

APPLICATION/APPEAL FORM

[For Completion by All Applicants]

Date September 4, 2020

TO: ZONING BOARD OF ADJUSTMENT
CERRO GORDO COUNTY, IOWA

I (WE), Catherine and Richard Young
(NAME)

OF 3849 Trent Ln, Waterloo, IA 50701
(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 Aug 24, 2020 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 Residential according to the Cerro Gordo County Zoning District Maps. Legal description of the property is: Lot #2, Block 1, Grand View in Oakwood Park, Clear Lake, IA
Address is 5180 Lakewood Dr. Clear Lake

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

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

We want to rebuild the existing deck and porch in the
rear yard and extend both 6' further.

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 *Richard Young* *Catherine J. Young*

OFFICE USE ONLY

Date Filed 9/8/20 Case Number 21-13

Date Set for Hearing 9/29/20 Fee Paid \$200

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) Catherine and Richard Young

Type of Variance Requested To reduce the rear yard setback

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

This past year, both neighbors received variances to rebuild and extend wall post over. We want to regain the view and access to the lake we lost.

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

With the neighbors recent remodels, we feel we need to make the changes to preserve the property value. We are in the middle of 6 properties and will be the only one to retain mature trees and natural grass between the house and lake.

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

This will allow us to get closer to the "new" character of the existing houses and decks of the neighborhood. We will retain the existing height and width of the building.

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

We built the house 40 years ago and I am quite sure it complied with the zoning ordinance then.

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

The zoning and adjustment ratings have recently changed and this will allow us to match "the spirit of the ordinance" in our neighborhood.

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

We will retain two large trees and natural grass between the addition and the lake. I believe we will still have a larger setback than the existing neighbors?

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

It is a private residence and will retain the existing front and side yard setbacks and height requirements.

I, Catherine F Young certify that
all of the above statements are true to the best of my knowledge and belief.

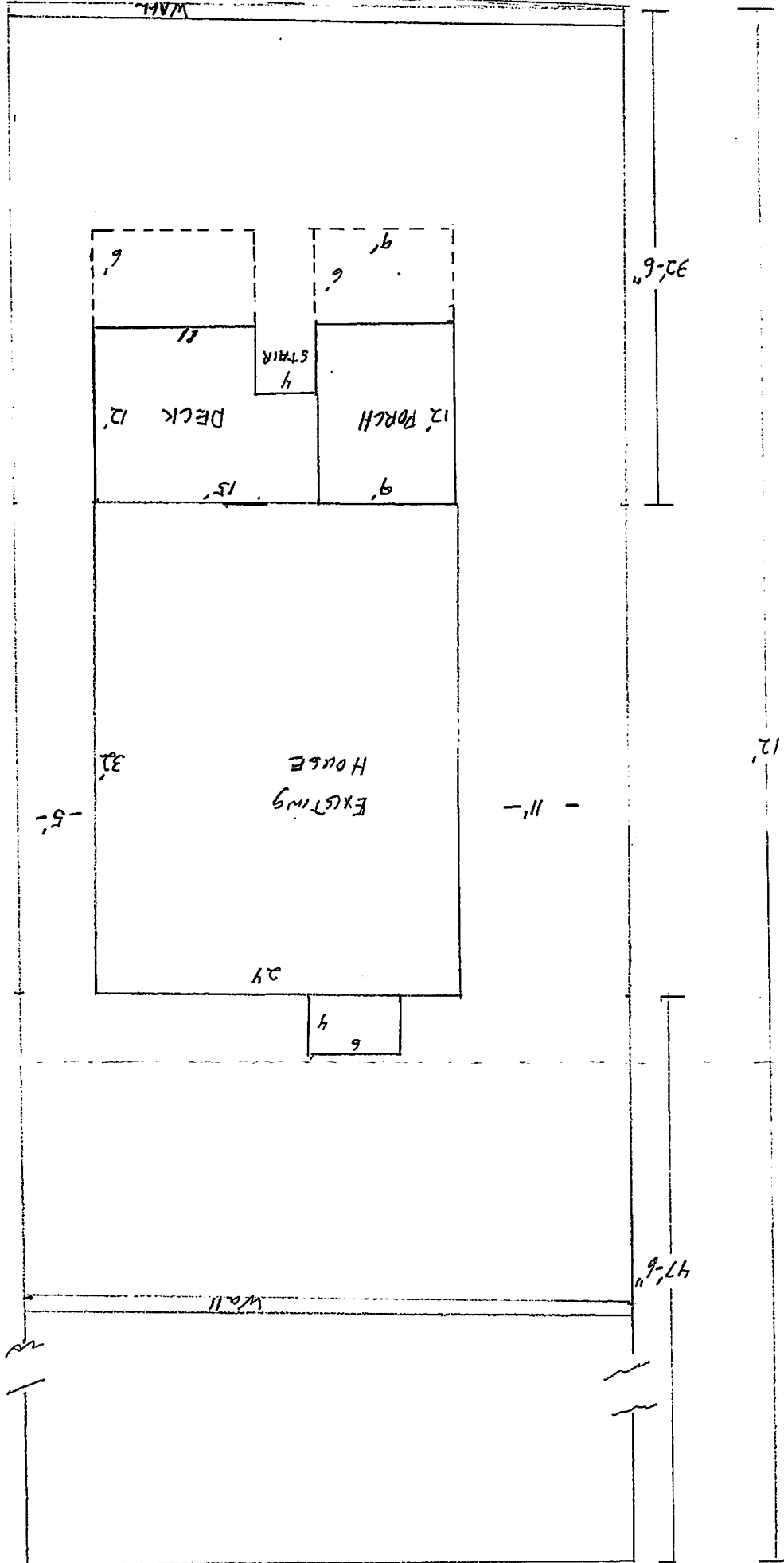
N

LAKE

Scale 1" = 10'

--- ADDITION

— EXISTING



5180 Lakeview Dr. Clear Lake Lot #2 Grandview subdivision

**Case No. 21-13
Catherine & Richard Young (5180 Lakeview Drive)**

Figure 1

Looking at the existing deck and screened porch



September 16, 2020, J. Robbins

Figure 2

Looking south along the west side lot line



September 16, 2020, J. Robbins

Figure 3
Looking west along the rear lot line



September 16, 2020, J. Robbins

Figure 4
Looking east along the existing rear building line



September 16, 2020, J. Robbins

Figure 5

Looking west along the existing rear building line



September 16, 2020, J. Robbins



Clear Lake

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LAKEVIEW DR