



**PLANNING AND ZONING**  
**Cerro Gordo County Courthouse**

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**Staff Report**  
**Board of Adjustment**  
**Special Exception Request**  
**May 26, 2026**

**Case No.:** 25-24

**Hearing Date:** May 26, 2026

**Request:** A special exception request for the construction of a pole shed related to the front of the lot.

**Applicants**

Alex & Sarah Mariner  
16763 290<sup>th</sup> St  
Mason City, IA 50401

**Owners**

Same

**Property Address:** 16763 290<sup>th</sup> St, Mason City, IA 50401

**Brief Legal Description:**

County Parcel 03-27-400-011-00 – SE¼ of Section 27, Lime Creek Township  
City Parcel 03-34-200-012-00 – NE¼ of Section 34, Lime Creek Township

**Zoning:**

County Parcel – A-1 Agricultural District  
City Parcel – Z1 Agricultural District

**Background**

The applicants propose to construct a 50'x80' pole shed on property that crosses the jurisdictional line between Cerro Gordo County and the City of Mason City. The proposed structure would be constructed 10 feet from the existing 30'x40' detached garage and generally in line with that garage. The proposed shed would be 44 feet from the front lot line along 290th Street at its closest point, at the northeast corner. The northwest corner of the proposed shed meets the 50-foot front yard setback.

The applicants own the parcel to the south, located inside the City of Mason City, which contains a dwelling and attached garage. Parcel 03-27-400-011-00 is located in the county.

Parcel 03-34-200-012-00 is located inside the City of Mason City. According to the application, approximately 70 percent of the proposed building would be in the county, consisting of the north 35'x80' portion, and approximately 30 percent would be in the city, consisting of the south 15'x80' portion.

According to the City Planner, a variance will be required from the City because the proposed building does not meet the City's 70-foot front yard setback requirement in the Z1 District. It remains the applicants' responsibility to comply with any required City approvals, permitting, and applicable building code standards. Copies of City approvals should be placed on file with the County Planning and Zoning Department.

**Special Exception Request**

Structure	Request(s)	Requirement(s)
50'x80' Pole Shed	44' front yard setback	50-foot front yard setback required in the A-1 District - Article 7.6(A)

**Findings of Fact**

1. Alex & Sarah Mariner are the owners of the subject property.
2. The county parcel is zoned A-1 Agricultural District.
3. The applicants also own the adjoining parcel to the south, which is inside the City of Mason City and contains a dwelling and attached garage.
4. The proposed 50'x80' pole shed would cross the county/city jurisdictional boundary, with approximately 70 percent of the building in the county and 30 percent in the city.
5. The proposed pole shed would be 44 feet from the front lot line at its closest point, where a 50-foot front yard setback is required in the A-1 District.
6. The application was filed on April 6, 2026.
7. The City Planner has indicated that City approval will also be required because the proposed building does not meet the City setback requirement applicable to the city parcel.

**ANALYSIS**

Section 24.4(A)(2) of the Zoning Ordinance authorizes the Board of Adjustment to grant special exceptions to bulk standards of the ordinance when all the standards in Section 24.4(A)(2)(a) are met. The Board may attach conditions to an approved special exception to observe the spirit of the Zoning Ordinance and Comprehensive Plan and to mitigate potential impacts directly resulting from the requested special exception.

The Board should evaluate each standard based on the application, staff report, site conditions, and testimony received at the public hearing.

**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.**

**Analysis:** The proposed pole shed would be 44 feet from the front lot line at its closest point. The request is for a 6-foot reduction from the 50-foot required front yard setback. The requested reduction does not exceed 50 percent of the 50-foot setback standard.

**Staff assessment:** This numerical limitation appears to be met. The Board should separately determine whether strict compliance creates a practical difficulty based on the evidence presented.

**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.**

**Analysis:** A detached accessory structure is an accessory use permitted in the A-1 District, subject to applicable dimensional, setback, and permitting requirements. The proposed structure is accessory to the applicants' use of the property.

**Staff assessment:** 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.**

**Analysis:** The applicants identify uneven land and lack of another feasible building area as the basis for the request. The record also identifies trees near Poplar Avenue and 290th Street, floodplain area west of the slough, a grove of trees along 290th Street, apparent slope from the rear of the house toward the slough, and an existing 30'x40' detached garage built in 2011 before the applicants' ownership. These conditions are relevant and may limit some preferred building locations. However, the record does not clearly show that the property cannot be used in a manner reasonably similar to other A-1 properties without the requested setback reduction. The adjoining city parcel contains 6.33 acres and already contains the dwelling and attached garage. The county parcel contains 2.67 acres. The application does not establish that a compliant location, smaller structure, reoriented structure, or other configuration is infeasible. Alignment with the existing detached garage may be desirable, but preference for a particular building location or layout is not the same as a property-specific practical difficulty that prohibits a reasonably similar use.

**Staff assessment:** The Board should determine whether the claimed difficulty is specific to the property and whether it prevents a reasonably similar use of the property without the exception.

**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.**

**Analysis:** The requested relief is relatively limited because the proposed structure would be 44 feet from the front lot line rather than 50 feet. The record also indicates that the structure would be screened in part by existing trees and would likely have limited visual impact. Those facts support a finding that the request may not create significant adverse effects. They do not, by themselves, establish that the relief is reasonably necessary. The record remains incomplete on whether the building could be moved, reduced in size, rotated, located entirely on one parcel, or otherwise designed to comply with the County setback or require less relief. If feasible alternatives exist, the requested exception is not reasonably necessary even if the impact is minimal.

**Staff assessment:** The Board should determine whether the requested relief, or a lesser amount of relief, is reasonably necessary due to practical difficulties related to the land and whether granting or denying the request would do substantial justice to the applicant and nearby property owners.

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

**Analysis:** The property already contains a detached garage, and the city parcel contains a dwelling and attached garage. The applicants' proposed location would place the new pole shed in line with the existing detached garage, but the record does not show that this is the only feasible configuration. A preference for a 50'x80' structure in a specific alignment does not establish that all feasible compliant or lesser-relief alternatives have been exhausted. The record does not demonstrate that alternatives such as modifying the size, shifting the building, adjusting the orientation, changing the building footprint, or locating more of the structure on the city parcel are infeasible.

**Staff assessment:** The Board will need to determine if there are feasible alternatives other than granting the exception.

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

**Analysis:** The proposed pole shed is not expected to alter the essential character of the locality. The structure would sit behind a grove of trees along 290th Street and is not expected to be readily visible from the road. There is also a line of trees along the east lot line. The property immediately to the east at 16785 290th Street contains a 49'x63' Morton building constructed in 1980. Accessory agricultural or storage-type buildings are consistent with the general rural character of the area.

**Staff assessment:** The standard appears to be met.

**Discussion of Potential Impacts to Immediate Area**

No foreseeable negative impacts to the immediate area are expected solely from the proposed pole shed if all applicable County and City approvals are obtained and the structure is constructed substantially in accordance with the submitted site plan. The request is a setback-related bulk standard issue rather than a proposed change in use.

## **Staff Conclusions and Recommendation**

The Board of Adjustment must determine whether all criteria in Article 24.4(A)(2)(a) are met. The record includes evidence of site constraints, including trees, floodplain area, slope, and the existing detached garage. The record also includes evidence that may support denial, including the size of the combined property, the adjoining city parcel, and the need to determine whether a compliant or lesser-relief alternative is feasible.

If the Board finds that the applicants have proven a property-specific practical difficulty and that no feasible alternative exists other than the requested exception, the Board may approve the request subject to appropriate conditions. If the Board finds that a compliant location, smaller structure, reoriented structure, or lesser-relief alternative is feasible, or that the practical difficulty is based primarily on preferred building placement, the Board should deny the request because all required criteria would not be met.

### **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 Alex & Sarah Mariner, subject to the following conditions:
  1. All construction shall comply with the site plan submitted on March 26, 2026.
  2. No construction shall begin until a Zoning Permit has been issued by the Planning and Zoning Office.
  3. Approval is limited to the proposed 50'x80' pole shed with a minimum 44-foot front yard setback as shown on the approved site plan.
  4. The applicants shall obtain all required City of Mason City approvals and County approvals before construction begins.
  5. Copies of City approvals shall be provided to the County Planning and Zoning Department before construction authorization is issued.
  6. The structure shall be constructed substantially in accordance with the approved site plan unless additional approval is obtained.

#### Provided Alternate Action:

- I move to adopt the staff report as the Board's findings and to approve a special exception 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 special exception as requested by Alex & Sarah Mariner for the following reasons:  
The applicant does not meet the criteria listed in the Cerro Gordo County Zoning Code.  
(Mention any additional reasons)

<b>EXHIBITS</b>
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- |   |
|---|
| <ul style="list-style-type: none"><li>• Exhibit 1: Figures 1-10 photos</li><li>• Exhibit 2: Special Exception Application filed April 6, 2026</li><li>• Exhibit 3: Pole shed site plan</li><li>• Exhibit 4: Parcel Highlight</li><li>• Exhibit 5: City Parcel Highlight</li><li>• Exhibit 6: Floodplain map</li></ul> |
|---|

Figure 1  
Entrance into property from 290<sup>th</sup> Street



Figure 2  
Looking northwesterly at proposed location of pole shed



Figure 3  
Looking north at proposed location of pole shed



Figure 4  
Looking west at NE and SE corners of proposed pole shed



Figure 5  
Looking west at NE stake 44' from front lot line (290<sup>th</sup> Street)



Figure 6  
Looking north at SE corner of pole shed



Figure 7  
Row of trees along front of parcel (290<sup>th</sup> Street)



Figure 8  
Looking west at SE corner of proposed pole shed



Figure 9  
Looking west at house and garage inside city limits



Figure 10  
Looking south at property inside city limits



**SPECIAL EXCEPTION APPEAL**

**APPLICATION**

Date Filed 4-6-26

Date Set for Hearing 5-26-26

Case Number: 25-24

Applicant Name: Alex Mariner + Sarah Mariner Phone: 641-530-2495 E-Mail: mariner4011@gmail.com

Mailing Address: 16763 290th St, Mason City, IA 50401

Property Owner Name: Alex Mariner + Sarah Mariner Phone: 641-530-2495 E-Mail: mariner4011@gmail.com

Property Owner Address: 16763 290th St, Mason City, IA 50401

Property Description (Not to be used on legal documents): Parcel # 03274000110 Township Mason City

Property Address: 16763 290th St., Mason City, IA 50401 Zoning: Residential

Brief Legal Description:  
see app

**Project Description**

50' x 80' pole shed

**Decision Date:** \_\_\_\_\_

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

44' setback from road

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

- \* Gravel Road, 290th St, curves a bit, causing building to be 50' on one end and 44' on other end on set back from road.
- \* There is not another feasible area to build as it is very unlevel and flood area.
- \* Allowing a 44' setback will allow us to build in line with the current detached garage and utilize driveway.

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

Alex Mariner

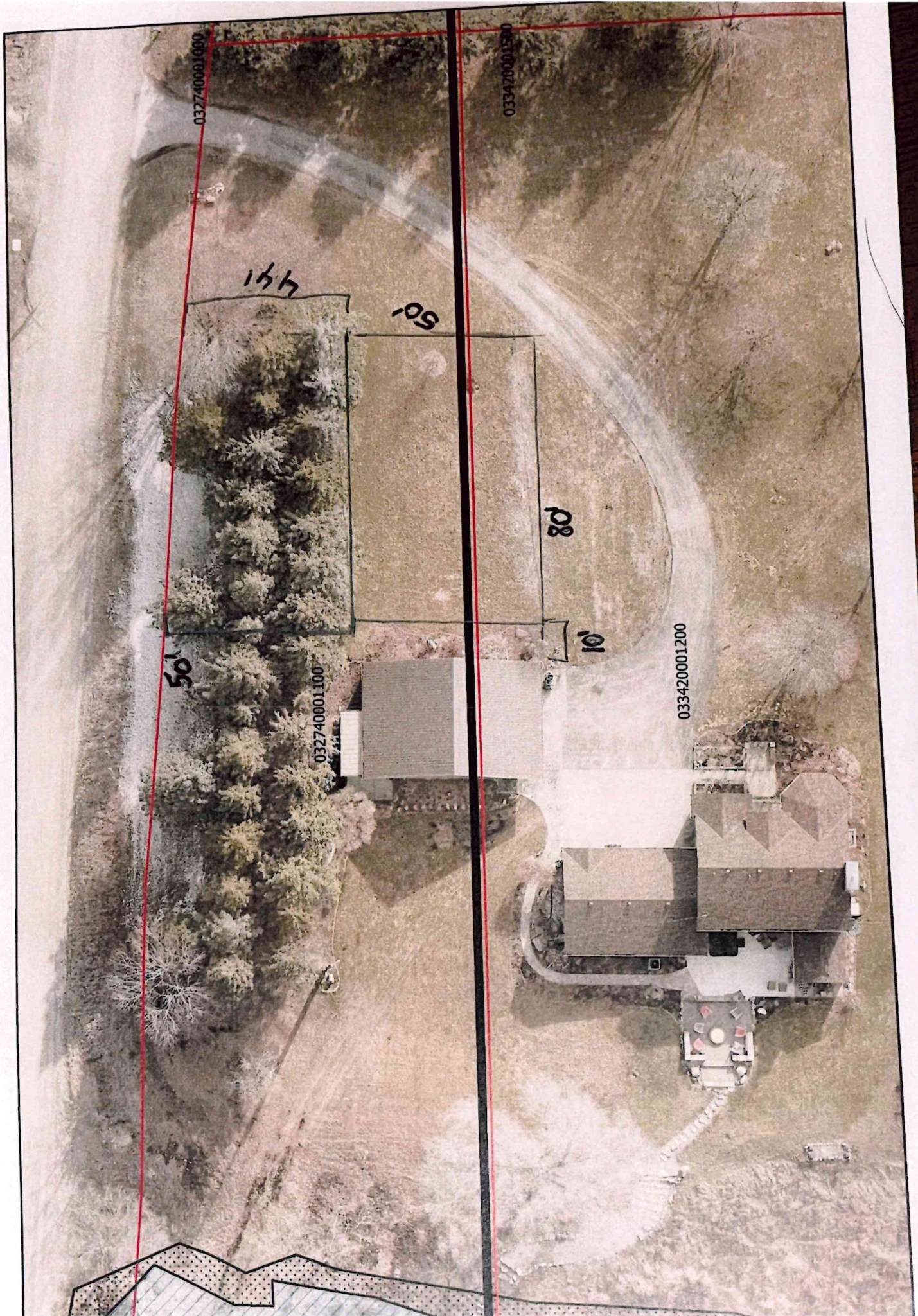
Date

4-2-2026

### 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.

- \* Does not cause a decrease in visibility
- \* There is an agriculture building (not owned by us) to the east that is very close to the road and causes no problems.
- \* The closest home is .4 miles and the building would not be seen from their home, as the agriculture building would block this.
- \* This building would be 70% in county and 30% in city, so would also have to comply to city code



032740001000

033420001300

147

50'

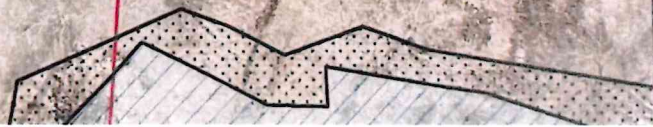
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10'

50'

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330  
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POPLAR AVE

290TH ST

N CAROLINA AVE

river

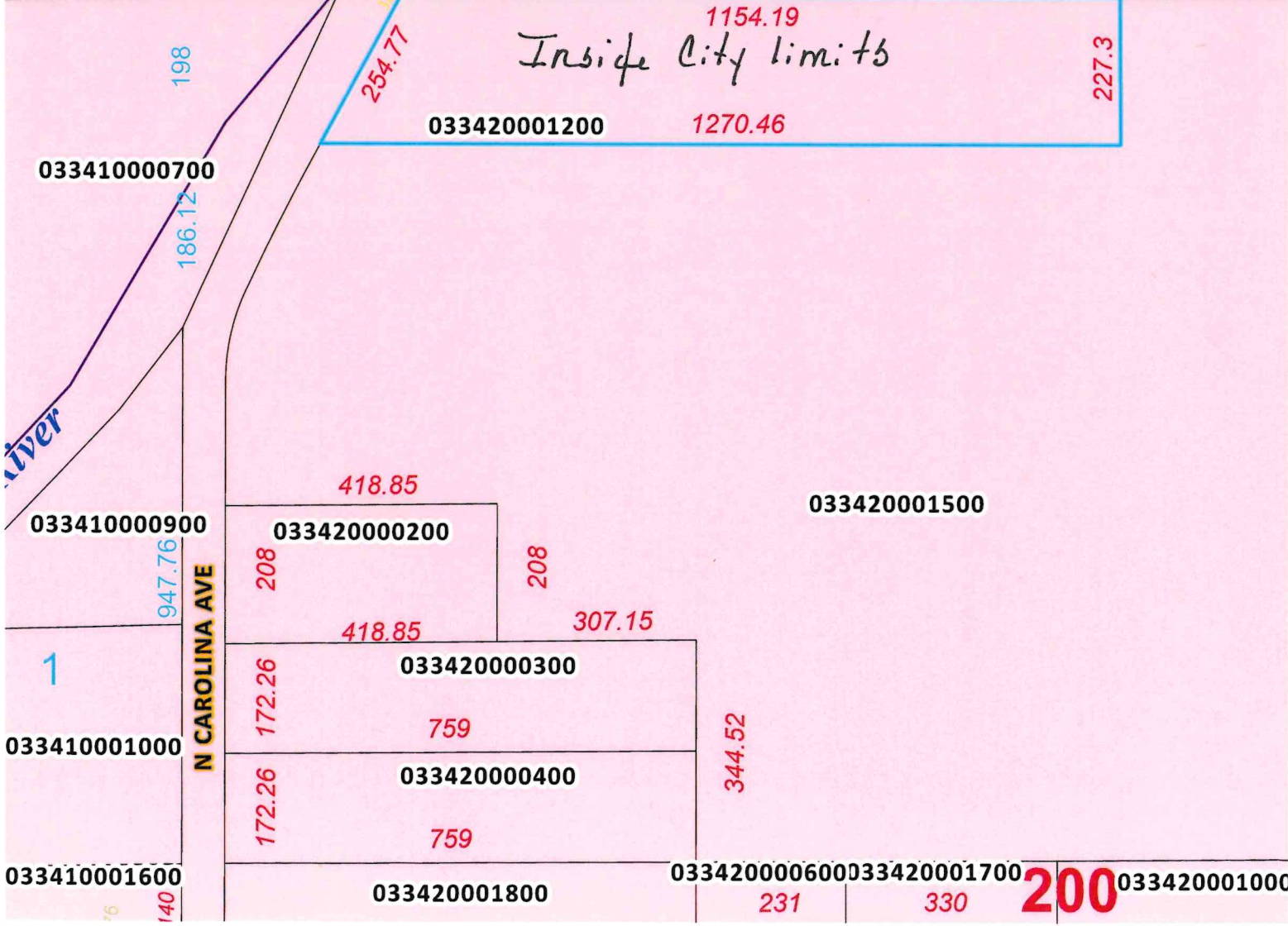
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*Inside City limits*

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