APPLICATION/APPEAL FORM

[For Completion by All Applicants]

Date <u>Novembre</u> 30, 2018
TO: ZONING BOARD OF ADJUSTMENT CERRO GORDO COUNTY, IOWA
OF 1825 W. GREEN WILL CE dar Fulls FA SC613 (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 Wellelle Zy Da
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 21 of T96 N Township.
The property affected is zonedaccording to the Cerro Gordo County Zoning
District Maps. Legal description of the property is: Lot 7 and Part of Lot 8 in Young's Subdivision of the W 1304 Lot 1 in Section 2, 196N, RZZW
of 5th P.M. Cervo Gordo Canty Ioua

I am the Owner Contract Purchaser Other (Explain)
of the property affected.
Describe what you are proposing to do on the property affected. In stall a pergola atop the autdoor kitchen area that anchor S on the stone corrects over top to the slove Side and garage side: It was already its talled without a permit by mistake and we would like to Refarm it, we totally were ignorant of the permit requirement which is no excuse I (We) grant permission to the Planning & Zoning staff and Board of Adjustment members to enter onto we would
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 Illustus
OFFICE USE ONLY
Date Filed
Date Filed
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) Eregory A + Loa Ann Swl
Type of Variance Requested Side back Set back Workwar
Type of variance nequested
1. The land in question cannot yield a reasonable use for the following reasons:
,
2. What is unique about this property compared to other properties in the vicinity?
die
None

3. Explain how the variance will fit in with the character of the area (i.e., size, height, scale, etc.):
the pergola is just a top covering for
It is a great use of space and strates the front from the not summer sunwhith saves every
4. The need for the variance cannot be attributed to the present or past property owner for the following reasons: A A A A A A A A A A A A A
5. The Zoning Ordinance requirements have resulted in a need for a variance for the following reasons: There is no other place to put the posts for the cross heams the stone pillars are a lacedy set.
6. The variance is in accord with the purposes and intent of the Zoning Ordinance and Comprehensive Plan for the following reasons: The Structure is not an enclose of Reof So it is not part up the Swelling: Its Jecorative in Matrice and the
7. The variance will not impair the public health, safety and general welfare of the residents of the County for the following reasons:
print as the deck that was already in place this pergala will not change the spirit
, Leatur Sweet of my frame certify that Rights 1
all of the above statements are true to the best of my knowledge and belief. Lyay hour of Herry land
6 / Lew 1

Case No. 19-18 Gregory and LeeAnn Saul (3676 240th Street) Figure 1

Looking at the pergola



January 8, 2019

Figure 2
Looking north along the west side lot line

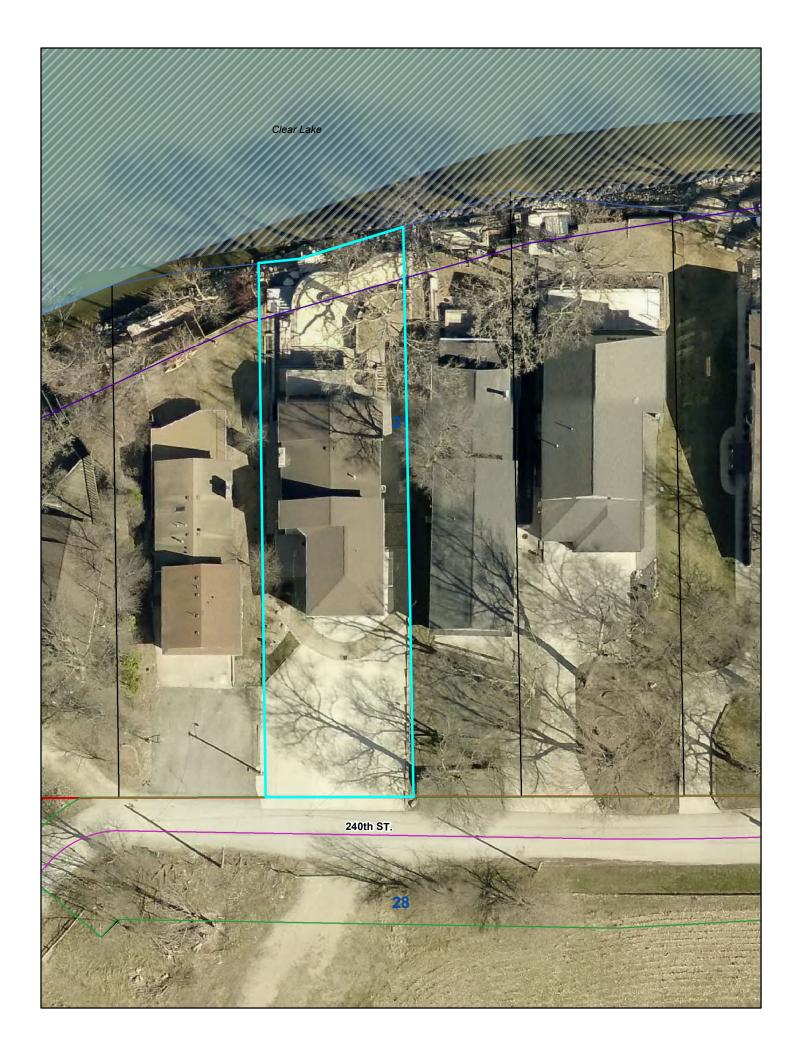


Figure 3

Looking at the separation between the pergola and the neighboring house to the west



January 8, 2019



Doc. #: 2012-4906

Type: ISUR Pages: 1
Date: 05/29/2012 Time: 05/03 AM
R: \$5.00 - Tr: \$0.00 - M: \$1,00 - Tr: \$1 - N: \$0
Pymt: Uheck

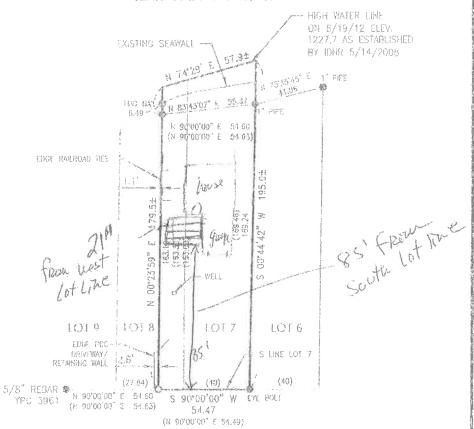


Collega Pearco, Cerro Gordo County Recorder

PREPARED BY: DARYL EIFFLER, 215 N. ADAMS, MASON CITY, IA 50401, 641-424-5344

PLAT OF SURVEY

LOT 7 AND PART OF LOT 8 IN YOUNG'S SUBDIVISION OF THE W 1/3 OF LOT 1 IN SECTION 21, T96N, R22W OF 5TH P.M. CERRO GORDO COUNTY, IOWA



DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.

INFORMATION SHOWN AS (00) IS RECORD INFORMATION.

THE SOUTH LINE OF LOT 7 IS ASSUMED TO HAVE A EVARING OF EAST-WEST FOR THE PURPOSE OF THIS SUPPLY.

- FOUND T-BAR #5543, UNLESS NOTED.
- O SET MAG NAIL.

BECOPI) DESCRIPTION:

LOT 7 AND LOT 8 EXCEPT THE WEST 24,84 FEET THEREOF IN YOUNG'S SUBDIVISION OF THE W 1/3 OF LOT I IN SECTION 21, TOWNSHIP 96 MORTH, RANGE 22 WEST OF 5TH P.M. CERRO GORDO COUNTY, IOWA





PROPRIETOR: GREGORY A, SAUL & LEA ANN SAUL

ENGINEERS · ARCHITECTS SURVEYORS . PLANNERS LANDSCAPE ARCHITECTS

215 NORTH ADAMS MASON CHY, 104YA 36401 641-424-6344



PROJECT NUMBER DATE OF SURVEY 6/19/12 R. CROOKS

SURVEYED FOR LEA ANN SAUL



LHEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVLY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT LANGE DULY LICENSET PROFESSIONAL TAND SURVEYOR UNDER THE LAWS OF THE STATE OF YOMA

FOR YAMBY COLBY ASSOCIATES

DARYL BRITE

MY DETENSE RENEWAL DATE IS DECEMBER 31, 2012 SHEETS COVERED BY THIS SEAL: