

APPLICATION/APPEAL FORM

[For Completion by All Applicants]

Date 8 MAR 20

TO: ZONING BOARD OF ADJUSTMENT
CERRO GORDO COUNTY, IOWA

I (WE), JANA MENTZER
(NAME)

OF 15293 PASCAL ST
(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 6 MAR 20 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 22 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: _____

W 1/2 OF LOTS 1+2 BLOCK 5, PM PARK

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

Describe what you are proposing to do on the property affected.
INSTALL PRIVACY FENCE ALONG EAST
PROPERTY LINE

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 

OFFICE USE ONLY

Date Filed 3/9/2020 Case Number 20-26
Date Set for Hearing 3/31/20 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) JANA MENTZER

Type of Variance Requested SETBACK TO N + S (FRONT + REAR)

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

DUE TO VERY SMALL LOT, WE RECEIVED A
VARIANCE FOR HOUSE PROJECT. WE WANT
TO GAIN PRIVACY FROM OUR ADJACENT
NEIGHBOR IN ACCORDANCE WITH HOUSE

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

3 SIDES OF LOT ARE STREET + ARE ONE-WAY
TRAFFIC. WE ARE EXTREMELY LIMITED
ON LOT SIZE AND WANT TO GAIN SOME
PRIVACY

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

60 FT HIGH, WITHIN ^{RULES} ~~REAR~~, FENCE FROM
REPUTABLE FENCE COMPANY. OUR REQUEST
IS WITHIN THE SETBACKS OF NEIGHBOR ON
OTHER SIDE

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

NEED IS BASED ON SMALL LOT AND VERY
CLOSE NEIGHBOR HOUSE, DECK + PARKING
LOCATION TO OUR LOT

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

MINIMAL LOT SIZE

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

ALLOWS SITE LINES FOR BOTH CORNERS
WITH >25' CONC. + DOESN'T BLOCK NEIGHBORS
VIEW OF STREET

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

BOTH CORNERS HAVE 25' CONC AS REQUIRED
AND NOT GOING TO STREET. DOES NOT
BLOCK NEIGHBOR'S VIEW TO STREET TRAFFIC

 _____ certify that

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

Case No. 20-26
Jana Mentzer (15293 Pascal Street)
Figure 1
Looking south along the east side lot line



March 16, 2020, J. Robbins

Figure 2
Looking north along the east side lot line



March 16, 2020, J. Robbins

Figure 3
Looking east along the front (north) lot line



March 16, 2020, J. Robbins

Figure 4
Looking east along the rear yard lot line



March 16, 2020, J. Robbins

Figure 5
Looking east along Roseman Drive



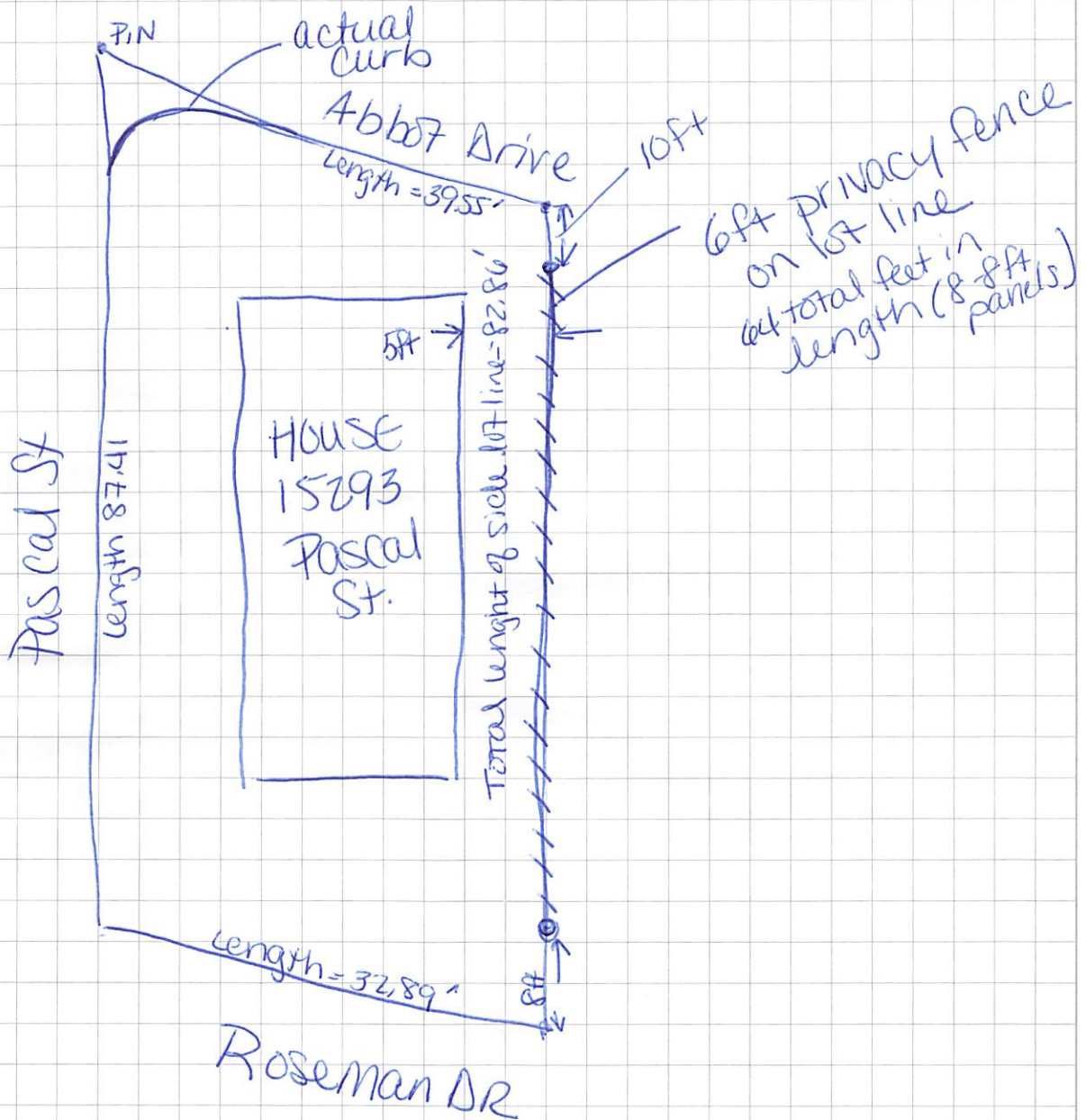
March 16, 2020, J. Robbins

Figure 6
Looking west along Roseman Drive toward Pascal Street



March 16, 2020, J. Robbins

West Half of Lots 142 in Block 5
in Patriarch's Militant 100' Park





PASCAL ST

ROSEMAN DR

ABBOTT DR

22