

**APPLICATION/APPEAL FORM**

[For Completion by All Applicants]

Date June 9 2020

TO: ZONING BOARD OF ADJUSTMENT  
CERRO GORDO COUNTY, IOWA

I (WE), Kirk & Katherine Paulson  
(NAME)

OF 60 Oak Run Drive Mason City Iowa 50401  
(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 May 29, 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 35 of Lime Creek Township.

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

District Maps. Legal description of the property is: SW1/4 section 35 Lime Creek Township


Parcel #033530000600

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

Describe what you are proposing to do on the property affected.  
Build a 40'X72' Morton building and then build our primary residency in 2021  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 

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**OFFICE USE ONLY**

Date Filed 6/12/20

Case Number 20-36

Date Set for Hearing 6/30/20

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) Kirk & Katherine Paulson

Type of Variance Requested: A Variance to a Zoning District requirement where there are unusual conditions

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

Currently it is bare ground and has not been kept up. The ground as sat empty and not farmed for over 6 years.

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

Currently it is bare land and a large approximately 20 acre piece, that was somewhat neglected as to the stand of trees and the lack of upkeep and care for the ground as it has been allowed to be over run with thistle and other weeds. Most of the other properties are similar in nature with mature stand of Oaks, Walnuts and Cherry trees lines the outside of the property.

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

The Morton building and then house will fit in with the mix of residential housing and sheds that is in the area. Both the Morton building and the house will be very aesthetically pleasing to all neighbors and will improve the over neighborhood. Simple upkeep and new construction will improve the area.

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

N/A

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

Proposing to build the accessory building prior to our primary residence, which upon completion of the Morton building we will be building our primary residence in the spring or summer of 2021- given the weather in the spring of 2021

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

The property is surrounded by residential property on 3 sides and all adjacent structures are a mix of residential and agricultural use.

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

The property will improve the surrounding areas and will be a similar mix of residential and Morton sheds and barns in our area. We will have normal approved septic and leach field. The project will also remove most weeds, buckthorn trees and bushes and thus create a better environment for our neighbors with less seed drift to the south and east for all our neighbors.

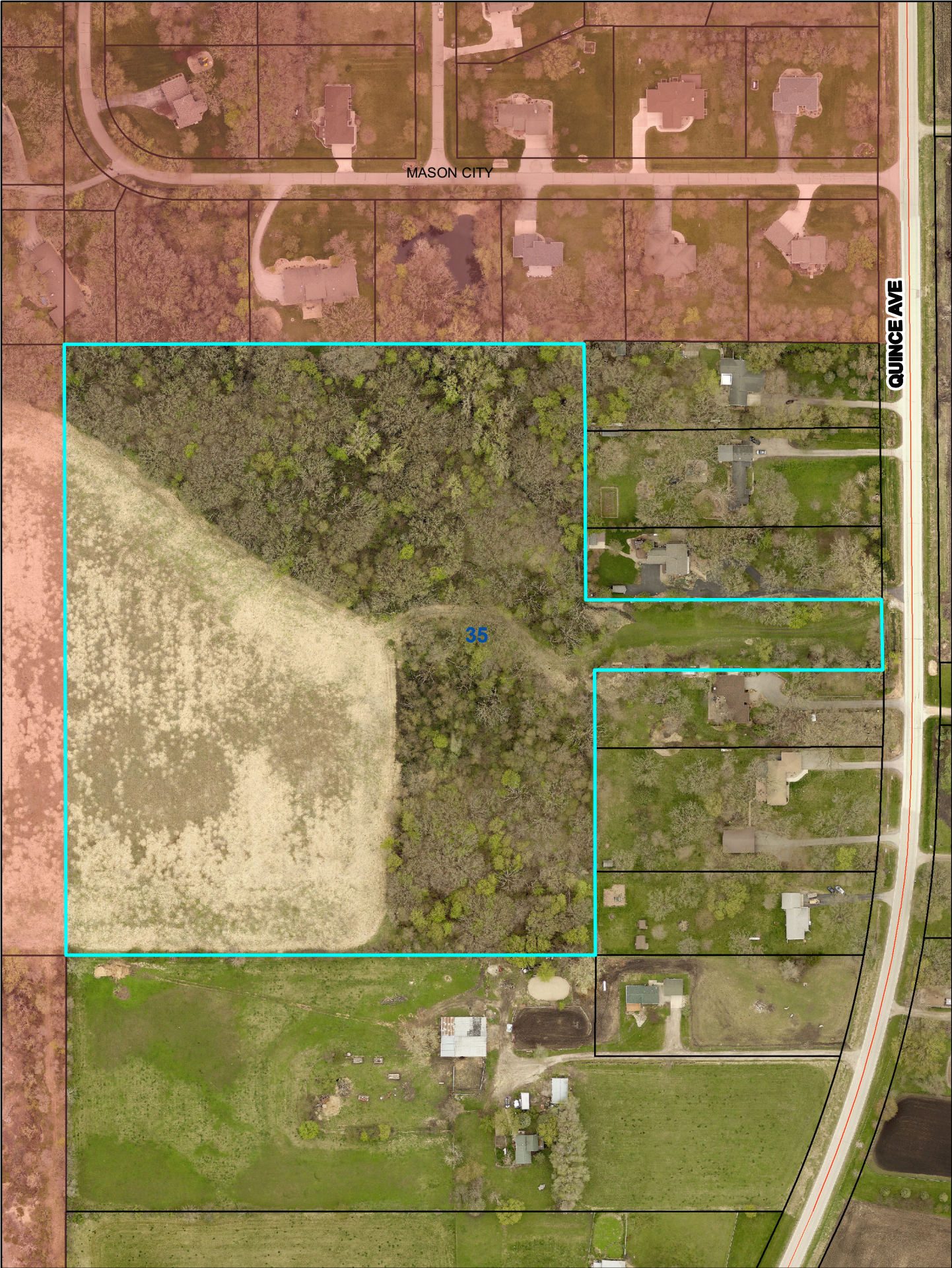
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I, Kirk P certify that

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



MASON CITY

QUINCE AVE

35

KIRK & KELLY PAULSON  
641.430.2839 / 641.512.4733  
Mason City, Ia. 50459  
Ceiling Load Trusses 4' Spacing  
On 2 ply LVL Headers  
On 3 ply 2x6 Columns 8' Spacing  
24" Perimeter Roof O.H.  
Colored Steel Exterior

Optional Insulated  
4" Concrete Floor Thru Out  
12' Ceiling

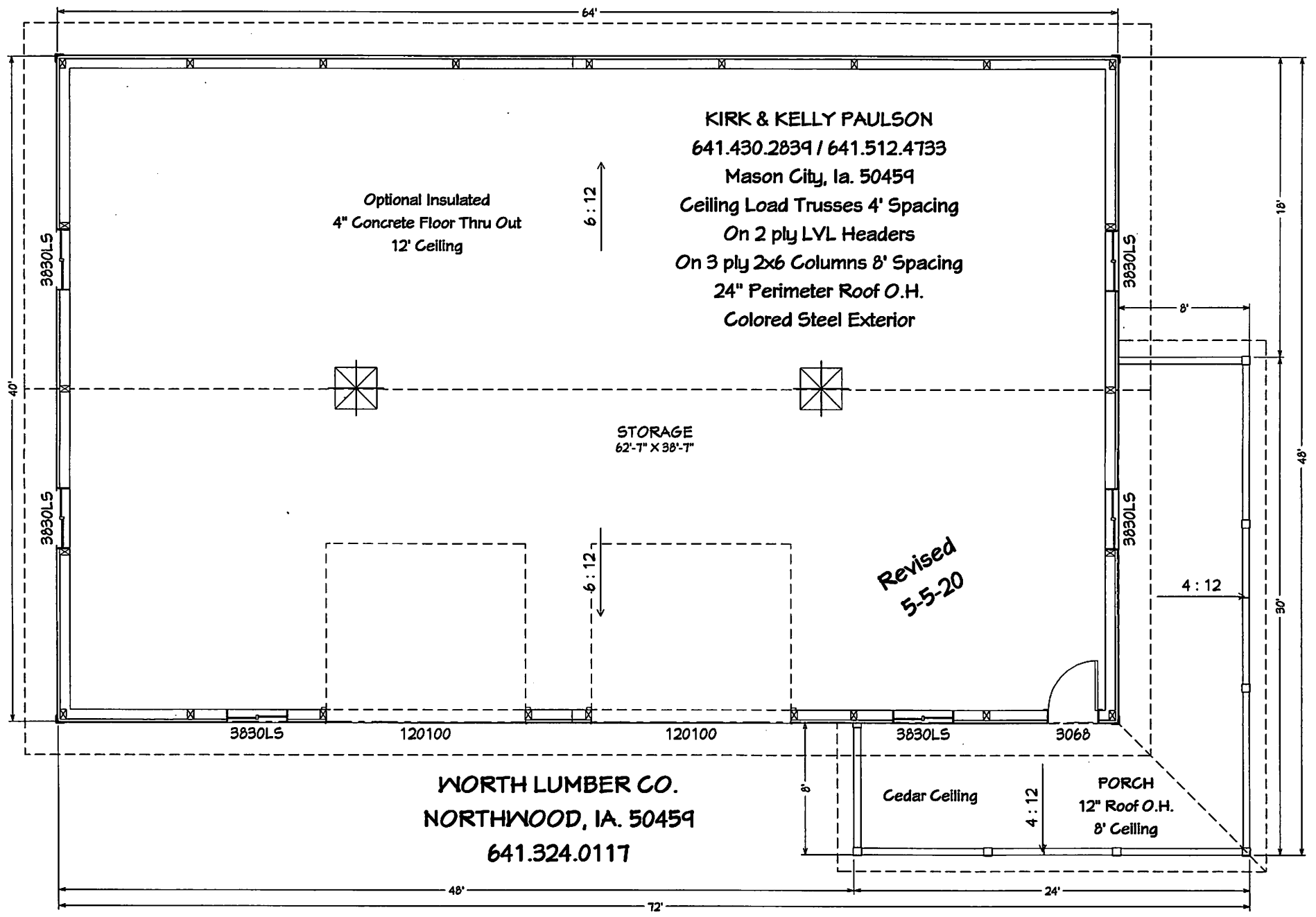
STORAGE  
62'-7" X 38'-7"

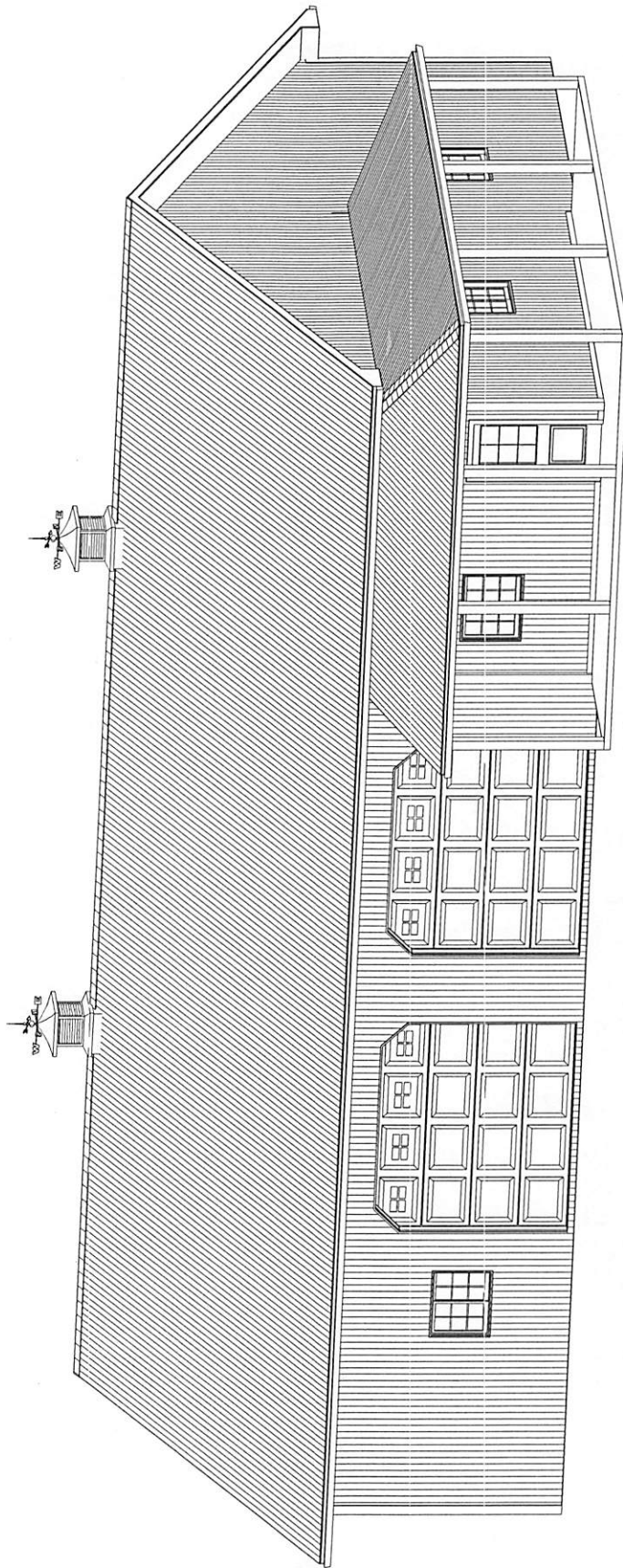
Revised  
5-5-20

NORTH LUMBER CO.  
NORTHWOOD, IA. 50459  
641.324.0117

Cedar Ceiling

PORCH  
12" Roof O.H.  
8' Ceiling

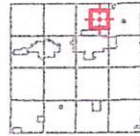








Overview



Legend

- × Parcel Point
- Parcels
- Corporate Limits
- Political Township

Parcel ID	033530000300	Alternate ID	n/a	Owner Address	n/a
Sec/Twp/Rng	n/a	Class	n/a		
Property Address		Acreage	n/a		
District	n/a				
Brief Tax Description	n/a				

(Note: Not to be used on legal documents)

Date created: 8/4/2019  
 Last Data Uploaded: 7/29/2019 2:28:52 AM

Developed by  Schneider  
 GEOSPATIAL