

APPLICATION/APEAL FORM

[For Completion by All Applicants]

Date 3-29-2018

TO: ZONING BOARD OF ADJUSTMENT
CERRO GORDO COUNTY, IOWA

I (WE), Todd and Alanna Engels
(NAME)

OF 401 Bedford Ct.
(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 3-28-2018 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 29 of Lake Township.

The property affected is zoned Z1 according to the Cerro Gordo County Zoning

District Maps. Legal description of the property is: NE 1/4 of the NW 1/4, Section 29
Lake township

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

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

we would like to build a storage building /workshop for personal use - would also propose to have a single toilet and wash basin inside this structure. ~~Because~~ Because of the odd size and shape of the property we would request this to be done without a primary structure.

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 *[Signature]* *AK*

OFFICE USE ONLY

Date Filed 3/29/18 Case Number 18-37
Date Set for Hearing 4-24-18 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) Todd and Alanna Engels
Type of Variance Requested ^{Hardship} Variance to build secondary structure

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

Size and shape of land make it hard to fit within allowable setbacks. Trees cover 100% of property and will have to clear a spot to build leaving most of the usable ground "disturbed" and building a septic system is cost prohibitive

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

Size and shape are unique - 174.27' of front property line and nearly 600' of side lot line feet. Property is irregularly shaped and completely covered in overgrown and dead trees.

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

~~the~~ With the variance this property would actually fit pretty well in the area. several buildings are already standing within a mile or two either direction. the trees on site ~~would~~ that remain after clearing will allow shelter and help it blend in.

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

the size and shape of the land was the result of the interstate (35) coming through and splitting a parcel.

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

It is going to be extremely difficult both physically and financially to size and place any type of ~~septic~~ ~~residence~~ septic system to fit a standard sized residence. Property size and shape make it very difficult if not impossible to add primary and secondary structures and septic field in this property

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

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

It will be a simple storage building. - Not handling any types of ag chemicals or anything that would disturb the surroundings whether it be natural or human.

I, Todd Engels certify that

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

Case No. 18-37
Todd Engels (NE¼ of the NE¼, Section 29, Lake Township)

Figure 1

Looking at the general location of the proposed building



April 6, 2018, J. Robbins

CLEAR LAKE

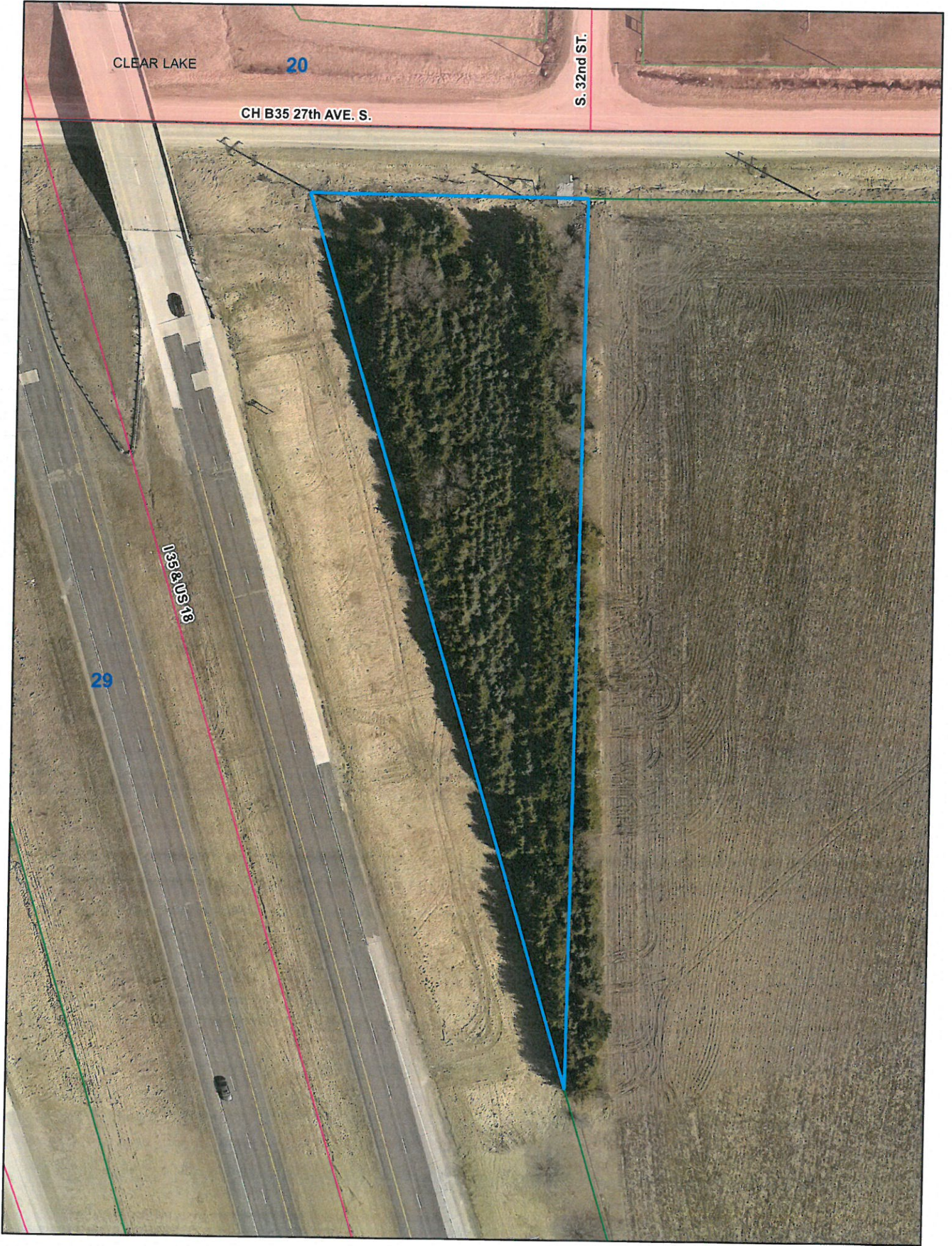
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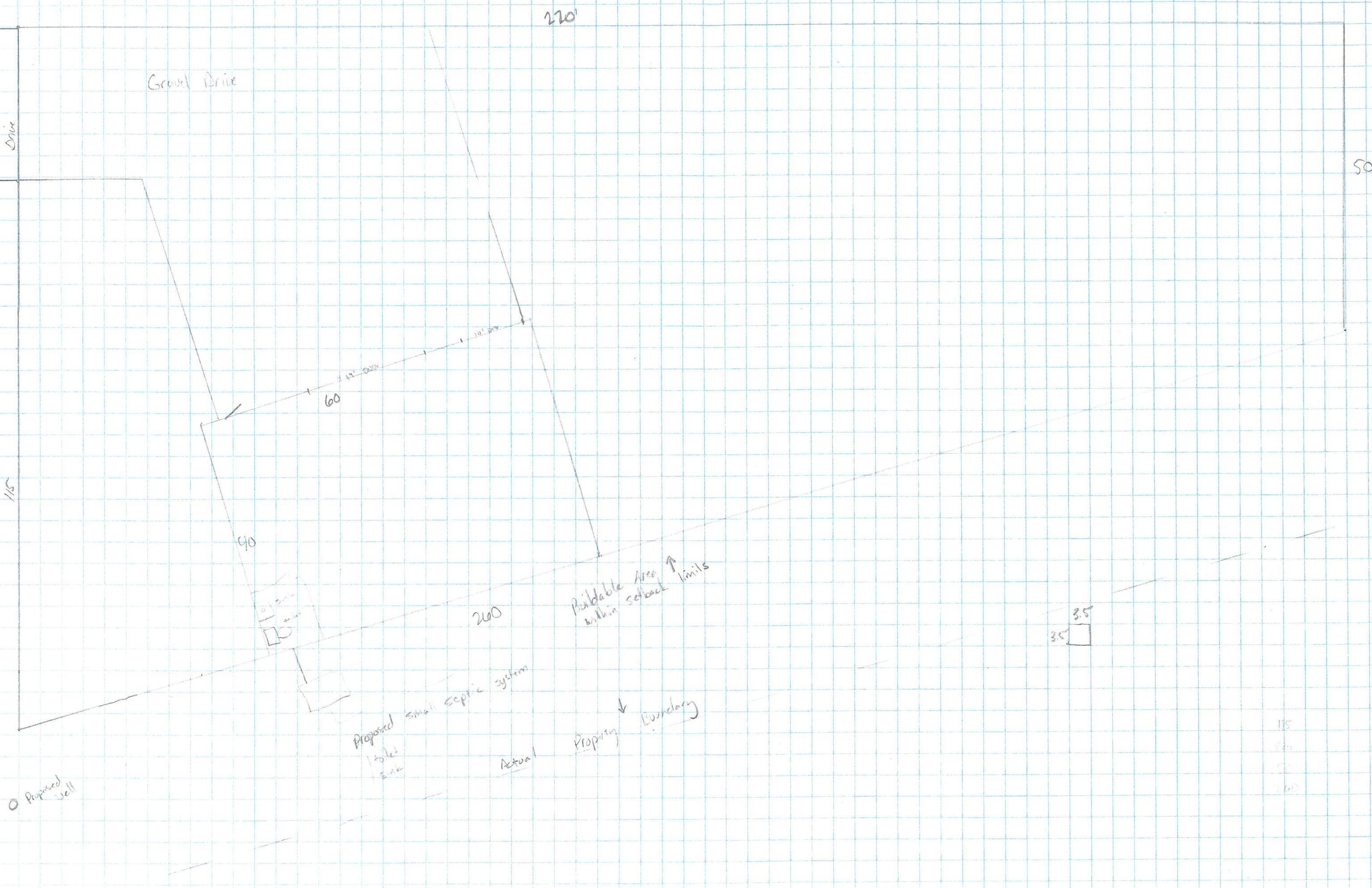
CH B35 27th AVE. S.

S. 32nd ST.

13380518

29





Drive

Gravel Drive

220'

50

115

60

40

Buildable Area
within setback limits

260

3.5
3.5

Proposed small septic system
toilet sink
septic tank

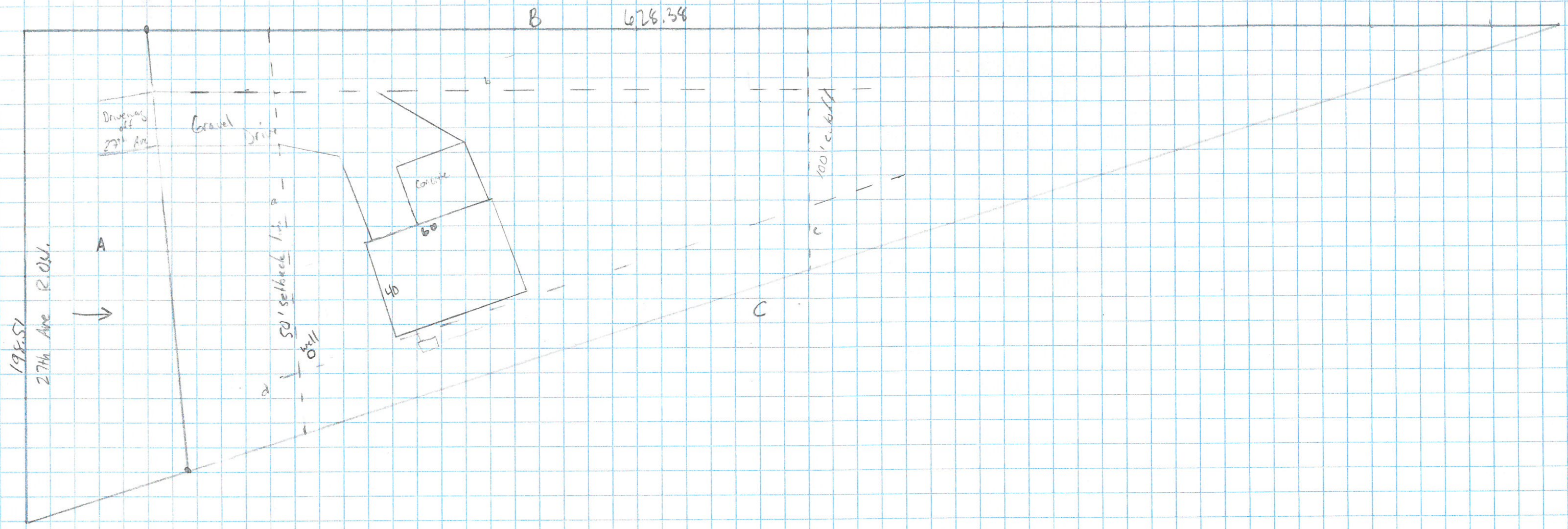
Proposed Well

Actual

Property

Boundary

115
50
260



Building Size
 40 x 56

50' Front lot line setback
 25' side lot setback

Effective Buildable lot size
 a 115'
 b 220'
 c 50'
 d 260'