



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: November 25, 2025

Applicant:

Kramer Petersen Builders
321 N Jackson
Mason City, IA 50401

Owner:

Templeton Rentals LLC
4561 Asbury Dr
Clear Lake, IA 50428

Property Address: 4561 Asbury Dr, Clear Lake, IA 50428

Brief Legal Description: Lot 85 & 128, Clear Lake Methodist Camp, Clear Lake Township

Zoning: R-3 Single Family Residential District

Background

This parcel is considered a through lot or double frontage lot on more than one street. Asbury Drive is considered the front and Wesley Drive is considered the rear. The owners would like to construct a 24'x34' detached garage on Lot 128 which fronts Wesley Drive. The proposed detached garage is 816 sq. ft. in size. The Zoning Ordinance allows for a maximum coverage area for all detached accessory structures up to 25 percent of the required rear yard, which is 307.5 sq. ft. on this parcel. The detached garage exceeds the requirement by 508.5 sq. ft. All other setbacks in the R-3 District will be met. There is an existing 7'x10' storage shed on Lot 85 near the dwelling that will be removed. The Bell Harbor Homeowner's Association has approved this project.

Variance Request

1. Request an 816 square feet rear yard coverage area – 307.5 square feet is allowed.

Findings of Fact

1. Kramer Petersen Builders are the contractors for this project
2. Templeton Rentals LLC is the owner of the property.
3. The property is zoned R-3 Single Family Residential.

4. The proposed detached garage will cover 816 square feet of the rear yard; 307.5 square feet is the maximum rear yard coverage area on this property for detached accessory structures.
5. The application was filed on October 13, 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.

While a majority of the houses facing Asbury Drive do not have a garage, they also do not have a double frontage lot and enough space to accommodate a garage. Accessory structures are a permitted use in the R-3 District. The granting of the variance 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.

The property owners could construct a smaller garage. However, the lot is able to accommodate the structure. The owners already use the proposed location of the garage as a parking area. Construction of the garage would allow vehicles and other personal items to be inside a structure and not outside in the elements. The owner would still require a variance for a “standard” two-stall garage (24’ by 24’). **The standard does not appear to be met related to the request for a large 816’ sq. foot garage.**

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

The lot is able to accommodate the garage as related to the requested coverage area. The structure does not obstruct the view of any neighbors. The proposed garage will sit closer to Wesley Drive than the dwelling to the west but will sit behind the front building line of the dwelling to the east. The existing shed that is 3’ from the west side lot line by the dwelling will be removed if the garage is approved. The structure appears to meet the spirit of the ordinance and maintains the integrity of the neighborhood. **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 parcel does have a unique shape to it. The dwelling that was constructed in 1930 takes up Lot 85. Lot 128 is vacant. There is no other practical location for the proposed detached garage. The request exceeds the dimension of a standard two-stall garage that would typically be 24' by 24' (576 sq feet). The size of this request is self-created (24' by 34 – 816' sq feet'), and not due to any issue unique to the property. **This standard does not appear 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. **The standard appears to be met.**

Staff Conclusions and Recommendation

The criteria for granting a variance is evaluated above. Multiple definitions of “practical difficulty” appear to have in common some unique aspect of the land in question. 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 variances subject to any conditions as deemed necessary by the Board.
2. Grant relief less or different from the requested variance by modifying the requested variances.
3. Deny the variances.

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 Kramer Petersen Builders on behalf of Templeton Rentals LLC, subject to the following conditions:
 1. All construction shall comply with the Site Plan submitted on September 25, 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 the 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 Kramer Petersen Builders on behalf of Templeton Rentals LLC for the following reasons:
The request does not meet the criteria in Iowa Code Chapter 335.15.
[STATE ANY OTHER REASONS FOR DENIAL]

EXHIBITS

- | |
|---|
| <ul style="list-style-type: none">• Exhibit 1: Figures 1-5 photos• Exhibit 2: Variance Application dated October 13, 2025• Exhibit 3: Site plan• Exhibit 4: Parcel Highlight |
|---|

Figure 1
Looking at front of dwelling from Asbury Dr



Figure 2
Looking at location of garage from Wesley Dr



Figure 3
Corners of garage 14' from rear lot line (Wesley Dr)



Figure 4
Looking at east lot line stake and corner stake of garage 6' from east lot line



Figure 5
Looking at west corner stake of garage 8' from west lot line



VARIANCE APPEAL

APPLICATION

Date Filed

10/13/25
10/15/25

Date Set for Hearing

11-25-25

Case Number:

25-13

Applicant Name:

Templeton Rentals

Phone:

E-Mail:

Mailing Address:

4561 Astbury Drive, Clear Lake, Ia

Property Owner Name:

Greg Templeton

Phone:

E-Mail:

Property Owner Address:

Same

Property Description (Not to be used on legal documents):

Parcel #

Lot 85 @ 128

Township

Methodist

Property Address:

Same

Zoning:

R-3
Camp

Brief Legal Description:

Lot 85 and Lot 128 Methodist Camp

Project Description

Decision Date:

Build Garage on empty lot
(Double Frontage lot)

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

square footage

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

See Attached

I am the ☐ Owner

☐ Contract Purchaser

☒ Other (Explain)

Contractor

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

Greg Templeton

Date

10/15/25

Kramer Petersen Builders, Inc.

321 North Jackson Ave., Mason City, IA 50401

641-423-8660

nkramer@netconx.net

Variance Appeal

Additional Information

1. Not granting the variance would be detrimental to any use of the property.
2. The project fits within the spirit of the ordinance (meets setbacks).
3. The difficulties are unique to this property as it is a double frontage lot and once was a separate lot.
4. Not granting the variance would be contrary to the public interest in that it conforms in size and scope with adjacent buildings in the neighborhood.
5. If the owner had not joined the two lots, this would not be considered a rear lot and would meet all the zoning criteria.

B STREET

40'

19'

25'

EXISTING
HOUSE

60'

32'

9'

28.5'

37'

19'

TEMPLETON RENTALS
4561 ASBURY DRIVE

6'

LOT - 4758.5 SQ. FT

8'

NEW
GARAGE

316 SQ. FT.

34'

24'

14'

NEIGHBOR
HOUSE

60.5'

41'

STREET

