



## PLANNING AND ZONING Cerro Gordo County Courthouse

220 N Washington Ave      Mason City, IA 50401-3254  
John Robbins, Planning & Zoning Administrator  
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### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Cerro Gordo County Zoning Board of Adjustment will hold a public hearing on **January 30, 2018, at 4:00 p.m.** in the meeting room of the Board of Supervisors at the Courthouse in Mason City, Iowa. Said Board of Adjustment will consider the application of RH & SH Investments, for a variance to the A-1 Agricultural District and General requirements of the Zoning Ordinance.

The request, if approved, would allow the 30'x24' detached garage to be located 7' from the house. The Zoning Ordinance requires a minimum separation distance of 10' between detached structures.

Said property is located at 23977 Claybanks Dr, Nora Springs, IA.

Any person interested in this matter may be present at this time and place to be heard thereon. Copies of this application, along with the Board of Adjustment's Policies and Procedures, may be obtained by contacting the Cerro Gordo County Planning & Zoning Administrator.

Notice dated this 12th day of January, 2018.

Jack Davis, Chairman  
Cerro Gordo County Zoning Board of Adjustment

Publish in the Mason City Globe-Gazette January 16, 2018

**Bill & Proof of Publication to Cerro Gordo County Planning & Zoning**

**APPLICATION/APPEAL FORM**

[For Completion by All Applicants]

Date 11-27-17

TO: ZONING BOARD OF ADJUSTMENT  
CERRO GORDO COUNTY, IOWA

I (WE), Steve RHHH Investment  
(NAME)

OF Po Box 145 ST ANSGAR IA 50472  
(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 11-27-17 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 SE/SE of 26 part 1/2 Township.

The property affected is zoned A-1 according to the Cerro Gordo County Zoning

District Maps. Legal description of the property is: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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

SE 1/4 of SE 1/4 section 26 portland Twp  
23977 clay banks Dr Nora Springs IA

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 Stephen S Huelsh 11-27-17 *SH*

**OFFICE USE ONLY**

Date Filed \_\_\_\_\_ Case Number 18-29  
Date Set for Hearing 1-30-18 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) \_\_\_\_\_

Type of Variance Requested MINIMUM SEPARATION DISTANCE BETWEEN HOUSE + OUT BUILDING

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

UTILIZING EXISTING FOUNDATION TO RECONSTRUCT THE GARAGE  
TO MINIMIZE EXPENSES DUE TO NO INSURANCE ON THE BUILDING

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

N/A GRANDFATHERED FARMSTEAD

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

STAY Agricultural

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

N/A

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

SEPARATION DISTANCE Did Not Exist with previous owner + Building?

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

MAINTAINING use of property prior to fire damage

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

NO Impact on Adjoining properties

I, Stephen J Hucksh (Stephen J Hucksh) certify that all of the above statements are true to the best of my knowledge and belief.

**Case No. 18-29**  
**RH & SH Investments (23977 Claybanks Drive)**

**Figure 1**  
Looking at the garage

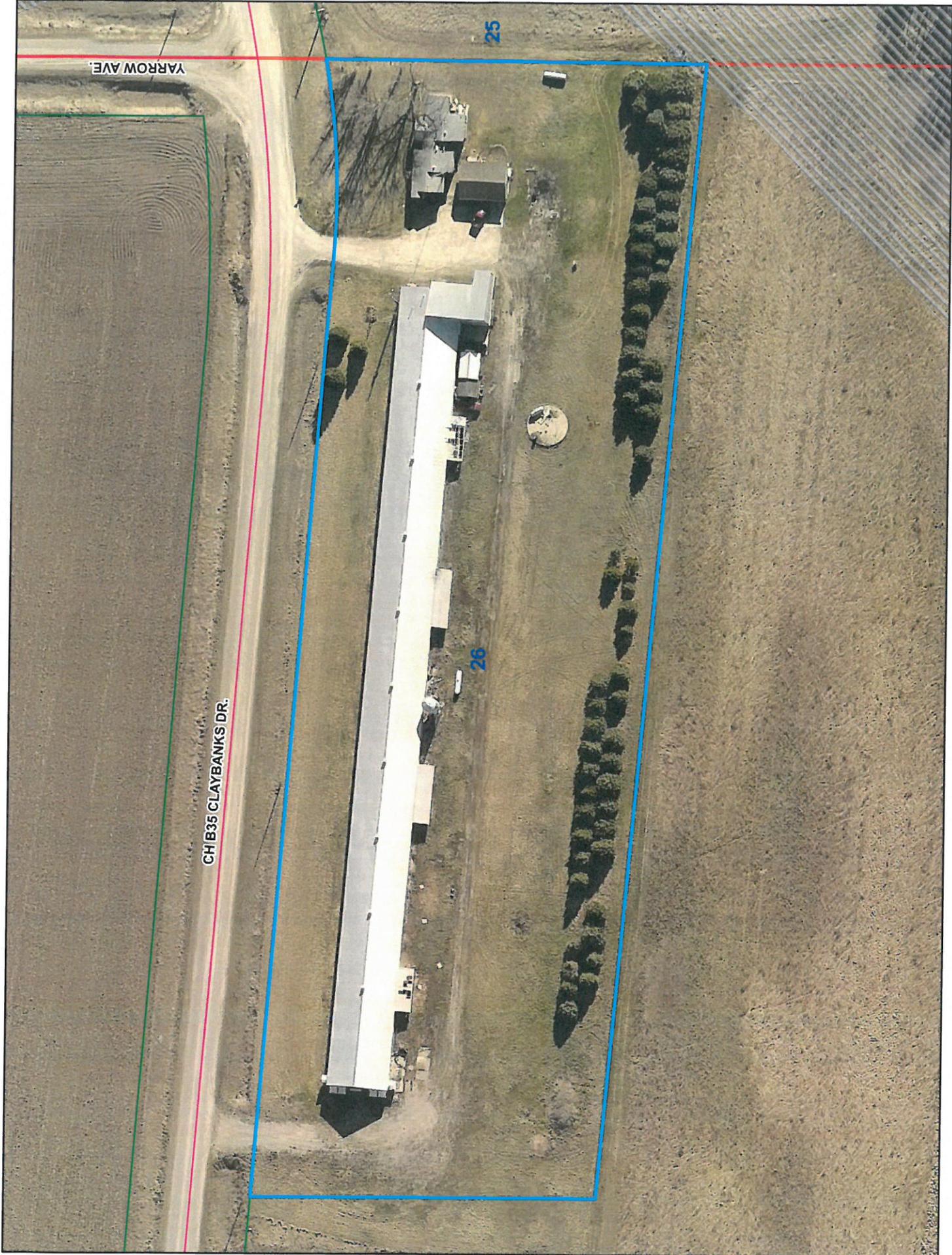


January 8, 2018, J. Robbins

**Figure 2**  
Looking at the 7 foot separation between the garage and the house



January 8, 2018, J. Robbins



YARROW AVE

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CH B35 CLAYBANKS DR.

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