



PLANNING AND ZONING Cerro Gordo County Courthouse

220 N Washington Ave Mason City, IA 50401-3254
Tom Meyer, Zoning Administrator
Michelle Rush, Assistant Zoning Administrator

(641) 421-3075
FAX (641) 421-3088
plz@cerrogordo.gov

SPECIAL EXCEPTION STAFF REPORT

SUMMARY OF REQUEST

Case No.: 24-20

Hearing Date: April 29, 2025

Staff Contact: Michelle Rush, Assistant Zoning Administrator

Applicant:

Owner:

Jeremy Barkema
16239 34th St SE
Mason City, IA 50401

Same

Property Address: 16239 34th St SE, Mason City, IA 50401

Brief Legal Description: Lot 16, Bowers Acres, Mason Township

Zoning: R-2 Single Family Residential District

Background

The applicant is proposing to construct a 28'x40' accessory structure in the southeast corner of his lot (rear) to be used as a garage-workshop.

SPECIAL EXCEPTION REQUEST		
Structure	Request(s)	Requirement(s)
28'x40' detached garage	1120 square feet of area	825' square fee maximum coverage area (25% of required rear yard) 6.9B

FINDINGS OF FACT

1. Jeremy Barkema is the owner of the subject property.
2. The property is zoned R-2 Single Family Residential District.
3. The proposed garage will cover 1120 square feet of the required rear yard.
4. The allowable coverage area is 825 square feet; the proposed garage exceeds the allowable coverage area by 295 square feet.
5. There is an existing 10'x10' shed in the southwest corner of the lot which covers 100 square feet of the rear yard.
6. The lot is 110'x204.5' in size.

ANALYSIS

The Board of Adjustment is provided the power to grant special exceptions under Section 24.4(A)(2) of the Zoning Ordinance. The Board may grant special exceptions to bulk standards of the ordinance if, in its judgement, the standards established in Section 24.4(A)(2)(a) are met. In its review, the Board may attach certain conditions to any special exception granted in order

to observe the spirit of the Zoning Ordinance and Comprehensive Plan and mitigate any potential impacts that may directly result from the requested special exception.

Discussion of Standards of Review

- 1. Strict compliance with the standards governing setback, frontage, height, or other bulk provisions of this ordinance would result in a practical difficulty upon the owner of such property and only where such exception does not exceed 50 percent of the particular limitation or number in question.***

825' square feet is the allowable area to be covered by detached accessory structures on this parcel. The proposed structure will cover 1120 square feet which exceeds the allowable coverage area by 295 square feet. The existing 10'x10' shed covers an additional 100' square feet of the rear yard. While the request does not exceed 50 percent of the limitation, strict compliance with the 25% rear yard coverage area would not appear to result in a practical difficulty upon the owner. The standard does not appear to be met.

- 2. The exception relates entirely to a permitted use (principal, special, or accessory) classified by applicable district regulations, or to a permitted sign or off-street parking or loading areas accessory to such a permitted use.***

Accessory structures are a permitted use in the R-2 District. The standard appears to be met.

- 3. The practical difficulty is due to circumstances specific to the property and prohibits the use of the subject property in a manner reasonably similar to that of other property in the same district.***

The lot is 110' wide and 204.5' deep which is similar to other lots in the neighborhood. While the lot is large enough to accommodate the proposed structure, there does not appear to be a practical difficulty specific to the lot itself. As the applicant stated in his appeal form, there are other large accessory buildings to the east and south of his parcel. The 24'x40' building behind the Barkema property at 16268 245th Street was constructed in 1968 which was prior to the adoption of our current Zoning Ordinance in 1990. The 30'x60' building on the property at 15505 Georgia Avenue was constructed in 2000. The 42'x53' building on the property to the east at 15549 Georgia Avenue was granted a variance by the Board of Adjustment in 2008 for also exceeding the allowable coverage area. However, in this case, the building is located in the front yard. The standard does not appear to be met.

- 4. A grant of the special exception applied for, or a lesser relaxation of the restriction than applied for, is reasonably necessary due to practical difficulties related to the land in question and would do substantial justice to an applicant as well as to other property owners in the locality.***

The land in question does not have an apparent practical difficulty. The standard does not appear to be met.

- 5. Such practical difficulties cannot be overcome by any feasible alternative means other than an exception.***

The applicant would like to have a 28'x40' garage-workshop on the property. The desire of a property owner for a structure specific to their preference does not necessarily equate to no other feasible alternatives. The standard does not appear to be met.

6. Relief can be granted in a manner that will not alter the essential character of the locality.

The proposed building will not alter the character of the neighborhood. The larger lot sizes in the R-2 District are able to accommodate larger accessory structures. There are similar sized garages-workshops to the south and east of this parcel as discussed above and are common in the Bower's Acres neighborhood as a whole. The standard appears to be met.

Discussion of Potential Impacts to Immediate Area

The proposed building will be 25' from the east side lot line along Georgia Avenue and 3' from the rear lot line (south). The proposed building will sit behind the house and on the back of the lot which will not be visible from 34th Street. There are several large garages-workshops on surrounding properties in the neighborhood. There will be no significant impacts to the immediate area.

Staff Conclusions and Recommendation

Of the six standards, two have been met. Multiple definitions of "practical difficulty" appear to have in common some unique aspect of the land in question. Staff recommends the Board of Adjustment review the findings as related to the six criteria set out above from the Code. There are no foreseeable negative impacts as a direct result of the proposed new building.

BOARD DECISION

The Board of Adjustment may consider the following alternatives:

Alternatives

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

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 special exception as requested by Jeremy Barkema, subject to the following conditions:
 1. All construction shall comply with the site plan submitted with the application on March 25, 2025.
 2. 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 special exception for a smaller accessory structure with a reduced coverage area, subject to the following conditions:
 1. The building shall be constructed to meet all other setback requirements and maintain a 10’ separation distance from the existing shed on the property.
 2. 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 special exception as requested by Jeremy Barkema for the following reasons:
[STATE REASONS FOR DENIAL]

EXHIBITS

- | |
|---|
| <ul style="list-style-type: none">• Exhibit 1: Figures 1-5 photos• Exhibit 2: Special Exception Application dated April 1, 2025• Exhibit 3: Site Plan• Exhibit 4: Parcel Highlight |
|---|

Figure 1 – looking south at rear yard of property and proposed location of accessory building



Figure 2 – looking north at location of proposed building in SE Corner of the lot



Figure 3 – looking east at proposed location (stakes) of building along rear (south) lot line.



Figure 4 – Existing 10'x10' shed located in the southwest corner of the property



Figure 5 – Looking north at proposed west wall of building behind the dwelling



SPECIAL EXCEPTION APPEAL

APPLICATION

Date Filed 4-1-25

Date Set for Hearing 4-29-25

Case Number: 24-20

Applicant Name: Jeremy Barkema

Phone: 641-430-0343

E-Mail: barkemaj@gmail.com

Mailing Address: 16239 34th St SE, Mason City, IA 50401

Property Owner Name: Jeremy Barkema

Phone: 641-430-0343

E-Mail: barkemaj@gmail.com

Property Owner Address: 16239 34th St SE, Mason City, IA 50401

Property Description (Not to be used on legal documents): Parcel # _____ Township _____

Property Address: 16239 34th St SE, Mason City, IA 50401 Zoning: R2

Brief Legal Description:

Project Description

Decision Date: _____

28 X 40 Garage / Workshop

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

The proposed garage is 1120 square feet in size. The Zoning Ordinance allows for a maximum coverage area for all detached accessory structures up to 25 percent of the required rear yard, which is 825 square feet. This exceeds the requirement by 295 square feet. There is also an existing 10'x10' shed on the property.

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

Thank you for reviewing our application for exception. In our neighborhood, there are several large out-buildings. Granting this exception would not change the characteristics of the neighborhood and would certainly not negatively affect property values. The proposed building almost mirrors our neighbor's building to the south, and every one of our neighbors with direct borders on our lot have large garage/workshops.

(CONTINUED ON THE NEXT PAGE)

I am the 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 special exception is granted. The Planning & Zoning staff is also given permission to enter the above property in reviewing this Application.

Applicant Signature



Date

3/31/25

SPECIAL EXCEPTION APPEAL

ADDITIONAL INFORMATION

Please provide any additional details below needed to fully address the standards for review and any potential impacts to the immediate vicinity that may directly result from the special exception requested.

There are at least five buildings in the neighborhood that are this size or larger, some significantly larger, so ours would not look out of place at all. The shape of our property would handle the building without causing it to alter the essential character of our community.

Any other options that would provide the building we are requesting would be significantly more expensive or not provide enough room. If we were required to build a 2 story structure the cost would increase drastically, and a smaller structure would not have the space we are trying to accomplish. Therefore they are not actual feasible alternatives.

Again, thank you for reviewing this application to appeal the standards in light of the fact that it would raise our property value and do no harm to any other property.

JB 3/31/25

072217600400

072215400600

60

34TH ST

GEORGIA AVE

101.8

204.5

17

072217900100

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110

204.5

16

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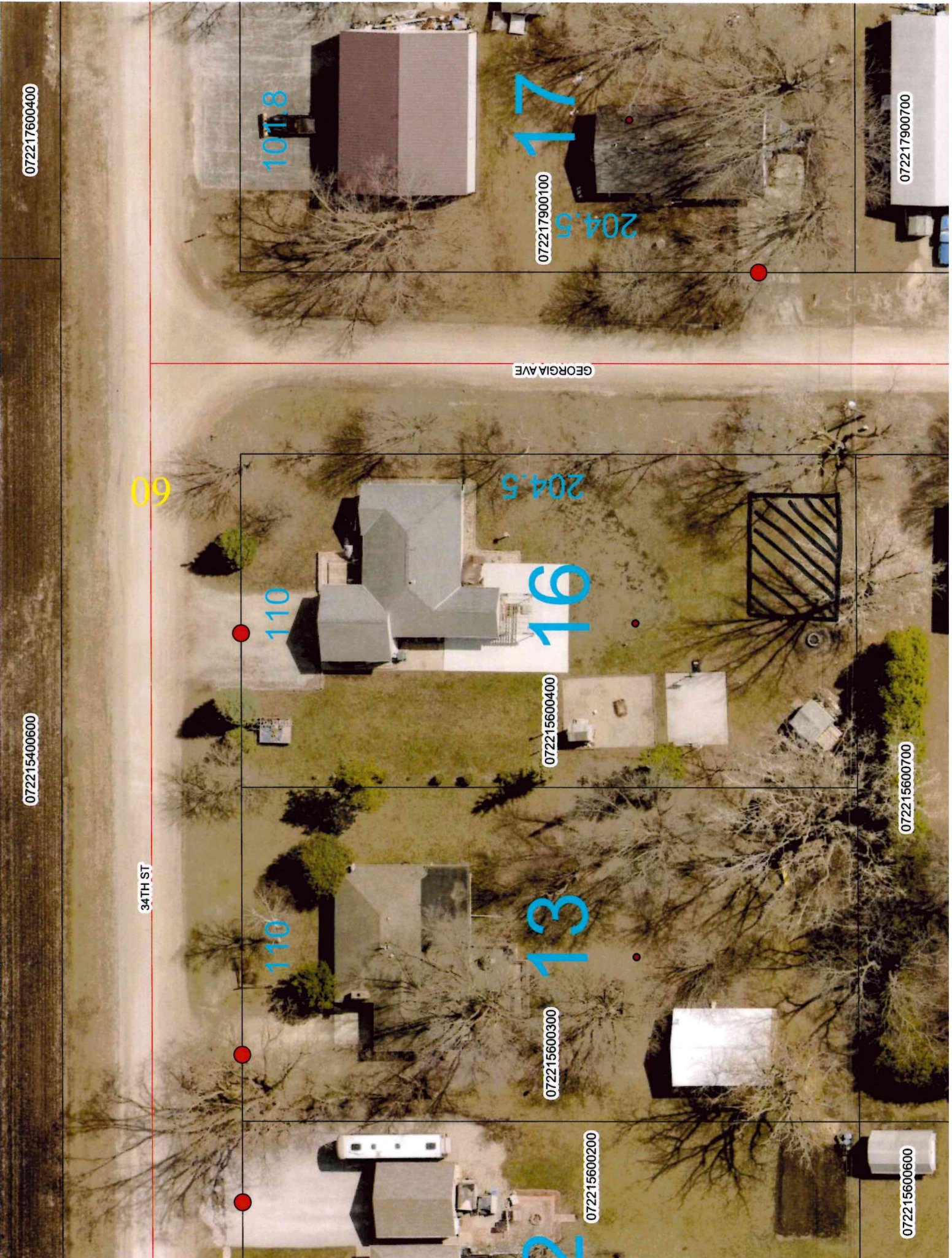
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34TH ST

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