



PLANNING AND ZONING Cerro Gordo County Courthouse

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CERRO GORDO COUNTY BOARD OF ADJUSTMENT VARIANCE STAFF REPORT

Summary of Request

Public Hearing Date: October 28, 2025

Applicant

Stephen & Jamie Vize
812 79th Place
West Des Moines, IA 50266

Owner

Same

Case No. 25-09

Property Address: 15517 Basswood Ave, Ventura, Iowa.

Brief Legal Description: Lot 14, Block 4, Ventura Heights, Clear Lake Township

Zoning: R-3 Single Family Residential District

Background

Due to a large tree that fell on the existing cabin from the storm that occurred on July 28, 2025, the cabin that was constructed in 1950 was severely damaged. The applicant would like to tear down the cabin and build a new two-story home on the parcel.

Variance Request

1. Request a front yard setback of 23'-11" for the dwelling – requirement is 30'
2. Request a rear yard setback of 5' for the dwelling – requirement is 30'
3. Request a 4'-2" south side yard setback for the dwelling – requirement is 6'
4. Request a 6'-11" north side yard setback for the dwelling – requirement is 12 ½'

Findings of Fact

1. Stephen & Jamie Vize are the owners of the property.
2. The property is zoned R-3 Single Family Residential.
3. The property is located at the intersection of 246th Street and Basswood Avenue.

4. The proposed dwelling will be 23'-11" from the front lot line along Basswood Avenue; A 30' front yard setback is required. The dwelling will be 5' from the rear lot line (east); a 30' rear yard setback is required. The dwelling will be 4'-2" from the south side lot line; a 6' side yard setback is required. The dwelling will be 6'-11" from the north side lot line; a 12½' street side yard setback is required.
5. The front lot line is located 3½' into the street (Basswood Ave).
6. The proposed dwelling will be 20' from the edge of the road (Basswood Ave).
7. The north side lot line is located where 246th Steet meets the grass.
8. The application was filed on September 10, 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.

A one-story cabin already exists on the property. The proposed two-story dwelling will be further away from the rear (east) lot line and the south side lot line than the existing cabin. The request does not appear to be contrary to the public interest. ***The standard appears to be met.***

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.

A single-family dwelling is a principal permitted use in the R-3 District. The lot at its widest width is 35.75' in size near the rear (east) and 75' deep. Complying with the 30' front yard setback and 30' rear yard setback makes it impossible to construct a dwelling without a variance. It is also on a corner. Complying with the 12½' street side yard setback and 6' interior side yard setback would only allow a dwelling to be approximately 16' wide. Section 6.19 of the zoning ordinance requires the minimum dimension of the main body of a dwelling shall not be less than 22'. ***The standard appears to be met.***

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

The existing house was built beyond the required setbacks. The new dwelling will be slightly closer to Basswood Avenue and 246th Street than the existing cabin. It will be further away from the rear lot line and south side lot line. The adjacent lot to the south is vacant and there is a garage on Lots 11-12 to the south. No views should be affected by the second story. The request appears to meet the spirit of the zoning code. ***The standard appears to be met.***

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).***

The house was severely damaged due to the storm on July 28, 2025 and was not self-created. The size of the lot was not self-created by the owner. ***The standard appears to be met.***

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. There is an existing cabin on the property. The neighborhood consists of a mixture of single story and second story dwellings. No views of the lake will be blocked by the proposed two-story dwelling. ***The standard appears to be met.***

Staff Conclusions and Recommendation

The criteria for granting a variance under Iowa Code Section 335.15(4) appears to have been met. 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 variance subject to any conditions as deemed necessary by the Board.
2. Grant relief less or different from the requested variance by modifying the requested variance.
3. Deny the variance.

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 variance as requested by Stephen & Jamie Vize, subject to the following conditions:
 1. All construction shall comply with the Site Plan submitted on September 5, 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 variance 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 variance as requested by Stephen & Jamie Vize for the following reasons:
The request does not meet the criteria in Iowa Code Chapter 335.15(4).

[STATE ANY OTHER REASONS FOR DENIAL]

EXHIBITS

- | |
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| <ul style="list-style-type: none">• Exhibit 1: Figures 1-6 photos• Exhibit 2: Special Exception Application dated September 10, 2025• Exhibit 3: Site Plan• Exhibit 5: Parcel Highlight |
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Figure 1
Existing cabin from Basswood Ave



Figure 2 - Storm damage to existing cabin



Figure 3 - Location of front lot line (pink line in Basswood Ave)



Figure 4
Location of side lot line in pink (along 246th St)



Figure 5
Looking north to south along proposed front of new dwelling



Figure 6
Looking west to east along proposed north & south sides of dwelling



VARIANCE APPEAL

APPLICATION

Date Filed 9/10/25

Date Set for Hearing 10/29

Case Number: 25-09

Applicant Name: Stephen & Jamie Vize

Phone: 5633434151

E-Mail: svize21@gmail.com

Mailing Address: 812 79th Place West Des Moines, IA 50266

Property Owner Name: Stephen & Jamie Vize

Phone: 5633434151

E-Mail: vize21@gmail.com

Property Owner Address: 812 79th Place West Des Moines, IA 50266

Property Description (Not to be used on legal documents): Parcel # "05201530050" Township Ventura Heights

Property Address: 15517 Basswood Ave Ventura, IA 50482 Zoning: R-3

Brief Legal Description:

L 14 AS ORIG PLATTED & COM AT SE COR L 14 AS ORIG
PLATTED TH S 5.75' TH N 870 03' 52" W 75.08' TO W LINE L 13 AS
ORIG PLATTED TH N 3.38' TO SW COR L 14 AS ORIG PLATTED

Project Description

Decision Date:

Tear down / rebuild home due to storm damage

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

The proposed dwelling will be 23'-11" from the front lot line and 5' from the rear lot line. A 30 front yard setback and a 30 rear yard setback are required in the R-3 District. The proposed dwelling will be 4'-2" from the south side lot line. A 6' side yard setback is required. The proposed dwelling will be 6'-11" from the north side lot line. A 121/2' street side yard setback is required.

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

1. Not granting the variance would be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the zoning ordinance will result in practical difficulties to the property owner in making a beneficial use of the property allowed by the zoning ordinance.

Not granting the variance would be contrary to the public interest because the storm damage has created special conditions that make strict enforcement of the building code impractical and burdensome. These conditions are unique to our property and would prevent us from efficiently rebuilding and restoring the cabin in a manner that benefits both us as property owners and the community. Allowing this variance would enable us to repair and rebuild in a way that is safe, practical, and consistent with the property's intended use, ultimately serving the public interest by preserving property value and ensuring the property remains a beneficial part of the community. Not granting the variance would be contrary to the public interest because the storm damage has created special conditions that make strict enforcement of the building code impractical and burdensome. These conditions are unique to our property and would prevent us from

efficiently rebuilding and restoring the cabin in a manner that benefits both us as property owners and the community. Allowing this variance would enable us to repair and rebuild in a way that is safe, practical, and consistent with the property's intended use, ultimately serving the public interest by preserving property value and ensuring the property remains a beneficial part of the community.

2. The practical difficulties faced are unique to the property at issue and are not self-created.

The practical difficulties faced are unique to this property and are not self-created. The storm damage, including a large tree that fell and severely damaged the house, was an unforeseen and extraordinary event. This situation is specific to this property and was not caused by any actions or neglect on our part. These circumstances create a significant obstacle to rebuilding in strict accordance with the current building code, making the variance both necessary and justified to address the exceptional conditions.

3. Granting the variance will not significantly alter the essential character of the surrounding neighborhood.

Granting the variance will not significantly alter the essential character of the surrounding neighborhood. Our intention is to rebuild the cabin in a way that is consistent with its prior appearance, scale, and use, ensuring it remains in harmony with the surrounding properties. The variance simply allows us to overcome the extraordinary damage caused by the storm, including the large tree that fell on the house, so we can restore the property to its original purpose as a safe and usable residence. The overall look, feel, and use of the cabin will continue to fit seamlessly into the neighborhood, preserving its character while enabling us to make beneficial use of the property.

I am the ☒ Owner ☐ Contract Purchaser ☐ Other (Explain) _____ Owner _____
_____ 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 9/10/25

VARIANCE 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 variance requested.



