

APPLICATION/APPEAL FORM

[For Completion by All Applicants]

Date 3/30/18

TO: ZONING BOARD OF ADJUSTMENT
CERRO GORDO COUNTY, IOWA

I (WE), Stephanie Hamilton
(NAME)

OF 15388 Dodge Ave
(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 3/23/2018 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 _____ of _____ Township.

The property affected is zoned R-3 according to the Cerro Gordo County Zoning

District Maps. Legal description of the property is: Lot 1 and the north 10' of Lot 2, Dodges Point

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

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

We propose to build a 30' x 24 Single
Story Garage 3' from the north lot
line

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 Stephanie Hamilton

OFFICE USE ONLY

Date Filed 4-6-18 Case Number 18-38

Date Set for Hearing _____ 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) Stephanie Hamilton
Type of Variance Requested Side Yard

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

Due to the New House being built to the North (Dave Moore), with a higher elevation we need to move the set back to the same as his to controll water runoff

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

Stephanie's elevation is 2' lower than Moore's the garage needs to be built in that location to divert runoff to the Rain garden the DNR installed by her party

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

The houses to the south are on zero lot lines, To the north Set backs are 3'

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

In the past the house was a summer cottage. Only with no need for a garage. Now that it has been renovated for year long living a garage is needed.

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

Water run off Central Due to the need house to the north. The 3' Variance is needed to allow room for the Driveway to access it, and the elevation.

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

The proposed garage sits in with the residential Neighborhood and will be built to match house. It will be a less dense lot than the rest of the neighborhood.

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

No water or Sanitary, it will help with Drainage

I, Stephanie Hamilton

certify that

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

Case No. 18-38
Stephanie Hamilton (15388 Dodge Avenue)

Figure 1

Looking at the proposed location of the detached garage



April 26, 2018, J. Robbins

Figure 2

Looking at the north along the north side lot line at the swale as shown on the site plan



April 26, 2018, J. Robbins

Figure 3

Looking west along the north side lot line (northeast lot corner post marked by stake with yellow)

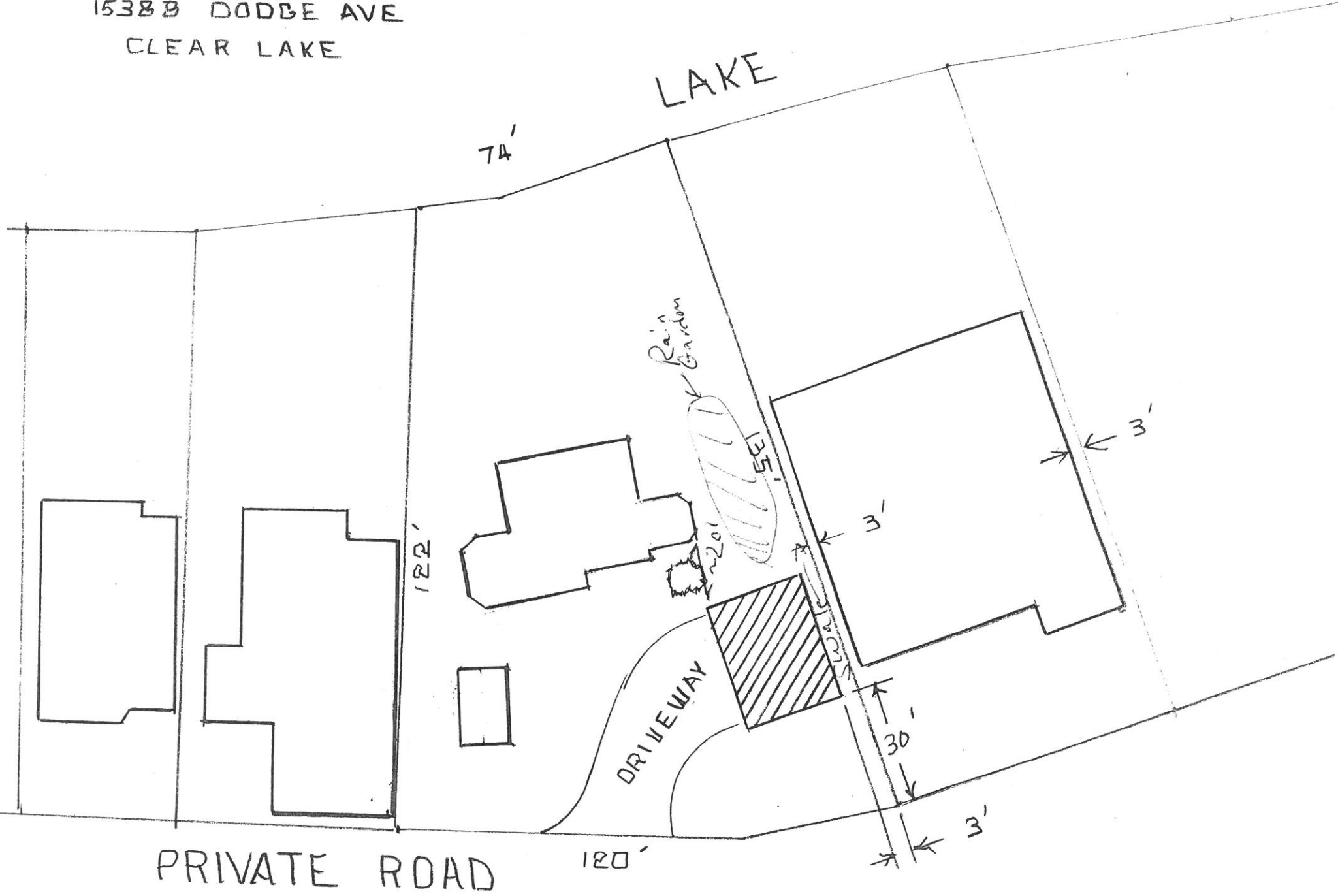


April 26, 2018, J. Robbins

STEPHANY HAMILTON PROPOSED GARAGE

1538B DODGE AVE

CLEAR LAKE





20 ft
5 m