

APPLICATION/APPEAL FORM

[For Completion by All Applicants]

Date 8-1-19

TO: ZONING BOARD OF ADJUSTMENT
CERRO GORDO COUNTY, IOWA

I (WE), Ryan Lahner
(NAME)

OF 16455 Lark Ave Mason City IA 50401
(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 30 2019 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 13 of Lake Township.

The property affected is zoned M2 according to the Cerro Gordo County Zoning

District Maps. Legal description of the property is: NW 1/4 of the SW 1/4
Section 13, Lake Township

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

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

I am proposing to build a 60 x 80 x 16
Warehouse building on the SW corner of this
Section

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 

OFFICE USE ONLY

Date Filed 8/5/19 Case Number 20-07
Date Set for Hearing 8/27/19 Fee Paid \$100

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) Ryan Lahner

Type of Variance Requested Variance based on Setback less than 100ft

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

The proposed building does not meet current setback regulations from the surrounding Ag properties

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

This property is Zoned Industrial but is surrounded by Ag Zoned properties. In the surrounded areas of the property to maintain all other setbacks and not interfere with the Septic, this location makes sense

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

Most of the buildings located on this property are similar in size, and used for warehousing. Walls are 16 to 24 foot height currently and many are over 60 ft wide and 80 ft long. New building will be same steel exterior & steel roof.

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

Most of the buildings out here were built previous to 1970. The setbacks were different or the ground surrounding may not have been zoned Ag.

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

The Ag setback rules don't allow for a rear 55 ft setback proposed by this building plan.

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

This property is zoned industrial and the new building will be for industrial purposes; Warehouse, Storage of materials, and tools.

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

This building will be used as a warehouse for Electrical Motors and will not be full time occupied.

I,  certify that

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

**Case No. 20-07
Ryan Lahner (16455 Lark Avenue)**

Figure 1

Looking at the proposed location of the warehouse building



August 14, 2019, J. Robbins

Figure 2

Looking along the proposed south building line



August 14, 2019, J. Robbins

Figure 3

Looking north along the east (rear) lot line



August 14, 2019, J. Robbins

Figure 4

Looking north from the proposed warehouse building location toward the leech field



August 14, 2019, J. Robbins

Figure 5

Looking north along the existing drive area just west of the proposed warehouse building location



August 14, 2019, J. Robbins

Figure 6

Looking south along the existing drive area just west of the proposed warehouse building location



August 14, 2019, J. Robbins

Figure 7

Looking at the building to be removed after the warehouse is constructed



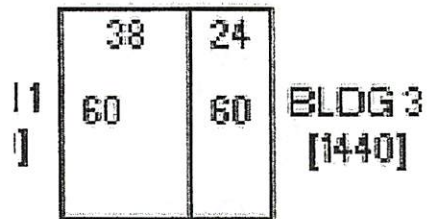
August 14, 2019, J. Robbins

Figure 8

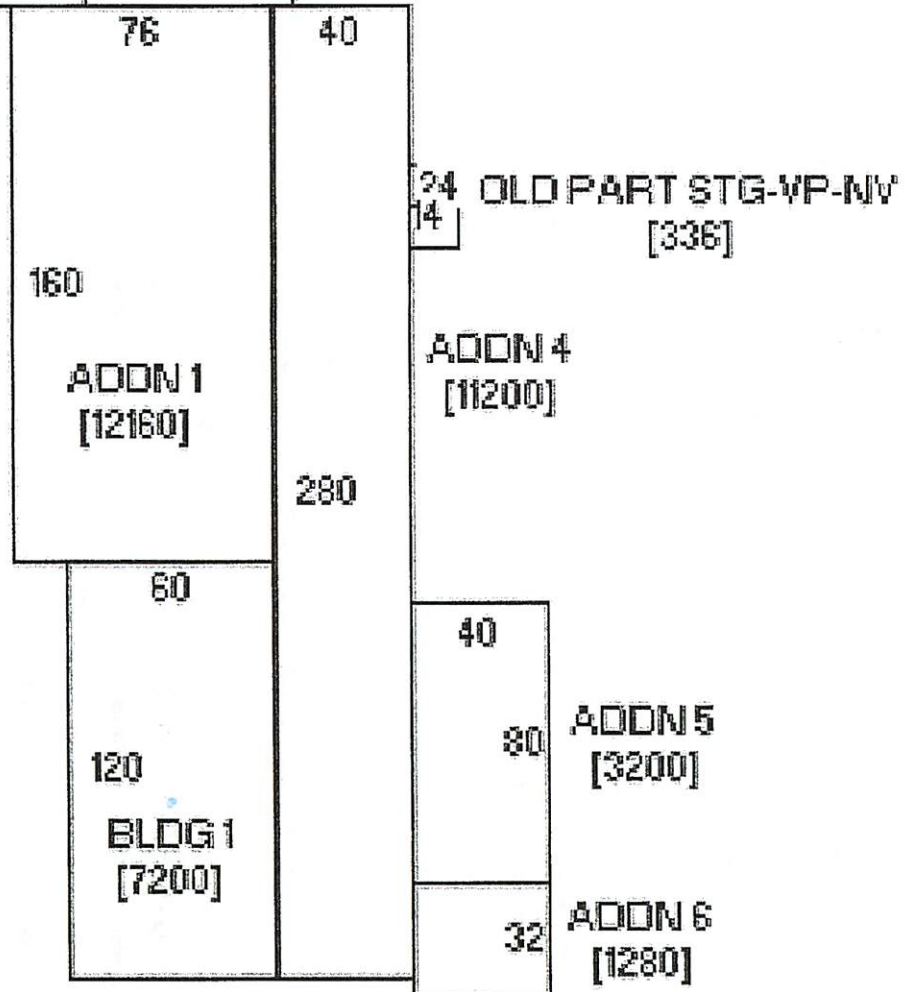
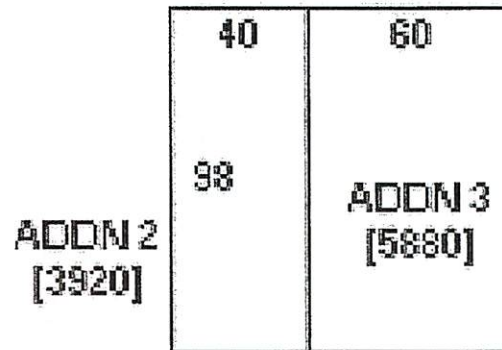
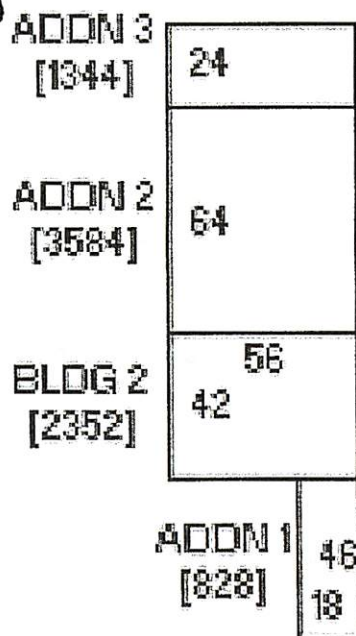
Looking east toward farm fields to the east



August 14, 2019, J. Robbins

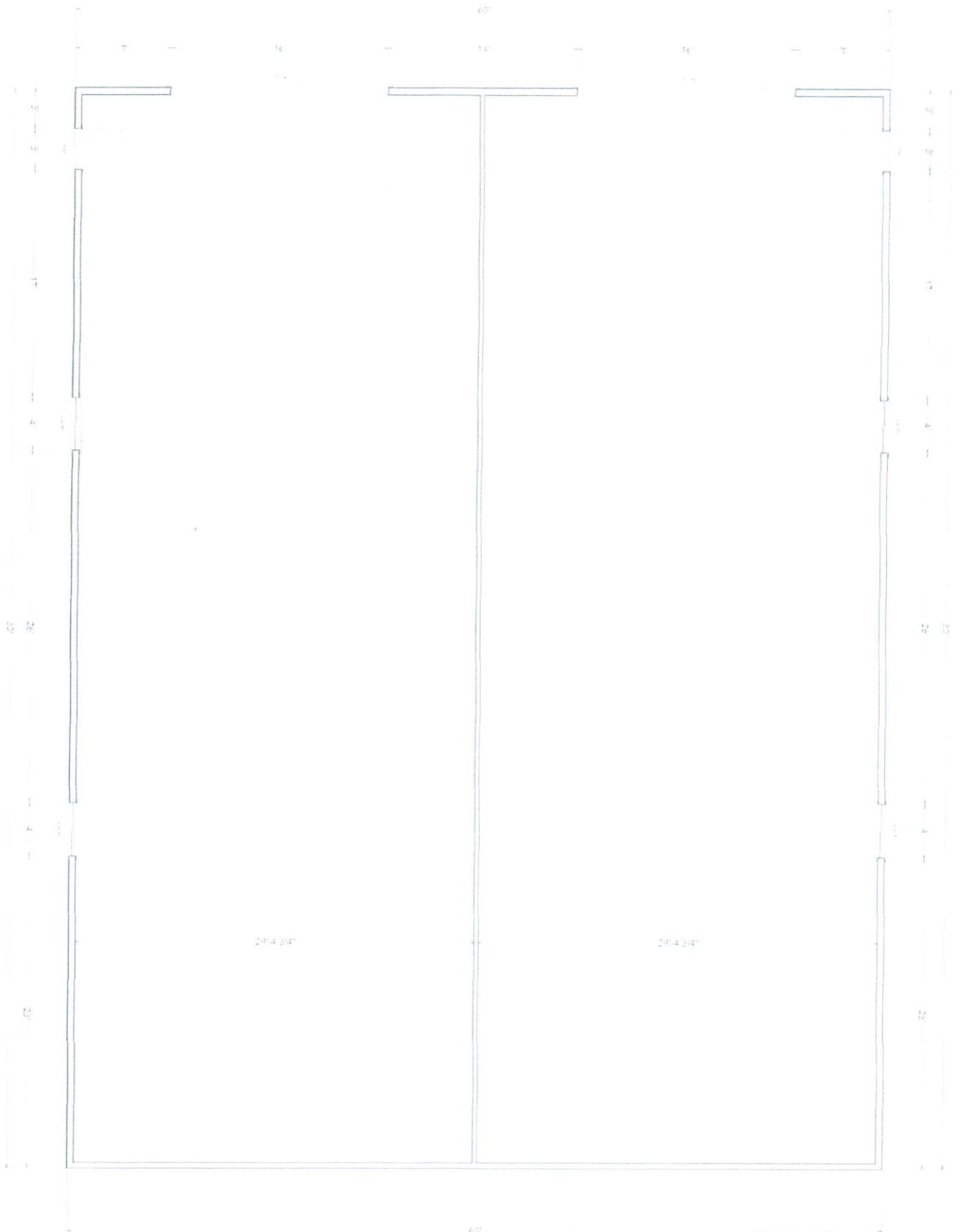


80 ft
Proposed
Bldg



10/1/2013

Ryan DeLuna



LIVING AREA
400 SQ FT

A-1 ITRR

ITRR M-2

M-2

CH B35 255th ST.

CH S34 LARK AVE.

14

A-1

M-2

13

A-1

