

APPLICATION/APEAL FORM

[For Completion by All Applicants]

Date September 29/2020

TO: ZONING BOARD OF ADJUSTMENT
CERRO GORDO COUNTY, IOWA

I (WE), Rachel Baker
(NAME)

OF 5527 Crestwood Drive, Kansas City, MO 64110
(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 9/25/2020 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 ^{SE 1/4 of} Section 22 of 96 Township.

The property affected is zoned Residential according to the Cerro Gordo County Zoning District Maps. Legal description of the property is: Lot 187,

4579 Wesley Drive, Ball Harbor Subdivision

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

Describe what you are proposing to do on the property affected.

Add a family room addition with a basement level that includes two bedrooms with closets to an existing original refurbished bunkhouse cabin located in Bell Harbor. (bunkhouse had a basement added under the original footprint in 2012.)

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 Rachel K. Fisher

OFFICE USE ONLY

Date Filed 10/2/20

Case Number 21-19

Date Set for Hearing 10/27/20

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) Rachel Baker

Type of Variance Requested Variance of required setback rear of property from to 9 feet.

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

The current required setback of 30' reaches beyond the current structure's southern wall on the SE side leaving the lot suitable for only a 560 sq. ft. cabin when the lot can adequately maintain a reasonably larger structure.

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

The property is unique in that it has the original bunkhouse maintained from Methodist camp. Property owners want to maintain the character of this structure by adding on rather than demolishing and rebuilding. The variance will allow the essential character of the locality to be maintained.

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

The cabin is to be remodeled to allow for a family room that will allow for a gathering space for our family. Many homes throughout Bell Harbor include additions of family rooms and sun rooms to expand space for smaller cabins. Once done it will fit in with the neighborhood.

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

No modifications to this burkhouse cabin have been made outside the original cabin footprint by either the present or former owners.

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

As noted in Question #1 above, the current 30' setback requirement consumes all of property owner's backyard and up to the current structures SE back wall. A variance is required for any improvements or additions to the rear of the home to be made.

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

The variance of 9' at the SE corner is the smallest. Due to the curve, the variance is 10' at the SW corner, leaving adequate space behind the addition for a setback consistent with other neighbors in the area who have made similar modifications.

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

The Variance allows for adequate space between the addition and the property line, which is also placed adequately back to let walkers & bicyclists proceed on S Shore. The variance will be for a family room that encourages the family atmosphere of the Bell Harbor community.

I, Rachel S. Fisher certify that

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

Case No. 21-19
Rachel Baker (4576 Wesley Drive)

Figure 1

Looking at the existing cabin



October 8, 2020, J. Robbins

Figure 2

Looking at the location of the proposed addition



October 8, 2020, J. Robbins

Figure 3
Looking east along the rear lot line

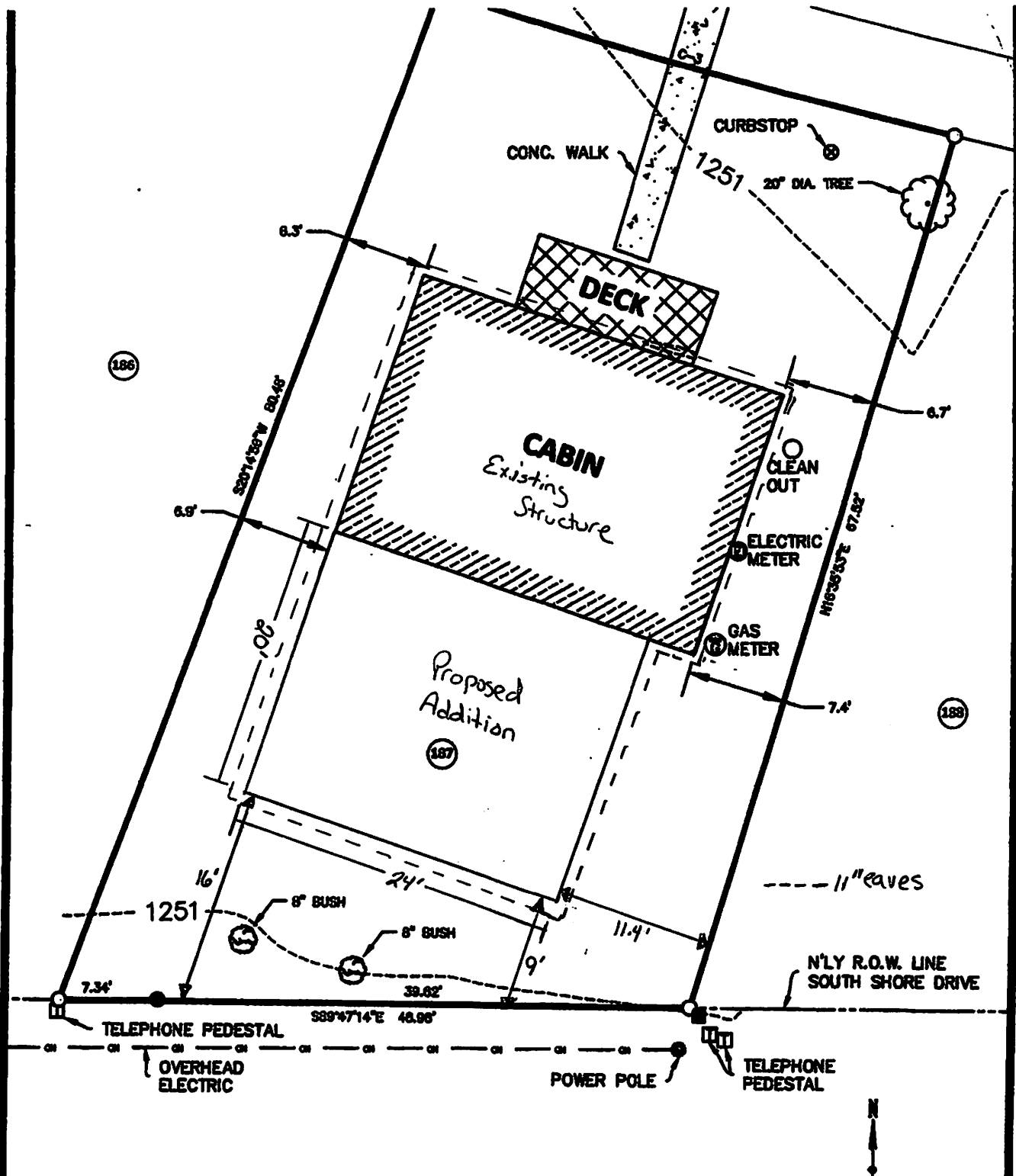


October 8, 2020, J. Robbins

Figure 4
Looking west along the rear lot line



October 8, 2020, J. Robbins

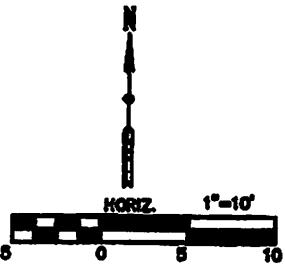


LEGEND

- ▲ SET SECTION CORNER AS NOTED (P.O.C.) POINT OF COMMENCEMENT
- SET 1/2" REBAR 24" LONG YPC 23700 (P.O.B.) POINT OF BEGINNING
- FOUND PINCH PIPE MONUMENT UNLESS NOTED
- ▲ FOUND SECTION CORNER AS NOTED
- FOUND R.O.W. RAIL
- Ⓢ LOT NUMBER
- (0.00') RECORD MEASUREMENT

SURVEYOR'S NOTES:
 1) ICPCS ZONE 2 IS THE BASIS OF BEARING FOR THE PURPOSE OF THIS SURVEY.
 2) THE TBAR THAT IS AT THE NW COR. OF LOT 187 IS N20°14'58"E 0.73' NORTH OF THE R.O.W. LINE AND CALCULATED CORNER FOR THE PURPOSE OF THIS SURVEY.

DOCUMENTS USED FOR THIS SURVEY
 PLATS BK.181 PG.197.
 BK.3 PGS.257-273
 DEED: DOC.#2005-8012



DATE SURVEYED	7-28-20
SCALE:	AS SHOWN
PROJECT NO.:	20294
DRAWN BY:	BVS
CHECKED BY:	BVS
SHEET	1 of 1



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct

CTADV

SURVEY REQUESTED BY
RACHEL BAKER
 SURVEYOR COMPANY
STARK SURVEYING INC.
 1622 S. TAFT AVE.
 MASON CITY, IOWA, 50401
 PHONE: 641-423-7847

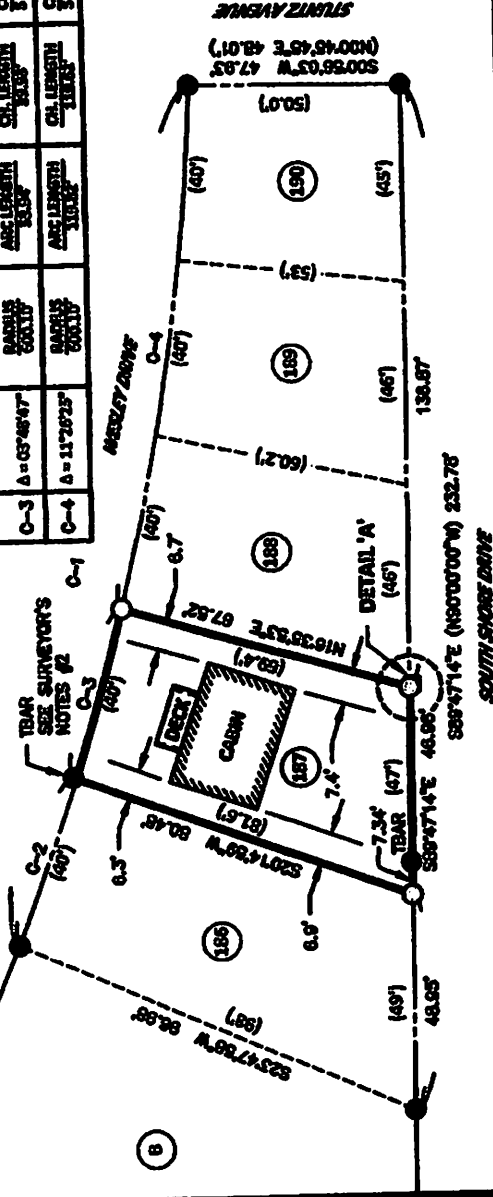
CONDUCTED BY
BRADLEY STARK
 1622 S. TAFT AVE.
 MASON CITY, IOWA, 50401

RETRACEMENT PLAT OF SURVEY

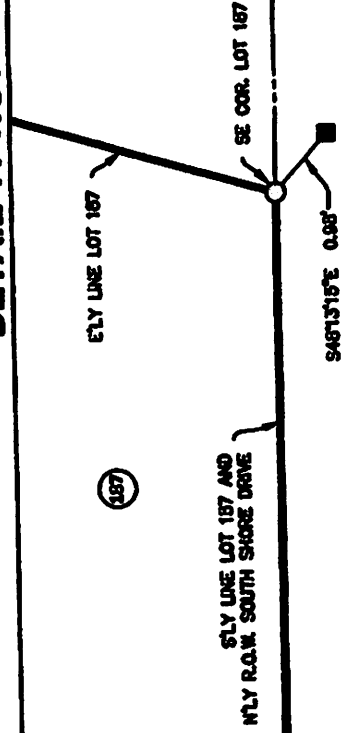
CURVE TABLE

C-1	$\Delta = 19^{\circ}04'17"$	RADIUS 500.117	ARC LENGTH 196.379	CH. LENGTH 196.033	CH. BEARING S77°52'28"E
C-2	$\Delta = 63^{\circ}49'03"$	RADIUS 500.117	ARC LENGTH 83.029	CH. LENGTH 83.033	CH. BEARING S79°53'00"E
C-3	$\Delta = 63^{\circ}46'47"$	RADIUS 500.117	ARC LENGTH 83.019	CH. LENGTH 83.033	CH. BEARING S79°53'40"E
C-4	$\Delta = 11^{\circ}28'23"$	RADIUS 500.117	ARC LENGTH 30.032	CH. LENGTH 30.033	CH. BEARING S78°28'10"E

AREA CALCULATIONS
 TOTAL AREA.....3,114 SQ. FT.



DETAIL 'A' NOT TO SCALE



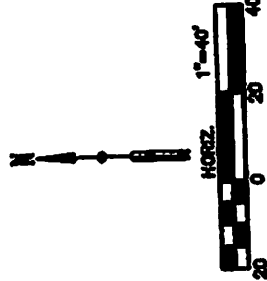
DESCRIPTION OF RECORD

LOT ONE HUNDRED EIGHTY-SEVEN (187) IN CLEAR LAKE METHODIST CAMP,
 CERRO GORROO COUNTY, IOWA, ACCORDING TO THE RECORDED PLAT THEREOF.

LEGEND

- △ SET SECTION CORNER AS NOTED (P.O.C.) POINT OF COMMENCEMENT
- SET 1/2" REBAR 2" LONG 1/2" DIA (P.O.B.) POINT OF BEGINNING
- FOUND PUNCH PIPE MONUMENT UNLESS NOTED
- ▲ FOUND SECTION CORNER AS NOTED (S) LOT NUMBER
- FOUND R.O.W. RAIL
- (0.00') RECORD MEASUREMENT

- SURVEYOR'S NOTES:**
- 1) SURVEYOR'S NOTES: BEARING FOR THE PURPOSE OF THIS SURVEY.
 - 2) THE TIE THAT IS AT THE NW 20 COR. OF LOT 187 IS N20°19'59"E 0.73' NORTH OF THE R.O.W. LINE AND CALCULATED CORNER FOR THE PURPOSE OF THIS SURVEY.

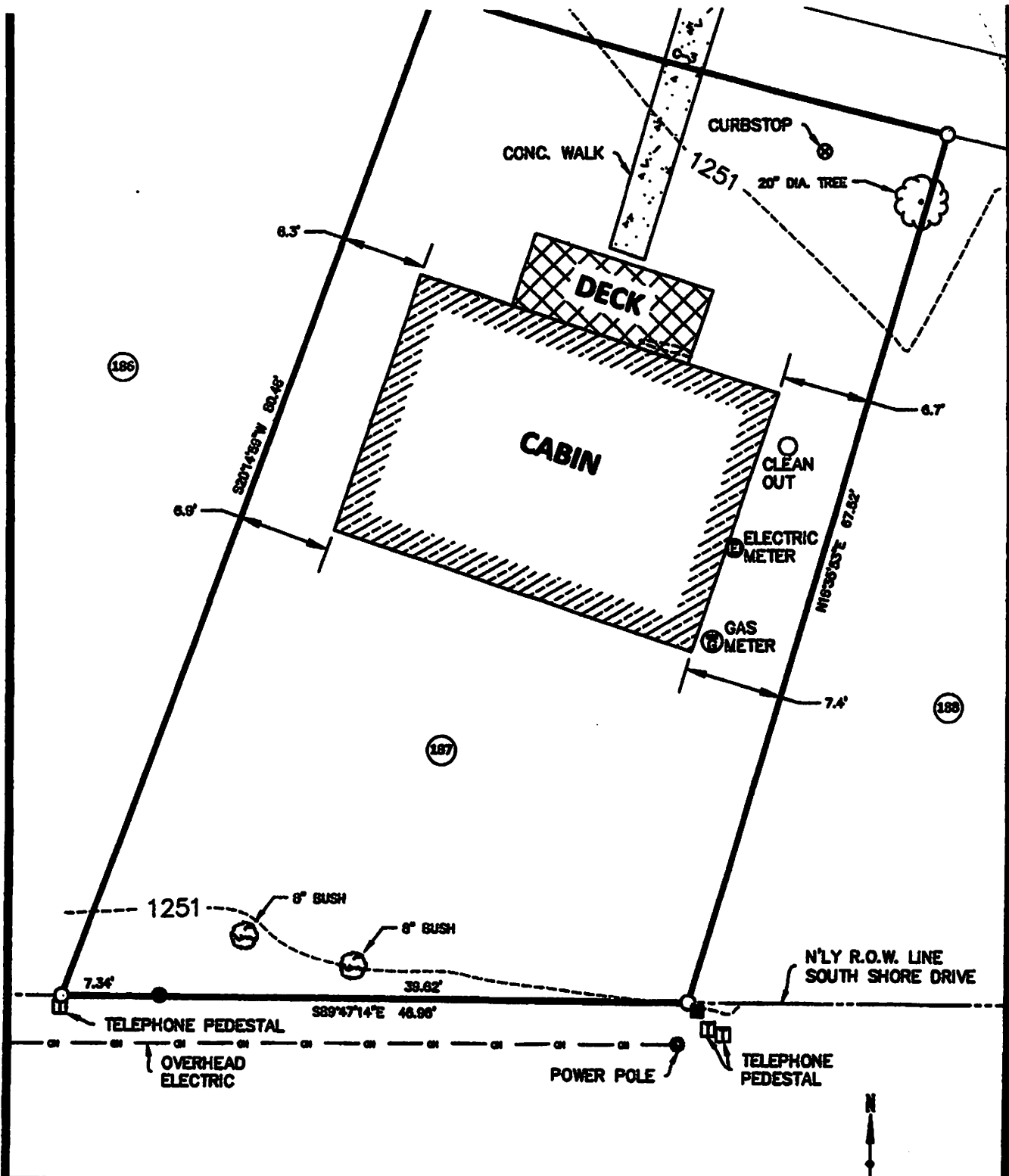


DATE SURVEYED	7-28-20
SCALE	AS SHOWN
DRAWN BY	BVS
CHECKED BY	BVS
SHEET	1 of 1

DOCUMENTS USED FOR THIS SURVEY
 PLATS BC151 PG.167,
 BK.3 PGS.207-273
 DEED: DOC.#2005-9012

I hereby certify that this land surveying document was prepared and
 the related survey work was performed by me or under my direct

STARK

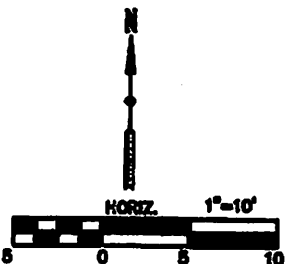


LEGEND

- △ SET SECTION CORNER AS NOTED (P.O.C.) POINT OF COMMENCEMENT
- ⊙ SET 1/2" REBAR 24" LONG YPC 23709 (P.O.B.) POINT OF BEGINNING
- FOUND PINCH PIPE MONUMENT UNLESS NOTED
- ▲ FOUND SECTION CORNER AS NOTED
- FOUND R.O.W. RAIL
- ⊙ (85) LOT NUMBER
- (0.00') RECORD MEASUREMENT

SURVEYOR'S NOTES:
 1) ICRCS ZONE 2 IS THE BASIS OF BEARING FOR THE PURPOSE OF THIS SURVEY.
 2) THE REBAR THAT IS AT THE NW COR. OF LOT 187 IS N20°14'59"E 0.73' NORTH OF THE R.O.W. LINE AND CALCULATED CORNER FOR THE PURPOSE OF THIS SURVEY.

DOCUMENTS USED FOR THIS SURVEY
 PLATS: BK.181 PG.197,
 BK.3 PGS.267-273
 DEED: DOC.22005-0012

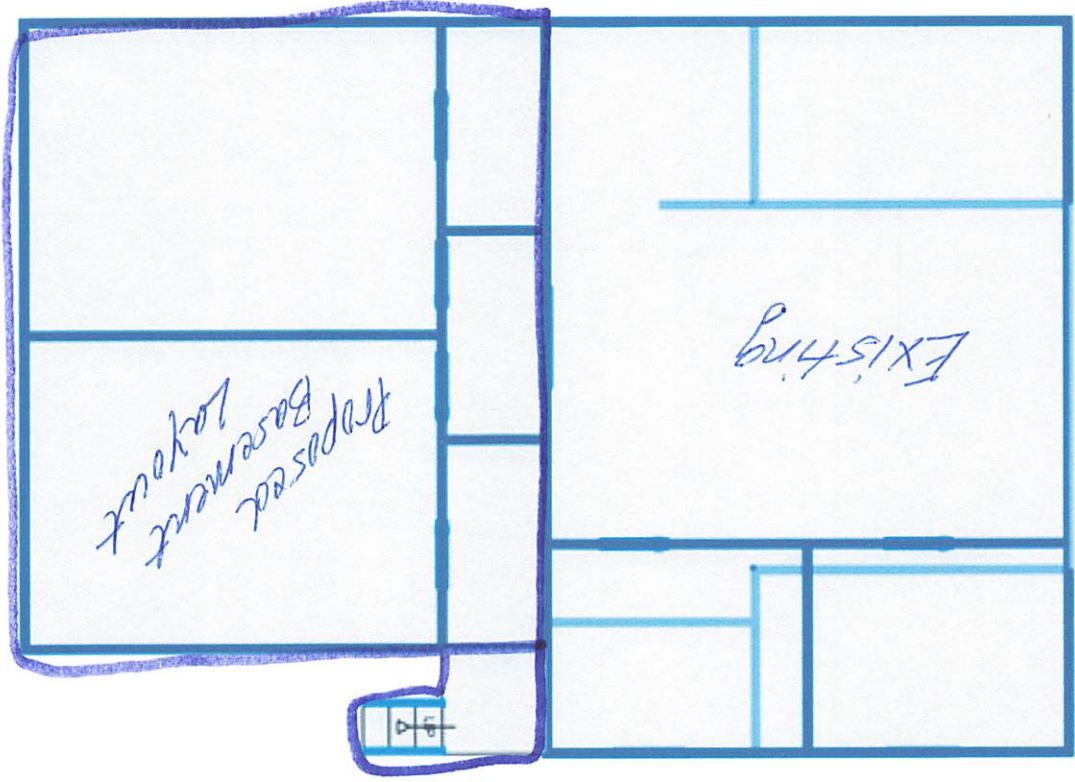


DATE SURVEYED	7-28-20
SCALE	AS SHOWN
PROJECT NO.	20284
DRAWN BY:	BVS
CHECKED BY:	BVS
SHEET	1 of 1



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct

CTADU



Basement





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SOUTHSHORE DR