

APPLICATION/APEAL FORM

[For Completion by All Applicants]

Date August 12, 2019

TO: ZONING BOARD OF ADJUSTMENT
CERRO GORDO COUNTY, IOWA

I (WE), CHRISTOPHER M. HOLAHAN
(NAME)

OF 3408 WATERBURY DRIVE, CEDAR FALLS, IA 50613
(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 August 9, 2019 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 23 of CLEAR LAKE Township.

The property affected is zoned R3 according to the Cerro Gordo County Zoning

District Maps. Legal description of the property is: LOT 1, BLOCK 1
GRANDVIEW IN OAKWOOD PARK

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) CHRISTOPHER M. HOLAHAN

Type of Variance Requested DECK REPLACEMENT

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

THE CURRENT FAILING DECK IS ALREADY CONSTRUCTED OUTSIDE
LEGAL ZONING BOUNDARIES DUE TO A VARIANCE THE
PREVIOUS OWNERS RECEIVED SEVERAL YEARS AGO. THE NARROW
LOT RESTRICTS AVAILABLE SPACE FOR DECK CONSTRUCTION

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

DUE TO NARROW LOT AND LEGAL SETBACKS IT IS
VERY CHALLENGING TO BUILD OUTDOOR DECK LIVING SPACE.

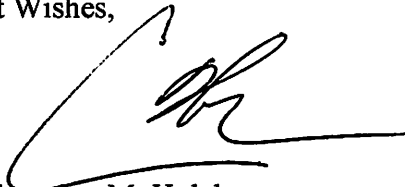
Cerro Gordo County Planning and Zoning Committee
220 North Washington Ave
Mason City, IA 50401-3254

Dear, Planning and Zoning Committee:

I am submitting my request for a variance to our property located at 5193 Lakeview Drive, located on Lot 1, Block 1, Grandview Addition, Clear Lake, Iowa. The original application for the construction of a new deck was denied. We would like to replace the existing deck which is failing and is in significant disrepair. The current deck, which was built by the previous owners required a variance to be built several years ago, which they were granted. Therefore, the current request was instantly denied, as it already falls outside the lawful boundaries and setbacks. We are requesting the variance in order to replace the existing deck which is approximately 24 feet by 10 feet. We would like to also increase the depth of the deck by bringing it out 4 feet closer to the lake (North). This would result in a new deck with the dimensions of 24 feet by 14 feet. I am including my variance application, plat maps and aerial photos of the property, and a drawing of our proposed new deck.

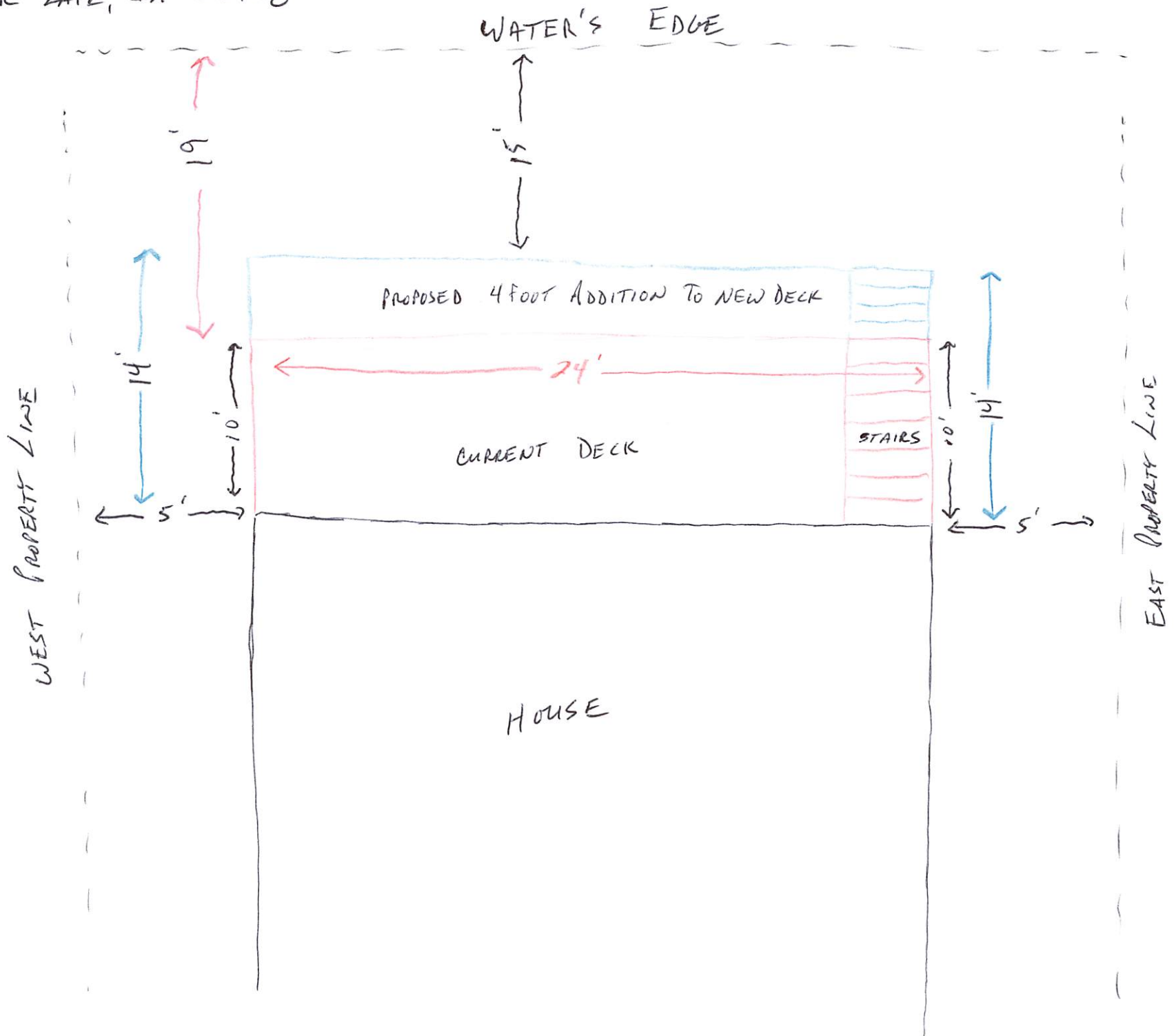
Thank you so much for your consideration in this matter.

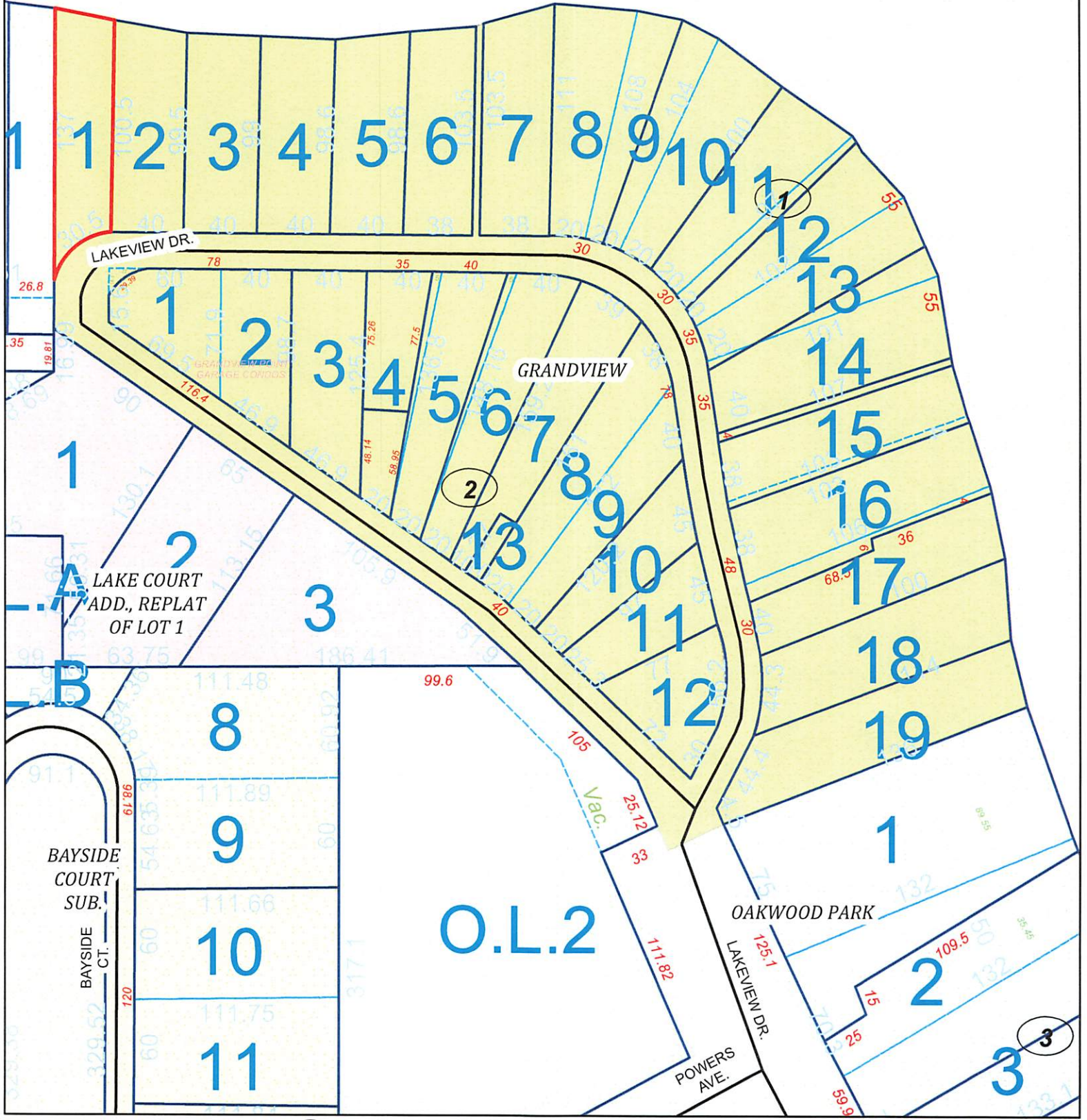
Best Wishes,

A handwritten signature in black ink, appearing to read 'C. Holahan', with a long horizontal flourish extending to the right.

Christopher M. Holahan

5193 LAKEVIEW DRIVE
CLEAR LAKE, IA 50428





Layer List Legend

Quick Links:

- [Property Search](#)
- [View Map](#)

Layers:

- Annotation
- UnIncorporated Communities
- Parcel Point
- County Parks
- Railroads
- Roads
- Rivers
- Parcels
- Lots
- Drainage - Tiles and Ditches
- Cemeteries
- Corporate Limits
- Section
- Subdivision
- School Districts
- Political Townships
- 2012 FEMA Flood Insurance Maps
- Drainage District
- Clear Lake
- 2016 Imagery
- 2012 Urban Imagery
- 2012 Rural Imagery

Restore Layer Defaults



Parcel ID 052331400500
 Sec/Twp/Rng 5970
 Property Address 5193 LAKEVIEW DR
 CLEAR LAKE

District
 Brief Tax Description

12037
 L 1 BLK 1 GRAND VIEW IN OAKWOOD PARK
 (Note: Not to be used on legal documents)

Alternate ID n/a
 Class R
 Acreage n/a

Owner Address YOUNG, TRAVIS J
 YOUNG, DEBRA C
 3435 AUGUSTA CIR
 WATERLOO IA 50701

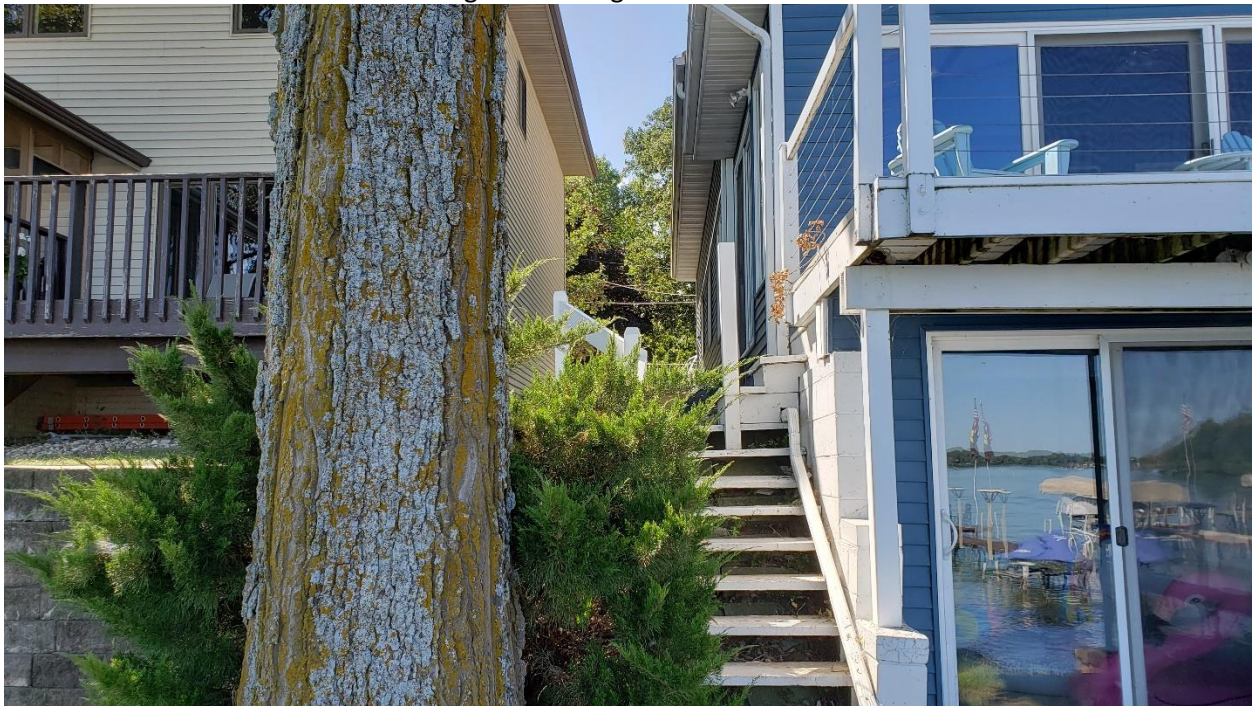
**Case No. 20-11
Christopher Holahan (5193 Lakeview Drive)**

Figure 1
Looking at the existing deck



August 30, 2019, J. Robbins

Figure 2
Looking south along the east side lot line



August 30, 2019, J. Robbins

Figure 3
Looking south along the east side lot line



August 30, 2019, J. Robbins

Figure 4
Looking west along the rear lot line



August 30, 2019, J. Robbins

Figure 5

Looking at a cracked step from use during the site visit



August 30, 2019, J. Robbins

Figure 6

Looking east at the viewshed to the lake for properties to the west



August 30, 2019, J. Robbins

Figure 7

Looking at the view the lake looking to the west from the adjacent house to the east



August 30, 2019, J. Robbins

Clear Lake

23

LAKEVIEW DR.

