PLANNING AND ZONING
Cerro Gordo County Courthouse
220 N Washington Ave Mason City, IA 50401-3254 (641) 421-3075
Tom Meyer, Zoning Administrator FAX (641) 421-3088
Michelle Rush, Assistant Zoning Administrator plz@cerrogordo.gov

CERRO GORDO COUNTY BOARD OF ADJUSTMENT
VARIANCE STAFF REPORT

Summary of Request

Public Hearing Date: October 28, 2025

Applicant:
John & Cyndi Pederson
15066 Hill St
Clear Lake, IA 50428

Owner:
Same

Property Address: 15066 Hill St, Clear Lake, IA 50428

Brief Legal Description: Lot 11 except the nwly 68', Blk 8, Oakwood Park, Clear Lake Township

Zoning: R-3 Single Family Residential District

Background
The applicants placed a 10'x16' shed and 8'x12' pergola on the property without receiving a zoning permit. A violation letter was mailed to the applicants on September 26, 2004. The shed is 4' from the existing garage. A 10' separation distance is required between detached accessory structures. The existing 24'x30' garage covers 720 square feet of the rear yard. The 10'x16' shed covers 160 square feet and the 8'x12' pergola covers 96 square feet. 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 375 square feet on this property. The garage, shed and pergola cover 976 square feet of the required rear yard, which exceeds the requirement by 601 square feet.

Variance Request
1. Request a 4' separation distance between the shed and the garage – requirement is 10'
2. Request a 976 square feet rear yard coverage area for all detached structures – 375 square feet is allowed

Findings of Fact

1. John & Cyndi Pederson are the owners of the subject property.

2. The property is zoned R-3 Single Family Residential.
3. The applicants placed the 10'x16' shed and 8'x12' pergola on the property without a permit.
4. The 10'x16' shed is 4' from the existing 24'x30' garage; a 10' separation distance is required between detached accessory structures.
5. The existing garage, shed and pergola cover 976 square feet of the rear yard; 375 square feet is the maximum rear yard coverage area on this property for detached accessory structures.
6. A request for a special exception for the 10'x16' shed to be 5'-6" from the westerly side lot line and the 8'x12' pergola to be 6'-7" from the house will be reviewed in a separate staff report.
7. The application was filed on September 17, 2025.

ANALYSIS

The requested variance involves an area, dimensional, or other numerical limit (e.g., setbacks, height, lot size, parking, signage) and must meet the following five criteria as allowed under Iowa Code Chapter 335.15 (4). The Board of Adjustment is provided the power to grant a variance under Section 24.4(A)(3) of the Zoning Ordinance. In its review, the Board may attach certain conditions to any variance 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 variance.

Discussion of Standards of Review per Iowa Code Section 335.15(4)

1. ***Public interest: Granting the variance is not contrary to the public interest.***

While the rear yard is completely covered with detached accessory structures, the pergola and shed sit behind the dwelling and are not easily visible from the street. The applicants have obtained letters of support from the surrounding property owners.

2. ***Special conditions – practical difficulties: Owing to special conditions of the property, a literal enforcement would cause "practical difficulties" for the property owner trying to make a beneficial use of the property allowed by the Zoning Ordinance.***

The property already contained a 24'x30' garage that was constructed in 2004. The existing garage by itself covers 720 square feet of the rear yard. The maximum rear yard coverage area allowed for all detached accessory structures is 375 square feet. The desire for a property owner to place multiple structures on a residential lot does not appear to be a practical difficulty related to the lot. It appears there are not any practical difficulties unique to the property.

3. ***Spirit observed – substantial justice done: The spirit of the Ordinance is observed, and substantial justice is done by granting the variance.***

The shape of the lot diminishes the visual impact of the additional shed and pergola as related to the coverage area. The additional structures do not obstruct the view of any neighbors. The additional structures convey the spirit of the ordinance and maintains the integrity of the neighborhood.

4. ***Unique and not self-created: The difficulties are unique to the property and not self-created (e.g., lot shape, topography, prior lawful platting).***

While the parcel does have a unique angle that could make placement of structures challenging, the applicants placed the pergola and shed prior to obtaining a zoning permit.

5. ***Neighborhood character protected: The variance will not significantly alter the essential character of the surrounding neighborhood.***

The granting of a variance would not appear to significantly alter the essential character of the neighborhood.

Staff Conclusions and Recommendation

The criteria for granting a variance is evaluated above. 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 criteria set out above from the Code.

BOARD DECISION

The Board of Adjustment may consider the following alternatives:

Alternatives

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

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 variances as requested by John & Cyndi Pederson, subject to the following conditions:
  1. All construction shall comply with the Site Plan submitted on October 15, 2024.
  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 the variances 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 variances as requested by John & Cyndi Pederson 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: Figures 1-3 photos
- Exhibit 2: Variance Application dated September 17, 2025
- Exhibit 3: Site plan
- Exhibit 4: Letters of Support
- Exhibit 5: Parcel Highlight

Figure 1
Front of property from Hill Street

Figure 2
Shed 4’ from the existing garage

Figure 3
10’x16’ shed, 8’x12’ pergola & existing 24’x30’ garage covering 976 sq. ft of rear yard

VARIANCE APPEAL

APPLICATION

Date Filed 9-17-25 Date Set for Hearing 10-28-25 Case Number: _____

Applicant Name: John + Cyndi Pederson Phone: 515-229-4748 E-Mail: Pederson.cyndi@gmail.com

Mailing Address: 1075-44th St. Des Moines, Iowa 50311

Property Owner Name: John + Cynthia Pederson Phone: 515-229-4748 E-Mail: pederson.cyndi@gmail.com

Property Owner Address: 15066 Hill St. Clear Lake, Iowa 50314

Property Description (Not to be used on legal documents): Parcel # 05233800160O Township Clear Lake

Property Address: 15066 Hill St. Clear Lake, Iowa Zoning: R-3

Brief Legal Description:

L 11 EXC NWLY 68' BLOCK 8 OAKWOOD PARK SUBD BK 1991 PG 8386

Project Description **Decision Date:** _____

Adding a shed to our property

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

See attached information

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

See attached information

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

Applicant Signature _____ Date 9-16-25

Variance Appeal

John & Cyndi Pederson
15066 Hill St
Clear Lake, Iowa. 50428

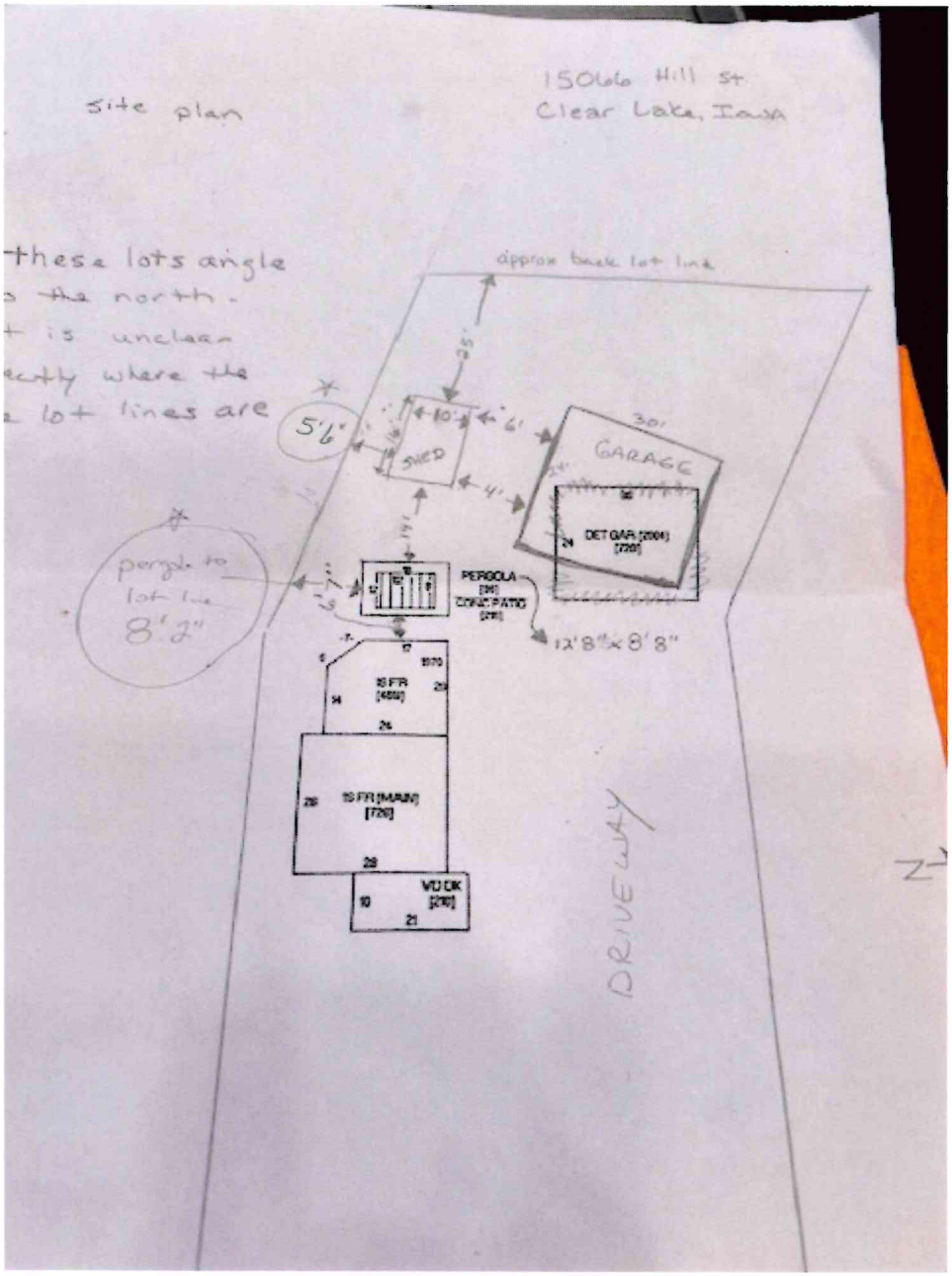
As I mentioned above, the lots on Hill St are unusual making the exact lot lines uncertain. When placing the shed in my backyard it was difficult because the garage that was built by a prior owner, angles with the angled lot line. If I would have placed the shed even with the garage and 10' away the shed would look awkwardly placed and it would be faced towards the neighbor's property, not ours. I tried to split the difference between the garage and the lot line so it would not look awkward. There is ample space between the shed and the garage as I keep my garbage cans behind the shed and there is plenty of room to walk between the structures.

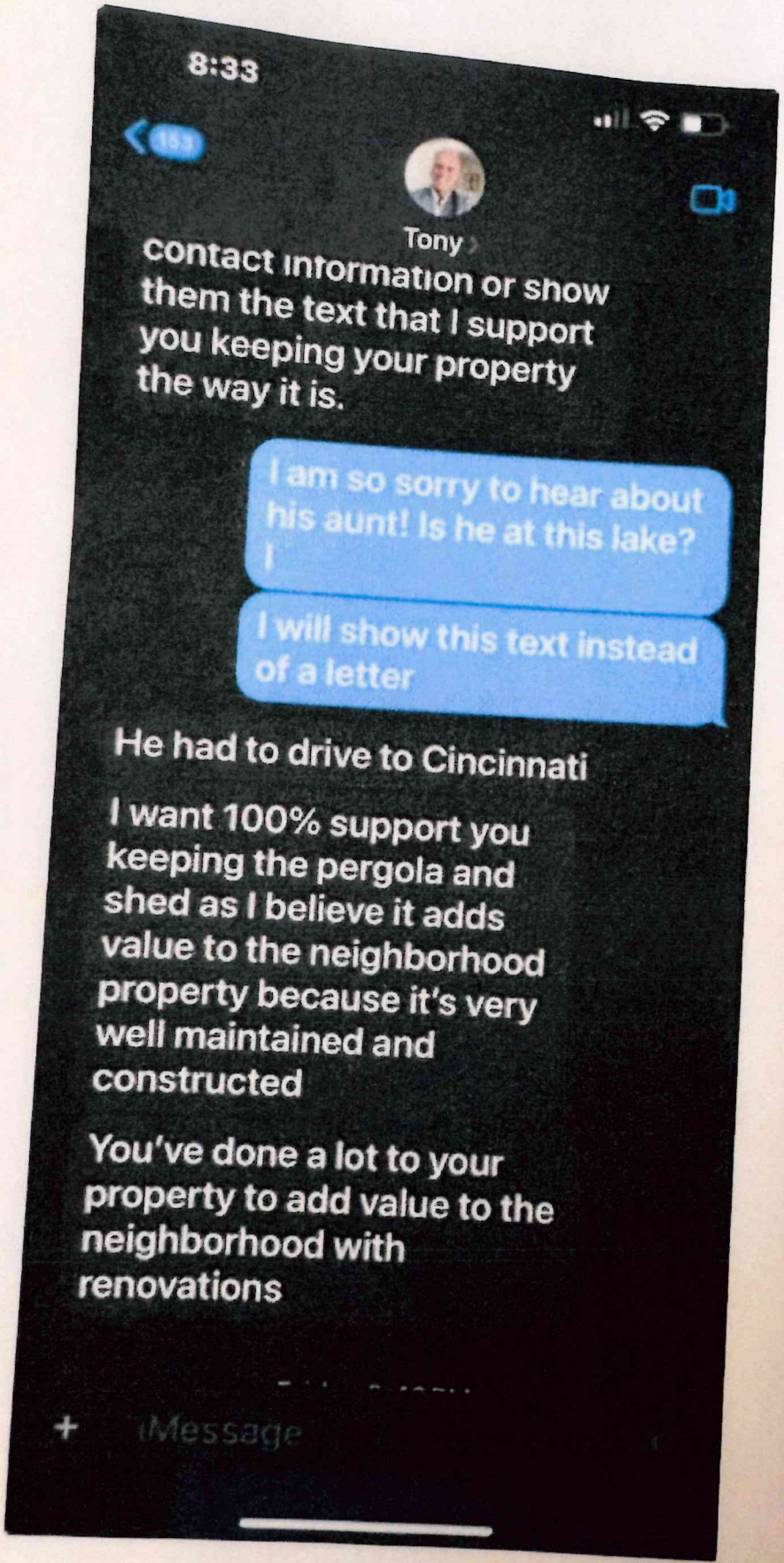
We also learned there is a 30' set back on county property. I would say there is a huge percentage of homeowners who do not comply with that ruling. Most of these properties on the south side were little fishing cabins that got added onto. Many additions were built right up to the lot line and in some areas they took over an abandoned alley way. I do not feel we have too many structures in our backyard as we still have some grass areas and have utilized the space in an efficient manner to create a place for gathering family and friends.

We have made a substantial investment to our property that we and our neighbors feel improved the neighborhood. Having to remove the shed and pergola will create a hardship to us and will be costly if we have to remove them. We are open to suggestions but removing them will be very difficult for us.

We have included letters from my surrounding neighbors who express that they do not have any problems with the improvements we have made to our property. We have worked hard and invested a lot of money to improve our property and it would create an enormous hardship for us to have to remove these items from our back yard area. These items do not have any impact that may be caused as a direct result from the requested variance being granted.

We are respectfully are requesting a variance so the structures can remain. Thank you for your consideration!


site plan
15066 Hill St
Clear Lake, Iowa
these lots angle
the north.
it is unclear
ectly where the
e lot lines are
approx back lot line
5'6"
SHED
GARAGE
DET GAR (2004)
PERGOLA
COVD PATIO
12'8" x 8'8"
pergola to
lot line
8'2"
1S FTR
1S FTR (MAIN)
WD DK
DRIVEWAY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Tony
contact information or show them the text that I support you keeping your property the way it is.
I am so sorry to hear about his aunt! Is he at this lake? I
I will show this text instead of a letter
He had to drive to Cincinnati
I want 100% support you keeping the pergola and shed as I believe it adds value to the neighborhood property because it's very well maintained and constructed
You've done a lot to your property to add value to the neighborhood with renovations
+
iMessage

Cerro Gordo Planning & Zoning
Mason City, Iowa

November 12, 2024

Tom Meyer
Michelle Rush

Subject: Support for neighborhood improvement projects

I am a neighbor of John and Cyndi Pederson who own a vacation home at 15066 Hill St in Clear Lake, Iowa.

It is my understanding that they have been denied the ability to keep the pergola and shed the put in their backyard by the Cerro Gordo County Planning and Zoning committee. We would lik to state that these two items have improved the aesthetics of the yard space by providing an intimate gathering space in the back yard of their property.

John and Cyndi are great neighbors and we have no issues with what they have done to their property. We hope there is a way to give them a variance to allow them a way to keep these yard enhancing improvements in their yard. They are great neighbors and have invested a lot o money and sweat equity in fixing up this property since moving here.

Darin Bills
15067 Hill St

Darin Bills Date 11/17/24

Cerro Gordo Planning & Zoning
Mason City, Iowa

November 12, 2024

Tom Meyer
Michelle Rush

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Robert Catus
5427 Lakeview
Robert N. Catus Date 11/16/24

Cerro Gordo Planning & Zoning
Mason City, Iowa

November 12, 2024

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Michelle Rush

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Kathy Stachon
15068 Hill St

Kathy Stachon 11/16/24

Cerro Gordo Planning & Zoning
Mason City, Iowa

November 12, 2024

Tom Meyer
Michelle Rush

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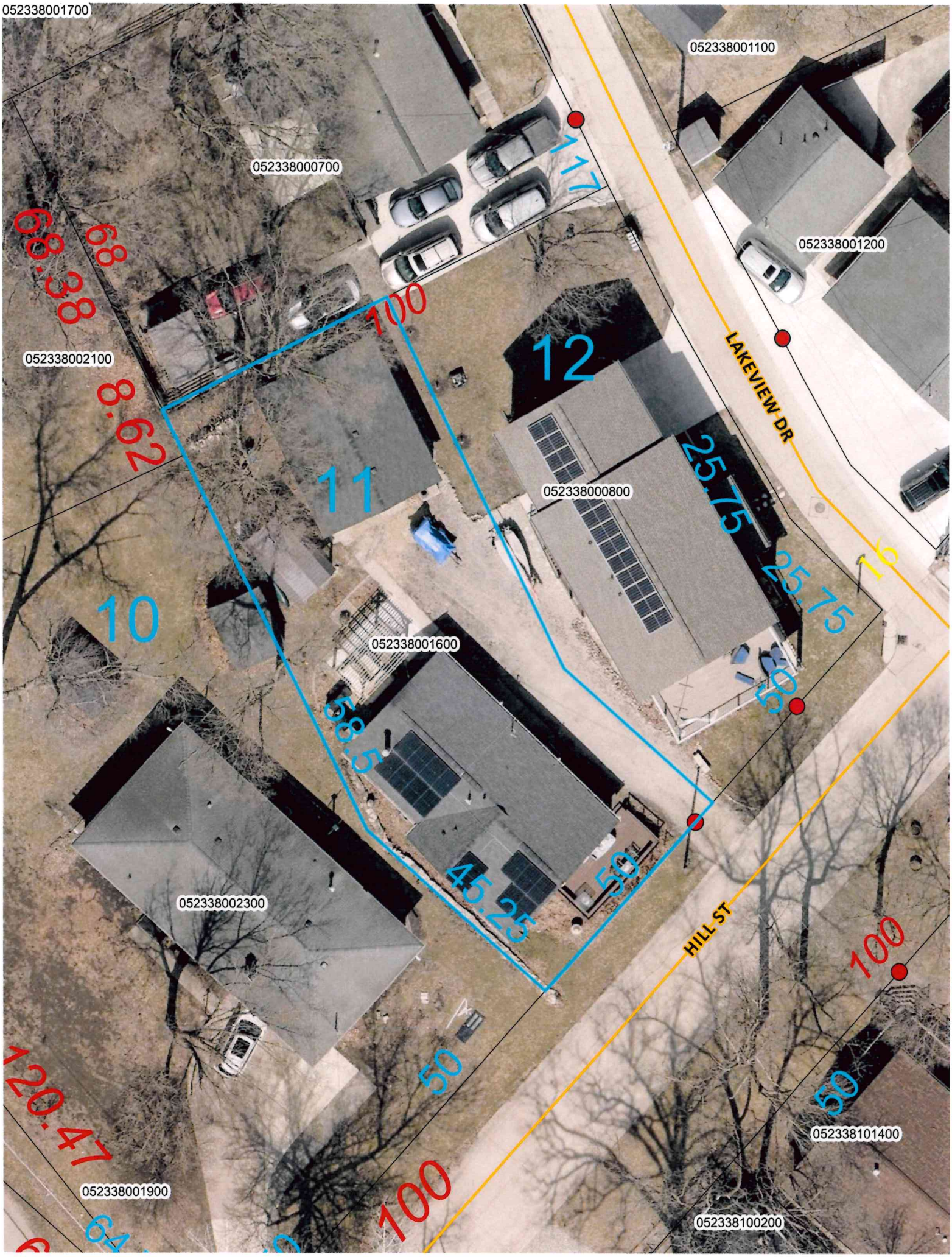
My home was built by my parents so I am grateful to purchase it and move home to retire in my childhood home. I have seen numerous changes and ownership in the area in the last 64 years.

It is refreshing to have neighbors like John and Cyndi who are willing to invest a lot of money and sweat equity into fixing up this property since moving here. This is something we should all embrace to increase property values in the immediate area.

I would also be willing to give them an easement if that helps with the few inches they may need to accommodate the measurements on my side.

Sheryl Wreghitt
15062 Hill St

Sheryl Wreghitt Date 11/12/24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