

APPLICATION/APEAL FORM  
[For Completion by All Applicants]

Date 1/30/18

TO: ZONING BOARD OF ADJUSTMENT  
CERRO GORDO COUNTY, IOWA

I (WE), TERRY A + Brenda Lee Wisner  
(NAME)

OF 3894 240th St, Clear Lake, IA 50428  
(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 1/30/2018 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 Clear Lake Township.

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

District Maps. Legal description of the property is: Lot 9 and the west  
1/2 of Lot 8, Tanglefoot

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

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

Add 30'x12' 1st story garage addition  
and a 2nd story bonus room. Addition  
wouldn't go any further than the existing  
garage to the west and less than the 19'3"  
required at the south (streetside)

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 Doug G. Nien

OFFICE USE ONLY

Date Filed 1-31-18 Case Number 18-30

Date Set for Hearing 2-22-18 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) Terry A + Brenda Lee Wisner

Type of Variance Requested 4.7' setback from the west side property line.

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

Narrow lot so more can enjoy the lake.

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

Has a 8'3" setback on east side so not too close on that side

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

The proposed addition will bring the house up to date and more in line with the other homes in the area.

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

N/A - It can be attributed. Extension of current structure.

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

Just asking to line up the east side of the addition with the current structure.

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

Maybe slightly closer to the east lot line but is more than required on the west.

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

Only asking for a variance to be 1.3' closer to the lot line so not a substantial amount. Wouldn't affect neighboring residents.

I, Terry A. Wisner certify that

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

**Case No. 18-30  
Terry Wisner (3894 240<sup>th</sup> Street)**

**Figure 1**

Looking at the proposed location of the addition (proposed addition corner marked by orange line)



February 7, 2018, J. Robbins

**Figure 2**

Looking north along the west property line



February 7, 2018, J. Robbins

**Figure 3**

Looking at Camp Tanglefoot at the property to the west



February 7, 2018, J. Robbins

**Figure 4**

Looking east along the front property line



February 7, 2018, J. Robbins

received  
1-29-18



### PLANNING AND ZONING Cerro Gordo County Courthouse

220 N Washington Ave      Mason City, IA 50401-3254      Ph: (641) 421-3075  
Tom Drzycimski, Administrative Officer      Fax: (641) 421-3088  
John Robbins, Assistant Administrative Officer  
Michelle Rush, Executive Assistant

#### APPLICATION FOR ZONING CERTIFICATE

Applicant Name: TERRY Wisner      Phone: 612-387-2566  
Mailing Address: 3894 240th St Clear Lake, IA      Email: WisnerTerry@gmail.com  
Property Owner Name: TERRY A + Brenda Lee Wisner      Phone: 612-387-2566  
Property Owner Address: 3894 240th St  
Contractor Name: Dean Snyder Const      Phone: 641-357-2283  
Contractor Address: 913 N 14th St Clear Lake, IA  
Address where work is planned: 3894 240th St  
Fully describe the uses to be established or planned construction: 1st story Garage addition + 2nd story Rec Room over garage

Legal Description: Quarter \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

Lot(s) W/2 L8 + All 9 Townlot foot Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Dimensions of Proposed Structure (must include roof overhang and any other projections):

Width 34'0" Depth 13'0" Height 30' Stories 2

Distance to Proposed Structure from Lot Line:

Front (street) 21'1" Rear \_\_\_\_\_ Side 4.7' Side 8.3'

Projected Construction Costs: \$ 150,000 Zoning R-3 Permit fee: \_\_\_\_\_

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION REQUIRED TO COMPLETE APPLICATION

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 structure is to be placed. The Planning & Zoning staff is also given permission to enter the above property in reviewing this Application.

DocuSigned by: Terry Wisner      Date 1/24/2018  
Signature \_\_\_\_\_      Date \_\_\_\_\_  
6967B93514F744D...

NOTE: It shall be unlawful to do any grading, erecting, constructing, reconstructing, enlarging, altering, or moving of any building or structure until a Zoning Certificate has been issued by the Cerro Gordo County Zoning Administrator. Failure to do so shall result in a \$200.00 fee in addition to the permit fee.

Is the property serviced by the Clear Lake Sanitary District?       Yes       No

Is the property within the Environmental Resources Overlay District?       Yes       No

If "yes" is answered to either of the above, the applicant must first receive permit from the Clear Lake Sanitary District for sanitary disposal.

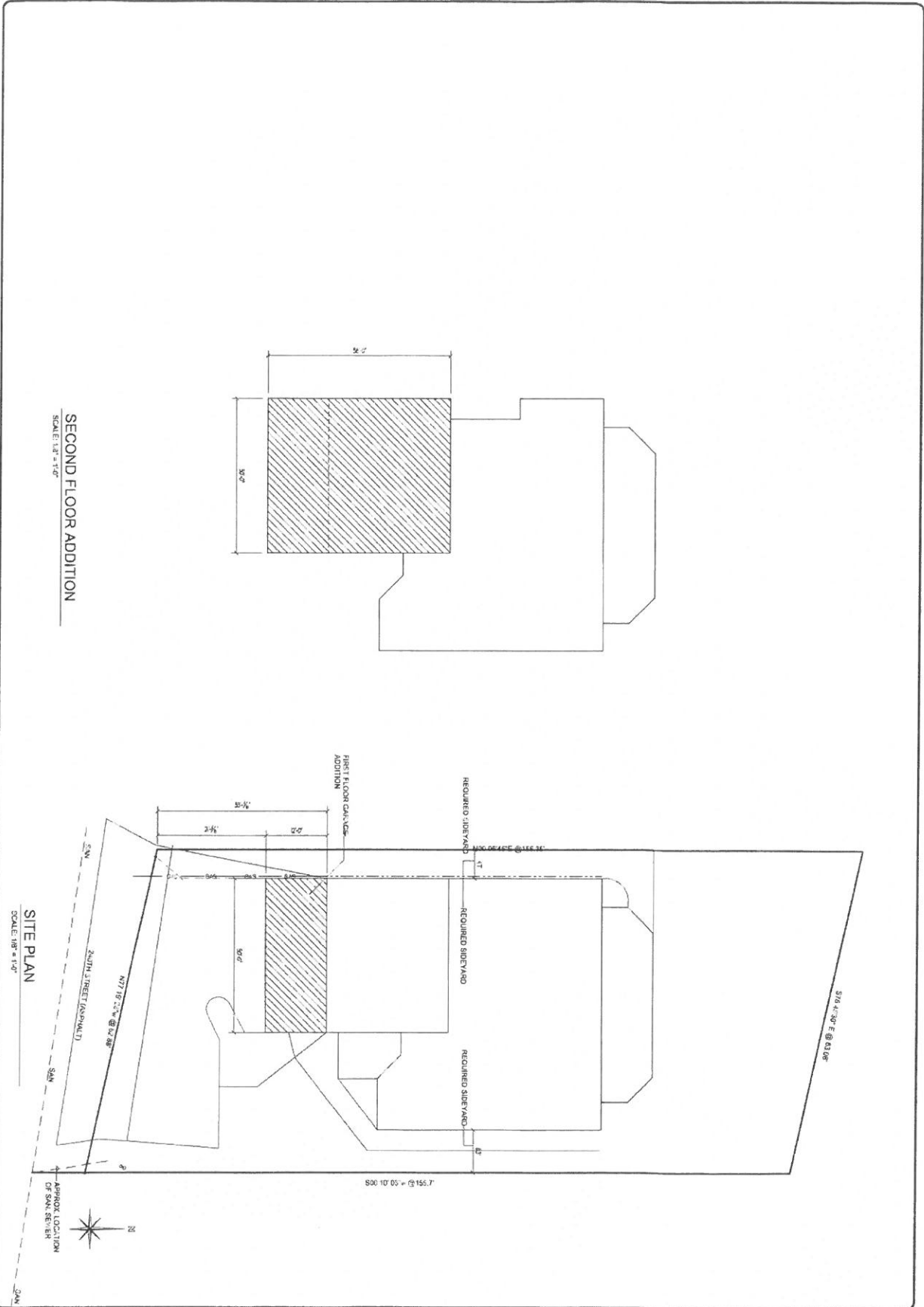
Approved by [Signature]      Date: 1/24/18      Permit # Refer to 1/24/18 Letter

Property is served by  Public       Private water supply.

Property is served by  Public       Private sanitary sewer.

For either of the above, applicant must first receive permit from the Cerro Gordo County Health Department.

Approved by [Signature]      Date: 1/29/2018      Permit # NR



SECOND FLOOR ADDITION  
SCALE: 1/8" = 1'-0"

SITE PLAN  
SCALE: 1/8" = 1'-0"

NO.	REVISIONS

**DEAN SNYDER CONSTRUCTION**  
2020 34th Street NW, Clear Lake, IA 52522  
 515 266-6000

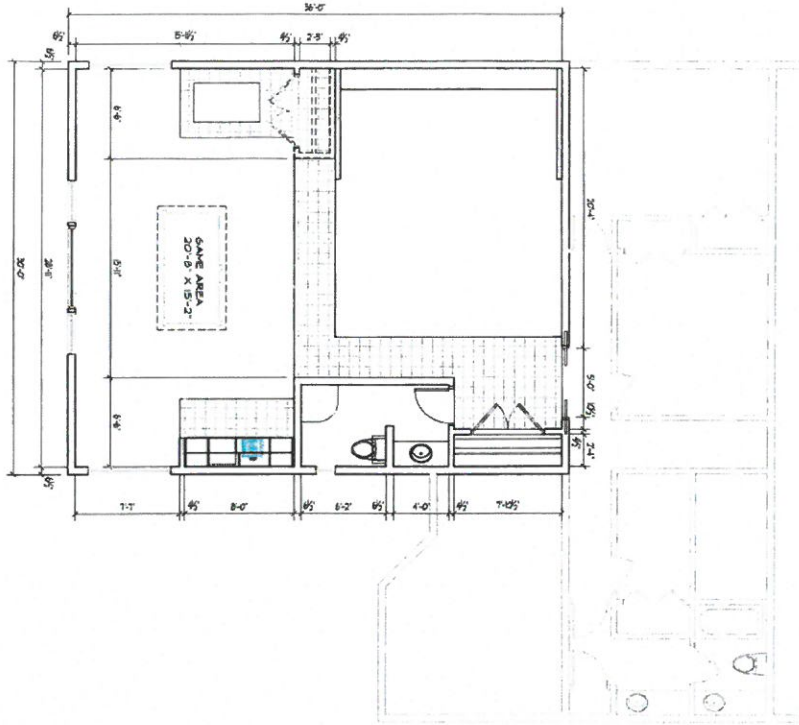
**WISNER RESIDENCE**  
**CLEAR LAKE, IOWA**

**Design Group**  
ARCHITECTURAL DESIGN  
 CLEAR LAKE, IOWA

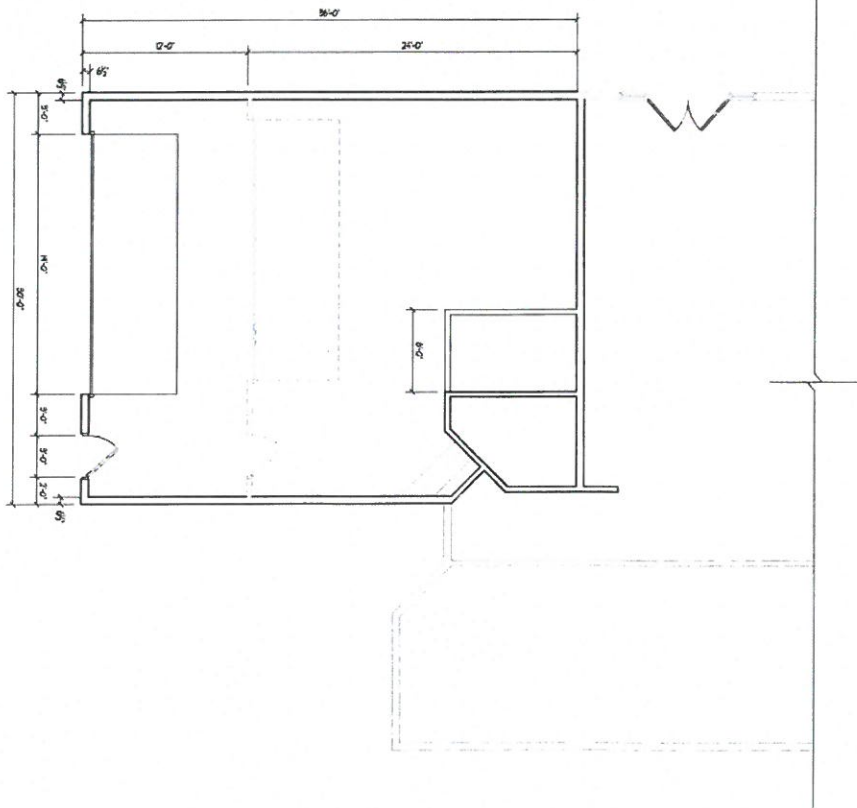
DATE	
DRAWN BY	
CHECKED BY	
DATE	
SCALE	



SECOND FLOOR PLAN - BONUS ROOM  
SCALE: 1/4" = 1'-0"



FIRST FLOOR PLAN - GARAGE ADDITION  
SCALE: 1/4" = 1'-0"



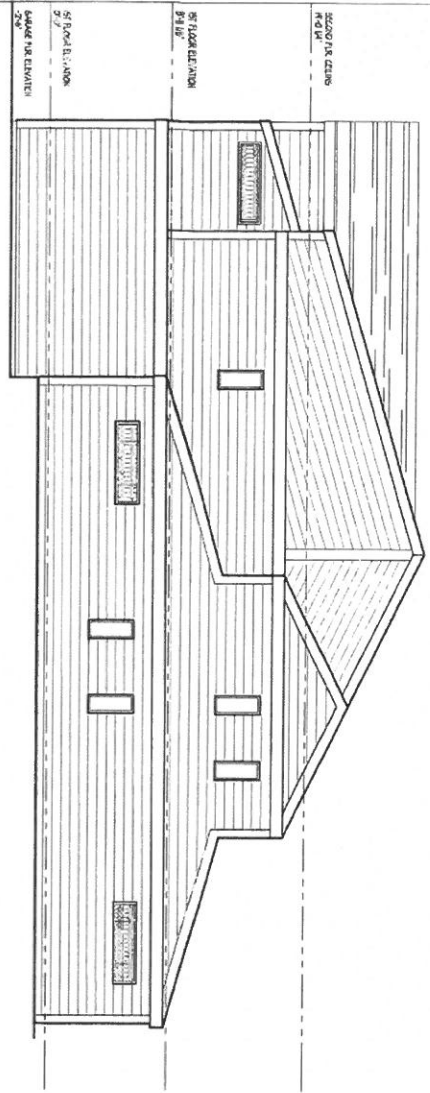
DATE	DESCRIPTION
01-23-18	DESIGNED
	CHECKED
	DATE
	BY
	SCALE
	SHEET

**DEAN SNYDER CONSTRUCTION**  
 224 NORTH 30TH STREET, CLEAR LAKE, IOWA 50428  
 5151 W. 8th Court AMES, IOWA 50011

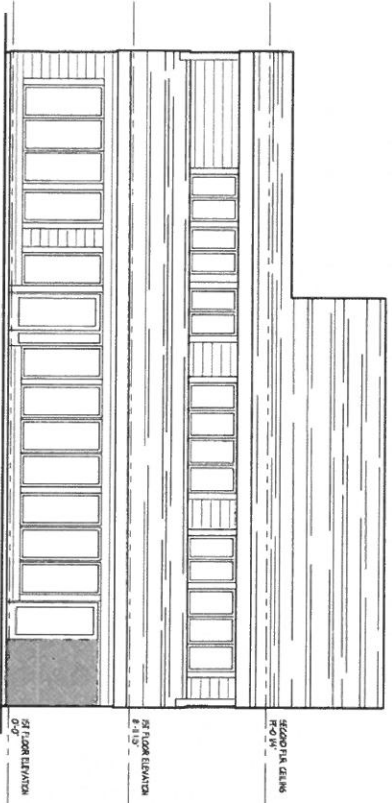
**WISNER RESIDENCE**  
**CLEAR LAKE, IOWA**

**Design Group**  
 RESIDENTIAL GROUP  
 CLEAR LAKE, IOWA 50428

NO.	REVISION



EAST ELEVATION  
SCALE - 1/4" = 1'-0"



NORTH ELEVATION  
SCALE - 1/4" = 1'-0"

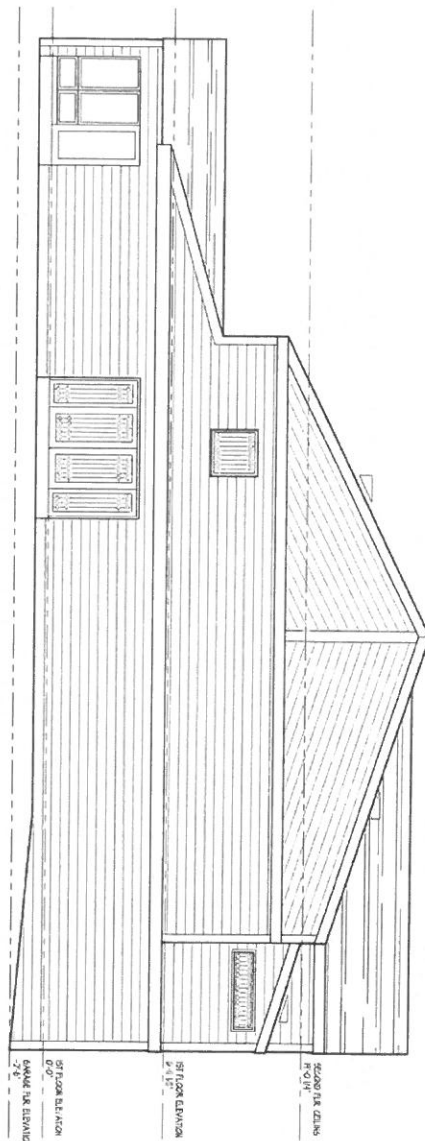
DATE	06-22-10
BY	JK
CHECKED	
DESIGNED	
SCALE	1/4" = 1'-0"

**DEAN SNYDER CONSTRUCTION**  
 1515 W. 10TH STREET, CLEAR LAKE, IOWA 52005  
 PHONE: 563-246-1111

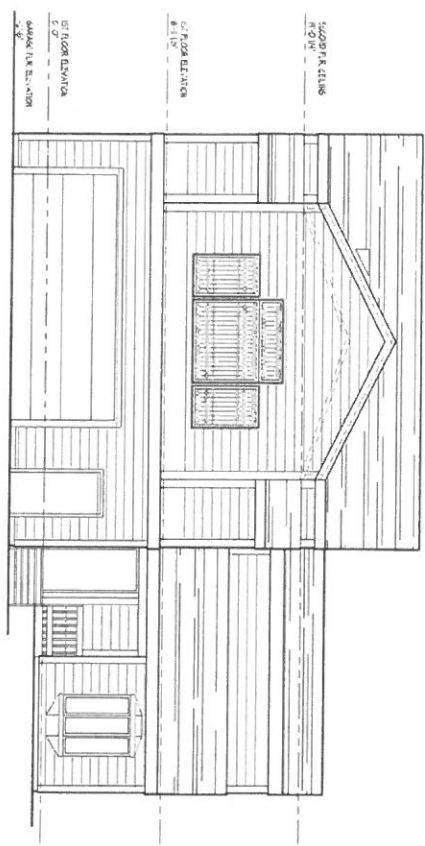
**WISNER RESIDENCE**  
 CLEAR LAKE, IOWA

**Design Group**  
 INC. DESIGN GROUP  
 1000 W. 10TH STREET, CLEAR LAKE, IOWA 52005

NO.	REVISIONS



WEST ELEVATION  
SCALE - 1/4" = 1'-0"



SOUTH ELEVATION  
SCALE - 1/4" = 1'-0"

DATE	11/11/11
BY	CS
CHECKED	
DATE	11/11/11
BY	CS
CHECKED	
DATE	
BY	
CHECKED	
DATE	
BY	

**DEAN SNYDER CONSTRUCTION**  
 2121 10TH ST. CLEAR LAKE, IOWA 52005  
 563-241-1111

**WISNER RESIDENCE**  
 CLEAR LAKE, IOWA

**Design Group**  
 CONSTRUCTION GROUP  
 624 LACE DR. S.E. CLEAR LAKE, IOWA 52005

NO.	REVISIONS





Camp Tanglefoot  
14948 Dogwood Avenue  
Clear Lake, Iowa 50428  
1.641.357.2481  
Fax 1.641.357.7735

Terry and Brenda Wisner  
3894 240<sup>th</sup> St.  
Clear Lake, Ia.

December 27, 2017

Dear Terry and Brenda:

You recently contacted Camp Tanglefoot, Inc. requesting approval of a variance for a proposed addition to your home. You requested that a 5-foot extension on your garage to the west be approved. We understand that the extension would encroach on, but not cross over, the eastern lot line of Camp Tanglefoot's waterfront property.

Julia Mannes and I surveyed the area. We do not believe that the extension of your garage would cause a problem for Camp Tanglefoot.

Assuming that you receive the necessary approval from the Cerro Gordo Board of Adjustment for the variance, we give our blessing for your project to proceed. We ask that you give us a copy of the Board of Adjustment's approval for our files. We also ask that you be considerate if the construction coincides with summer camp.

If you have any further questions, please do not hesitate to contact me or Julia.

Sincerely,

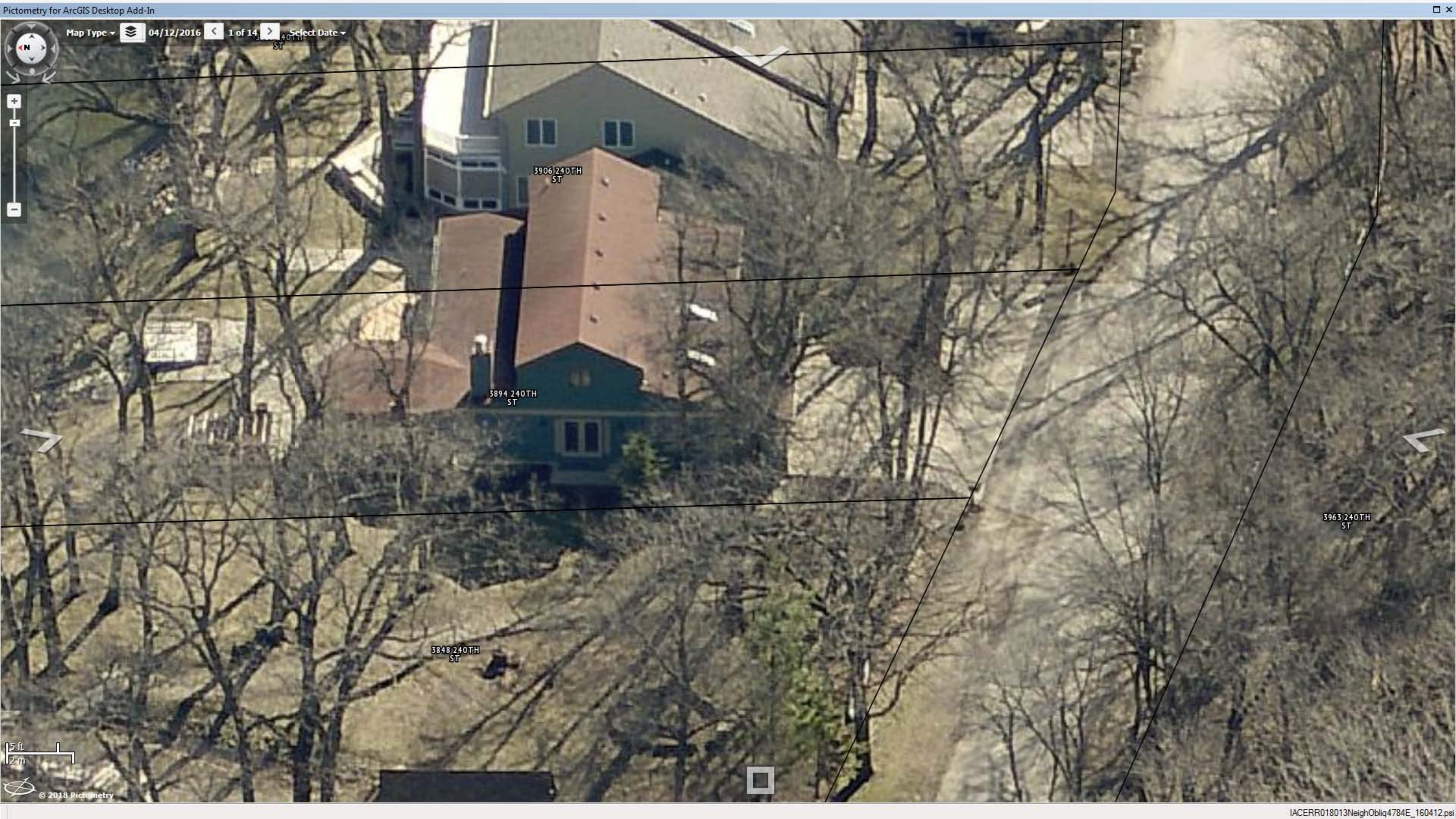
A handwritten signature in cursive script that reads "Nancy Barnes".

Nancy Barnes, President

Camp Tanglefoot, Inc.

Map Type  04/12/2016  1 of 14  Select Date 



5 ft  
2 m



Clear Lake

21

28

240th ST.