



PLANNING AND ZONING

Cerro Gordo County Courthouse

220 N Washington Ave Mason City, IA 50401-3254

John Robbins, Planning and Zoning Administrator

Michelle Rush, Executive Assistant

(641) 421-3075

plz@cgcounty.org

cgcounty.org/planning

February 21, 2020

TO: Cerro Gordo County Board of Adjustment

FROM: John Robbins

SUBJECT: Next Meeting – *Monday, March 2, 2020; 4:00 p.m.; Board of Supervisor's Office*

Ladies and Gentlemen:

The next meeting of the Cerro Gordo County Board of Adjustment is scheduled for **Monday, March 2, 2020 at 4:00 p.m. in the Board of Supervisor's Office at the Courthouse.** The Board will be considering the formal resolution from the appeal case at the previous meeting and two new variance requests.

Before we get into the business items, I would like to welcome Crystal Meints to the Board of Adjustment. Crystal was appointed to the remainder of the term vacated by Martha Taylor on the Board by the Supervisors at their February 18 meeting. She is a former city council member, and currently resides, in Ventura.

Old Business

1. Case No. 20-22 Douglas Owen 15518 Basswood Avenue (Lot 3 in Government Lot 4, Section 20, Clear Lake Township)

The agenda has the consideration of the resolution the Board asked me to prepare at the conclusion of the hearing held on Tuesday, January 28, 2020 in the Boardroom at the Courthouse. This proposed resolution is enclosed for your review. As per our usual practice, a copy has also been provided to Douglas Owen. You may mark-up the enclosed copy with any changes you believe need to be made and then bring these suggested revisions up at the time the resolution is considered.

Since the public hearing on this matter is considered complete, it would be inappropriate to take additional public input at the March 2 meeting. As part of your meeting, the public is welcome to listen to your discussion and final action on the resolution but should not have input.

Crystal has minutes of the original hearing on January 28; however, since she was not a part of these hearings, it is likely that she will abstain from voting on the resolution.

New Business

1. Case No. 20-23 John G Skarlis & Eric Ritland Lot 5, Block 3, Crane and Hills

Mr. Skarlis and Mr. Ritland propose to construct a 24'x52' dwelling. This is the first of two separate dwellings in which they are requesting variances (See Figure 1). The proposed dwellings are identical in design.

The proposed dwelling is 3' from both the west and side lot lines. A 6' side yard setback is required in the R-3 District (See Figures 2 & 3).

The proposed dwelling is 15' from the rear lot line. A 30' rear yard setback is required in the R-3 District (See Figure 4).

The original platted lot is 30'x90'. A literal enforcement of the ordinance would only allow for an 18'x35' dwelling. The Zoning Ordinance requires a minimum width of 22' for individual dwellings. Since the size of the lot prevents the applicant from building due to the ordinance, a variance from the side yard setback requirement is necessary to alleviate the inability for the applicant to build because of the rules. The adjacent lot to the east has no structures, so I do not have any encroachment concerns (See Figure 5).

Arguably, a 35' deep house is quite small compared to modern building standards. There are two sheds close to the rear lot line (See Figures 6). The requested 15' rear yard setback variance creates enough of a separation that any future accessory structures constructed on the adjacent lot to south would not cause any foreseeable concerns.

One aspect I noted during the site visit was that the grade of the area generally travels downhill southeast to northwest (See Figure 7). I have somewhat of a concern that drainage could potentially negatively affect the property to the west. I would recommend making a condition of any approval that drainage is directed north toward Lee Street.

Recommendation.

1. Approve a west and east side yard setback variance for the dwelling to be no closer than 3'.
2. Approve a rear yard setback variance for the dwelling to be no closer than 15'.
3. These variances are approved with the condition that all drainage is directed north toward Lee Street.

2. Case No. 20-24 John G Skarlis & Eric Ritland Lot 6, Block 3, Crane and Hills

Mr. Skarlis and Mr. Ritland propose to construct a 24'x52' dwelling. This is the first of two separate dwellings in which they are requesting variances (See Figure 1). The proposed dwellings are identical in design.

The proposed dwelling is 3' from both the west and east side lot lines. A 6' side yard setback is required in the R-3 District (See Figures 2-4).

The proposed dwelling is 15' from the rear lot line. A 30' rear yard setback is required in the R-3 District (See Figure 6).

The original platted lot is 30'x90'. A literal enforcement of the ordinance would only allow for an 18"x35' dwelling. The Zoning Ordinance requires a minimum width of 22' for individual dwellings. Since the size of the lot prevents the applicant from building due to the ordinance, a variance from the side yard setback requirement is necessary to alleviate the inability for the applicant to build because of the rules. There is an existing condominium located immediately to the west of the lot (See Figure 6). The Board would be justified in limiting the requested setback to 4'; however, the variance request is in line with the Board's history for side yard setback variance requests.

Arguably, a 35' deep house is quite small compared to modern building standards. There are two sheds close to the rear lot line (See Figures 7 & 8). The requested 15' rear yard setback variance creates enough of a separation that any future accessory structures constructed on the adjacent lot to south would not cause any foreseeable concerns.

One aspect I noted during the site visit was that the grade of the area generally travels downhill southeast to northwest (See Figure 9). I have somewhat of a concern that drainage could potentially negatively affect the property to the west. I would recommend making a condition of any approval that drainage is directed north toward Lee Street.

Recommendation.

4. Approve a west and east side yard setback variance for the dwelling to be no closer than 3'.
5. Approve a rear yard setback variance for the dwelling to be no closer than 15'.
6. These variances are approved with the condition that all drainage is directed north toward Lee Street.