



PLANNING AND ZONING

Cerro Gordo County Courthouse

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April 15, 2021

TO: Cerro Gordo County Board of Adjustment

FROM: John Robbins, Planning and Zoning Administrator

SUBJECT: Next Meeting – *Tuesday, April 27, 2021; 4:00 p.m.; Board Room*

Ladies and Gentlemen:

The next meeting of the Cerro Gordo County Board of Adjustment is scheduled for **Tuesday, April 27, 2021 at 4:00 p.m. in the Board Room at the Courthouse**. The Board will consider one variance request and one annual review and one two-year review of existing Special Use Permits.

If you have concerns with attending in person due to COVID-19, the option to attend the hearing via teleconference will be made available. Social distancing will be practiced. You may join via teleconference by calling the phone number below and enter the Conference ID when prompted. Please let me know if you have any questions about this.

Conference phone: (641) 421-3113

Conference ID: 3044#

1. Case No. 21-32 Ron Laudenberg for Barbara Schoneman
4534 Asbury Drive (Lot 67, Clear Lake Methodist Camp)

Zoning

R-3 Single Family Residential

Background

The applicant proposes to reconstruct the 12'x20' rear section of the existing cabin, originally constructed in 1935 (See Figure 1). They propose to add footings and a foundation underneath where none currently exist. The existing landing to enter the cabin will remain the same, and the 3'x4' attached storage shed will be removed (See Figures 2 & 3). The proposed reconstruction will maintain the existing footprint of the main body of the structure and has not been updated since its original construction.

VARIANCE REQUEST*		
Structure	Request(s)	Requirement(s)
Reconstruction of dwelling section	5.8' southeast side yard setback 10.3' rear yard setback 20'-wide dwelling 680 square feet of residential floor space	6' side yard setback (11.6-B) 30' rear yard setback (11.6-C) 22' minimum width for dwellings (6.19-A) 720 square foot minimum residential floor space for 1-story dwelling (6.20-A)

See Figures 2 & 4

Property Details

The property is located in the long-established Clear Lake Methodist Camp neighborhood in the south shore area of Clear Lake. Properties within the subdivision are generally undersized compared to modern lot standards, except in some circumstances where adjacent lots have been combined, and are commonly grandfathered. The Schoneman lot is grandfathered with a 2,100 square foot lot size—under the 5,000 square foot minimum lot size in the R-3 District. The lot narrows from the front lot line at a 38' width along Asbury Drive to a 32' width at the rear lot line.

Analysis

The size of the lot itself makes any residential use permitted in the R-3 District, a dwelling in particular, impossible to meet minimum setback and bulk size requirements. No principle structure would be able to meet the minimum 22' dwelling width, 720' square feet of useable ground floor area for a single story dwelling, or the side and rear lot requirements without some sort of variance on the property.

While there is an existing reasonable residential use, the cabin has not been updated since its original construction. There are some visible condition issues on the exterior of the cabin (See Figures 1 & 4). Allowing the cabin to go into disrepair may cause safety concerns and could become an arguable hardship for the property owner over time, if not currently. The proposed footings and foundation for the reconstruction should improve the structural integrity of the cabin and improve its overall safety.

Additionally, the Zoning Ordinance permits existing non-conforming buildings to continue as is so long as repairs do not exceed 50 percent of the fair market value of the structure. It also allows non-conforming structures to be enlarged for yard requirements only so long as setbacks are not exacerbated and a variance is received from the Board of Adjustment. The proposed reconstruction is less than half of the overall structure, and it will maintain the existing footprint of the main body of the cabin, with a slight setback improvement with the removal of the attached storage shed.

The proposed reconstruction is within the typical character of the neighborhood. The cabin has no record of complaint. Due to the small lot size, age and condition of the cabin, and allowances of the Zoning Ordinance, staff recommends approval as requested.

Recommendation

1. Approve a southeast side yard setback variance for the reconstruction to be no closer than 5.8’.
2. Approve a rear yard setback variance for the reconstruction to be no closer than 10.3’.
3. Approve a dwelling width variance for the reconstruction to be no less than 12’x20’.
4. Approve a dwelling ground floor area variance for the reconstruction to be no less than 240 square feet in useable ground floor area.
5. These variances are approved with the condition that the formal approval of the Bell Harbor Homeowners Association is received before a Zoning Permit is issued.

2. River City Rifle 20935 Jonquil Avenue

River City Rifle is up for its annual review, which is a condition stipulated in the Special Use Permit. A site review of the shooting range was conducted on Tuesday, April 6, 2021 to satisfy this condition. A staff report for the annual review has been attached for the Board.

3. Jason Stokke 7675 333rd Street

As a condition of the Special Use Permit granted to Jason Stoke, the Board granted the permit with the condition that an inspection for compliance be conducted after two years after being issued. An inspection was conducted on Monday, April 13, 2021 to satisfy this condition. A staff report for the review has been attached for the Board to review.