

APPLICATION/APPEAL FORM

[For Completion by All Applicants]

Date 5/28/20

TO: ZONING BOARD OF ADJUSTMENT
CERRO GORDO COUNTY, IOWA

I (WE), Randy Miller
(NAME)

OF P.O. Box 1075 Mason City IA 50402
(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 _____ 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 Mason Township.

The property affected is zoned R2 according to the Cerro Gordo County Zoning

District Maps. Legal description of the property is: Lots 33, 34 Bowers Acres
additional Property North West quarter

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

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

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 _____ Case Number _____

Date Set for Hearing _____ Fee Paid _____

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) Randy Miller

Type of Variance Requested Coverage Area

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

Need more Storage

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

More Land

VARIANCE CHITRA SUBSTITUTED FOR VARIANCE

County Board of Adjustment

[For completion by Variance Applicant Only]

The applicant is intended to a plan of the Board of Adjustment Application for
variance for variance. This statement shall be submitted as part of and attached to the
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 submit a report in specific cases such as those 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 right of the Ordinance due to circumstances unique
to its property not created by the Ordinance, 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 that substantial justice done.

Applicant: _____
Type of Variance Requested: _____

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

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

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

Simply Buildings

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

n/a

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

Rules Say its to Big

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

Residential Area

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

no Negative Impacts

I, *[Signature]* certify that

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

**Case No. 20-33
Randy Miller (16516 245th Street)**

Figure 1

Looking at the existing building (to be removed) where the proposed storage building will be located



May 28, 2020, J. Robbins

Figure 2

Looking at the existing accessory building to remain on the property



May 28, 2020, J. Robbins

Figure 3

Looking at buildings on the adjacent property to the east



May 28, 2020, J. Robbins

Figure 4

Looking at the commercial storage building on the adjacent property to the north



May 28, 2020, J. Robbins

Figure 5

Looking at an accessory building on one of the adjacent residential properties to the west



May 28, 2020, J. Robbins



34TH ST

CH B35 245TH ST

32

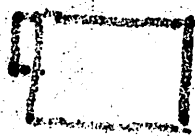
34TH ST



CH B35 245TH ST

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