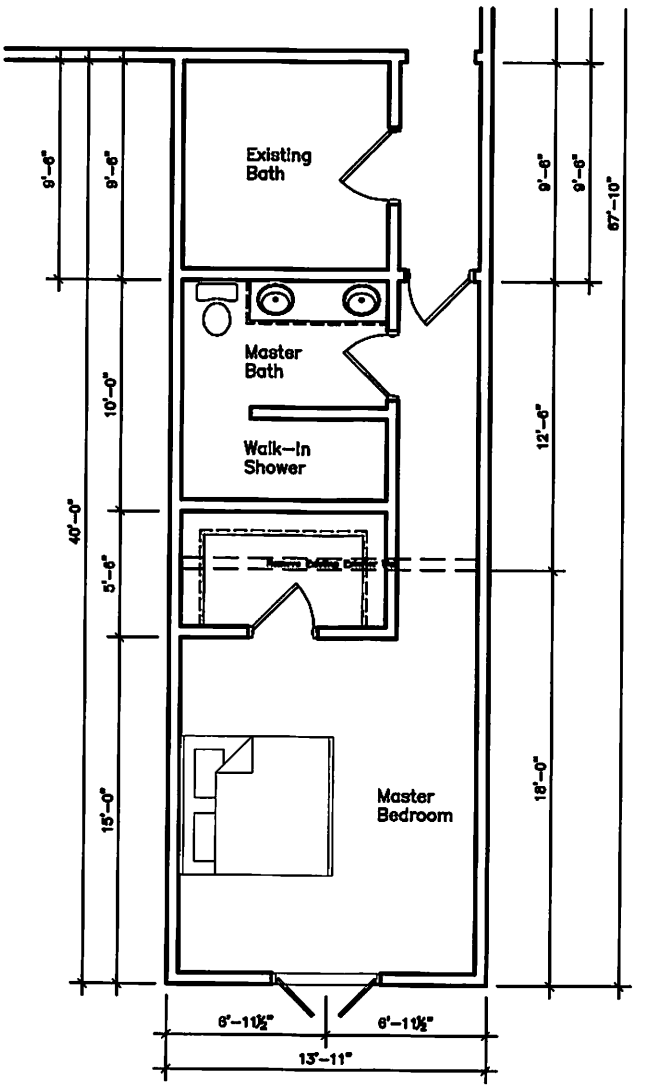
Figure 2
Looking at the shed that will be removed

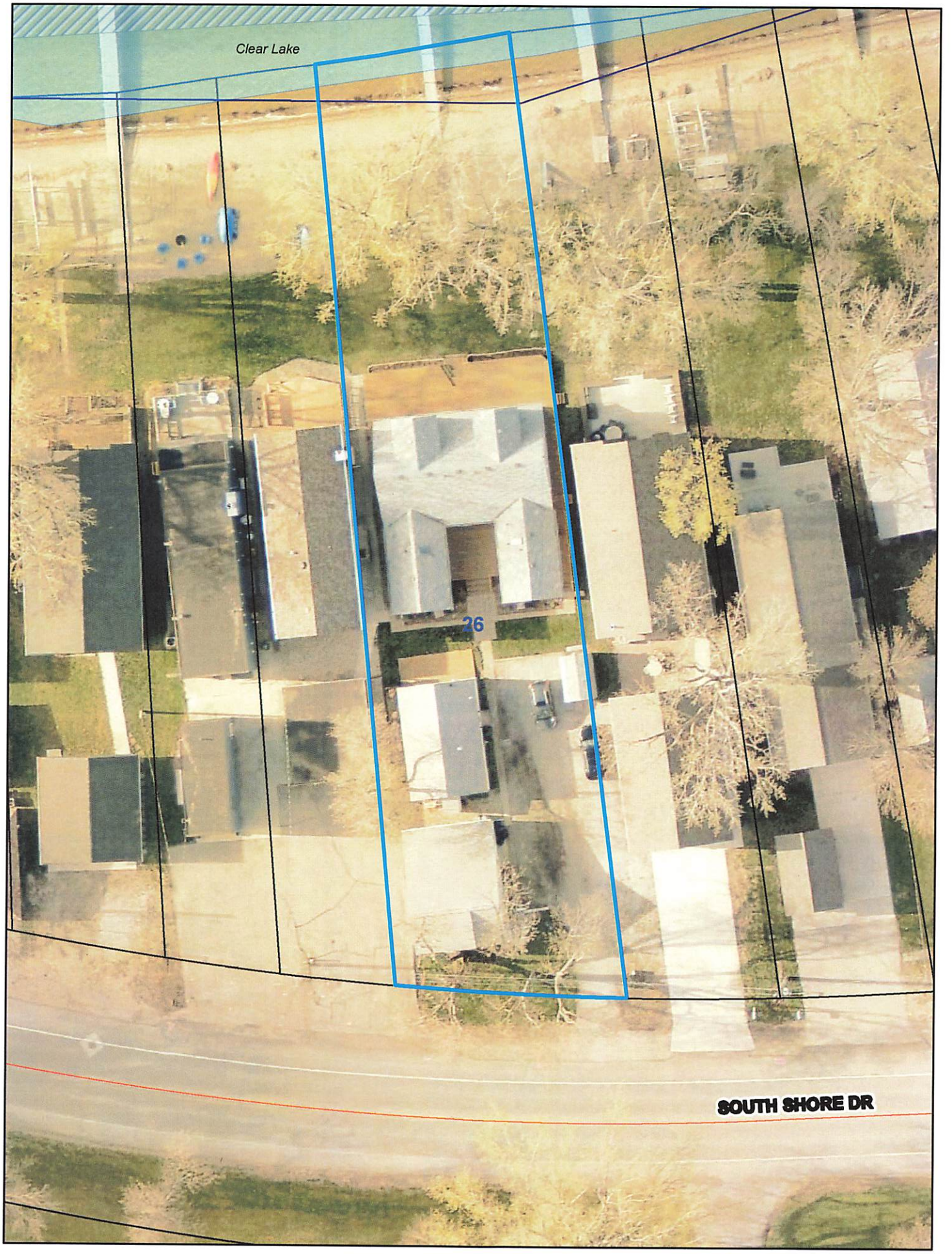
August 7, 2020, J. Robbins

Figure 3
Looking north along the east side lot line

August 7, 2020, J. Robbins


N
254'–6"
5'–0"
13'–11"
Proposed Addition
24'–4"
18'–0"
44'–0"
49'–10"
54'–10"
64'–2"
78'–3"
8'–6"
118'–1"
243'–10"


Existing
Bath
Master
Bath
Walk-In
Shower
Master
Bedroom
9'-6"
9'-6"
10'-0"
40'-0"
5'-6"
15'-0"
9'-6"
9'-6"
67'-10"
12'-6"
18'-0"
6'-11½"
6'-11½"
13'-11"


Clear Lake
26
SOUTH SHORE DR