

APPLICATION/APEAL FORM

[For Completion by All Applicants]

Date SEPT. 25, 2018

TO: ZONING BOARD OF ADJUSTMENT
CERRO GORDO COUNTY, IOWA

I (WE), ATURA ARCHITECTURE & JOANN & THURSTON LAMBERSON
(NAME)

OF 4808 ABBOTT DRIVE CLEAR LAKE, IOWA 50428
(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 SEPT. 20, 2018 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 _____ of CLEAR LAKE Township.

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

District Maps. Legal description of the property is: LOT 6 BLOCK 2 DM PARK

I am the Owner Contract Purchaser Other (Explain) REPRESENTATIVE
FROM DESIGNING ARCHITECTURAL FIRM of the property affected.
ATURA ARCHITECTURE

Describe what you are proposing to do on the property affected.
2 NEW 2ND & 3RD STORY DECKS OFF NORTH SIDE OF
NEW HOME.

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 Seamus K. Amundson

OFFICE USE ONLY

Date Filed 9-26-18 Case Number 19-12
Date Set for Hearing 10-30-18 Fee Paid 100
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) JO ANN & THURSTON LAMBERSON

Type of Variance Requested SIDEYARD & REARYARD SETBACKS

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

THE PROPERTY WAS PURCHASED FOR VIEWING THE LAKE, AND IS NOT TAKING FULL ADVANTAGE OF THAT VIEW WITHOUT THE DECKS

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

PROPERTY LINE TO THE WEST IS ALREADY BEING ENCROACHED AS NEIGHBOR IS OVER THE LOT LINE INTO APPLICANTS PROPERTY DECK CONSTRUCTION STAYS WITH IN THE PREVIOUS DECK'S FOOTPRINT

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

PROPERTIES ARE VERY CROWDED IN THIS AREA
THE DECKS WILL ADD LAKESIDE APPEAL FOR NEIGHBORS
ON EACH SIDE

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

PROPERTY HAS NOT CHANGED HANDS

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

NO LAKESIDE ACCESS WITHOUT THE DECK FOR
LANDSCAPERS ETC.. OWNERS SHOULD BE ABLE TO
USE SAME CONSTRAINTS AS BEFORE THEY DECIDED
TO BUILD A NEW HOUSE.

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

TO MAINTAIN ACCESS AROUND THE HOME FOR,
MAINTENANCE ETC. THAT WOULD NOT BE WITH THE
TERRAIN ELEVATIONS.

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

NO HARMFUL, OR UNSIGHTLY, SMELLY MATERIALS
OR PROCEDURES ARE BEING USE TO CONSTRUCT
THE HOME. ALL WORK IS BEING DONE BY
LICENSED PROFESSIONALS.

I, Suzanne K. Amundson certify that

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

**Case No. 19-12
Thurston & JoAnn Lamberson (4808 Abbott Drive)**

Figure 1

Looking at the construction site for the proposed decks from the lake side (rear)



October 11, 2018, J. Robbins

Figure 2

Looking at the construction site for the proposed decks from the street side (front)



October 11, 2018, J. Robbins

Figure 3

Looking at the previous house prior to removal from the lake side (rear)



August 8, 2018, J. Robbins

Figure 4

Looking at the previous house prior to removal



August 8, 2018, J. Robbins

Figure 5
Looking east along the rear lot line



October 11, 2018, J. Robbins

Figure 6
Looking from the previous deck at the previous rear yard setback prior to removal



August 8, 2018, J. Robbins

Figure 7

Looking north along the east side lot line (cinder blocks show previous footprint of removed house)



October 11, 2018, J. Robbins

Figure 8

Looking south along the east side lot line



October 11, 2018, J. Robbins

Figure 9
Looking north along the west lot line



October 11, 2018, J. Robbins

Figure 10
Looking south along the west side lot line



October 11, 2018, J. Robbins

Figure 11

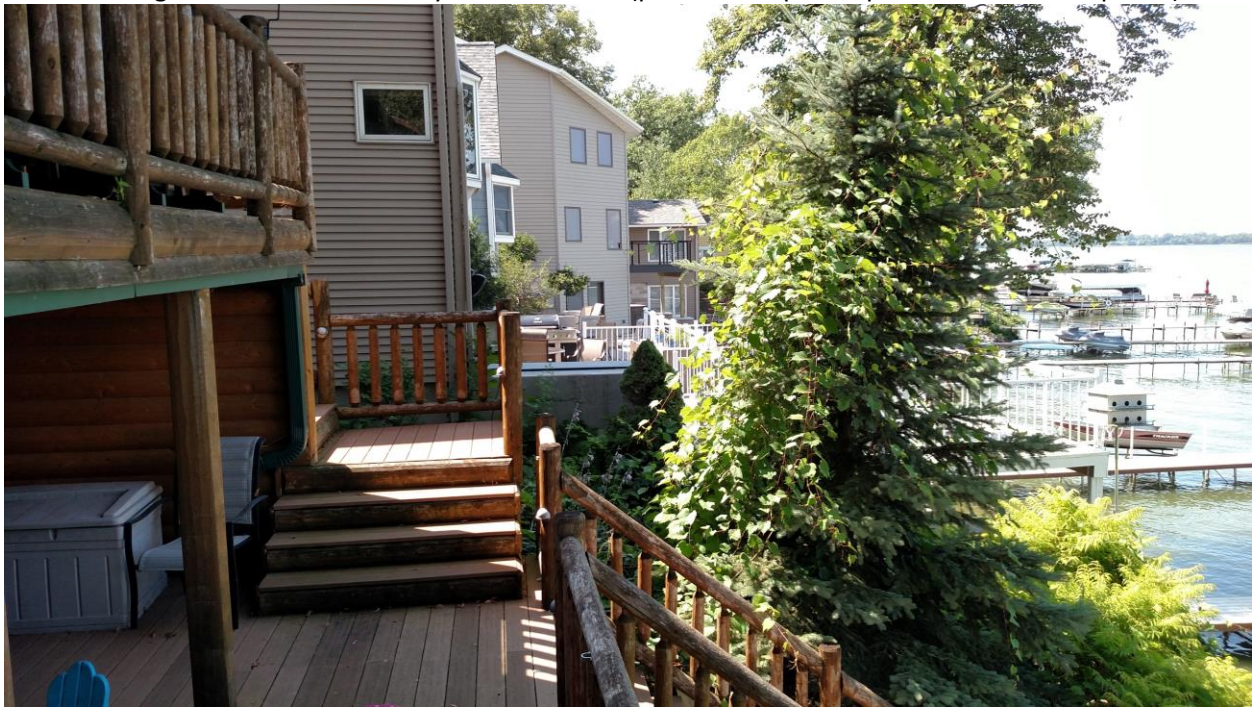
Looking at the recently removed deck along the west side of the house



August 8, 2018, J. Robbins

Figure 12

Looking west from the recently removed deck (previous steps footprint on left side of photo)



August 8, 2018, J. Robbins

Figure 13

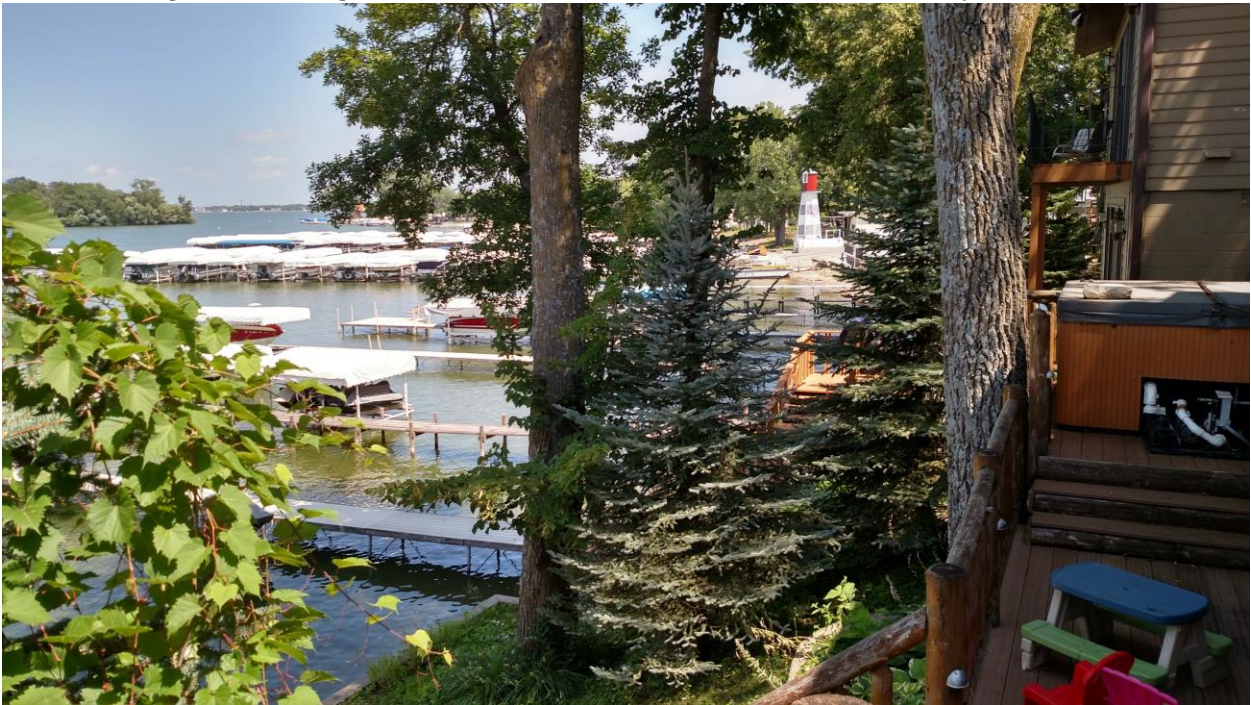
Looking east toward the adjacent lot



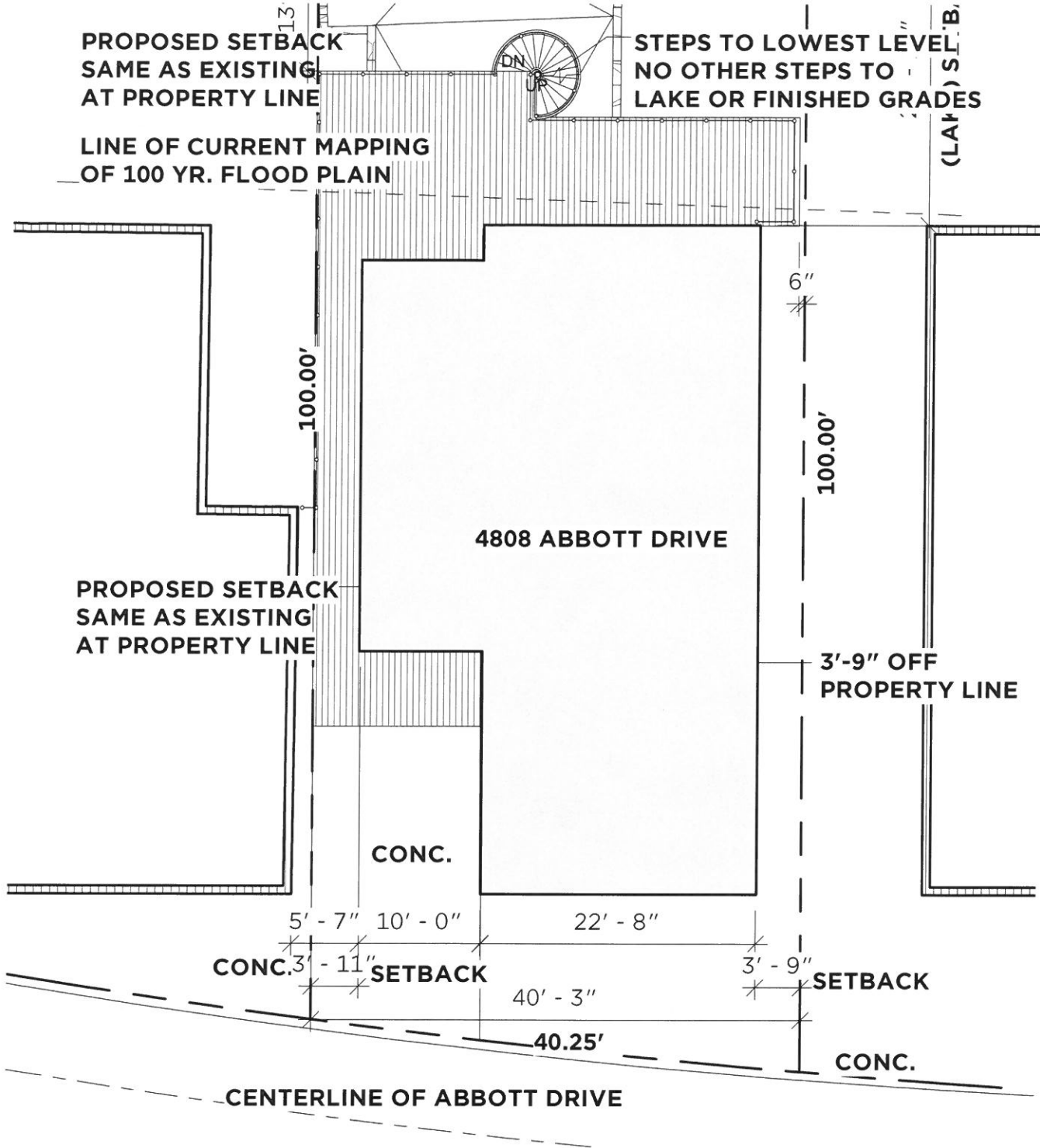
August 8, 2018, J. Robbins

Figure 14

Looking at trees along the east side lot line on the rear side of the recently removed house



August 8, 2018, J. Robbins



SITE PLAN

SCALE: 3/32" = 1'-0"



**LAMBERSON RESIDENCE
4808 ABBOTT DRIVE**

CLEAR LAKE, IA
16-119

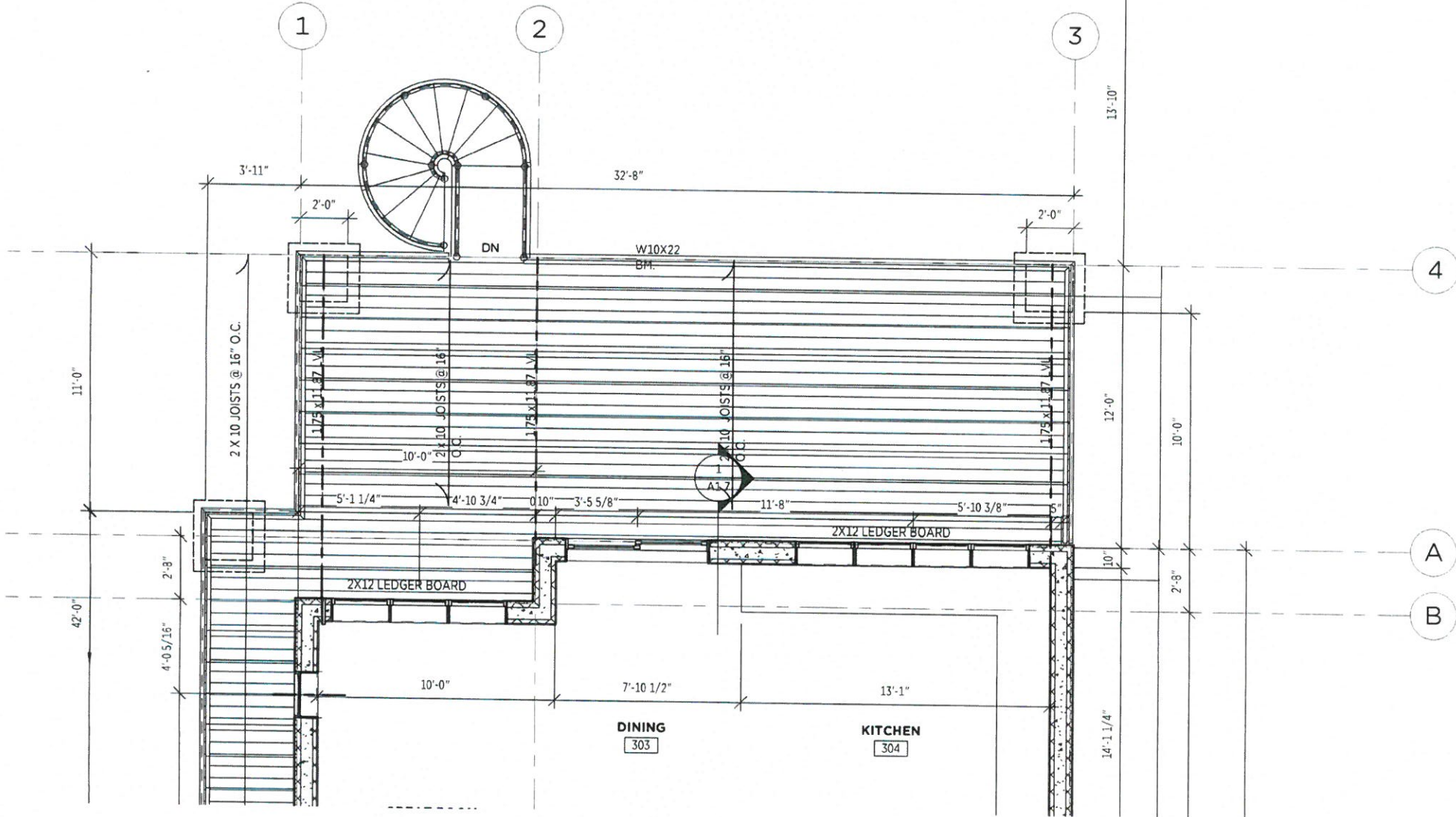


ATURA
architecture



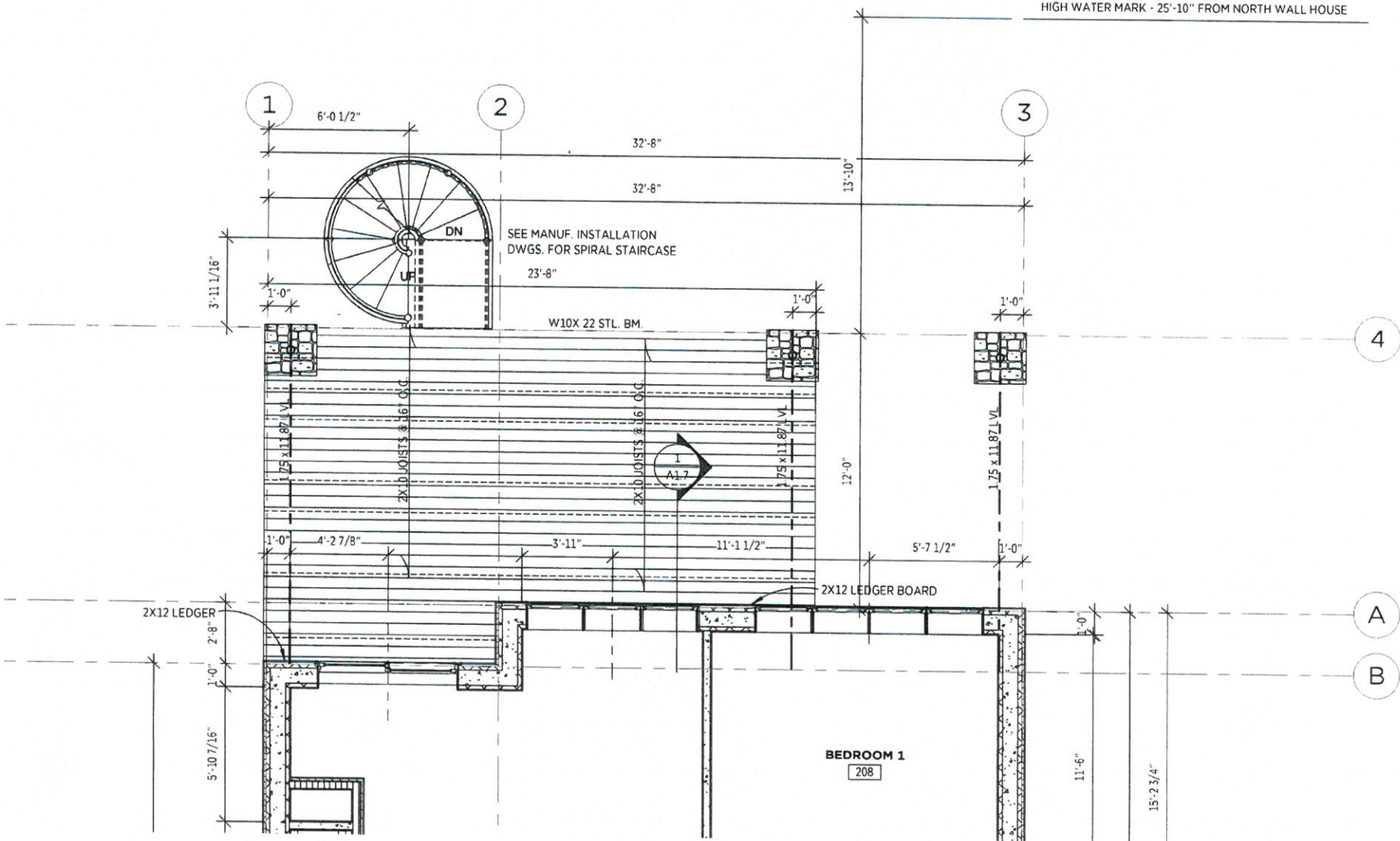


HIGH WATER MARK - 25'-10" OFF NORTH WALL HOUSE





HIGH WATER MARK - 25'-10" FROM NORTH WALL HOUSE



1

2

3

4

A

B

BEDROOM 1
208

6'-0 1/2"

32'-8"

15'-10"

32'-8"

3'-11 1/16"

1'-0"

SEE MANUF. INSTALLATION
DWGS. FOR SPIRAL STAIRCASE
23'-8"

W10X 22 STL. BM

1'-0"

1'-0"

1
A1.7

12'-0"

1.75 X 11.87 VL

1'-0"

4'-27/8"

3'-11"

11'-1 1/2"

5'-7 1/2"

1'-0"

2X12 LEDGER

2'-8"

2X12 LEDGER BOARD

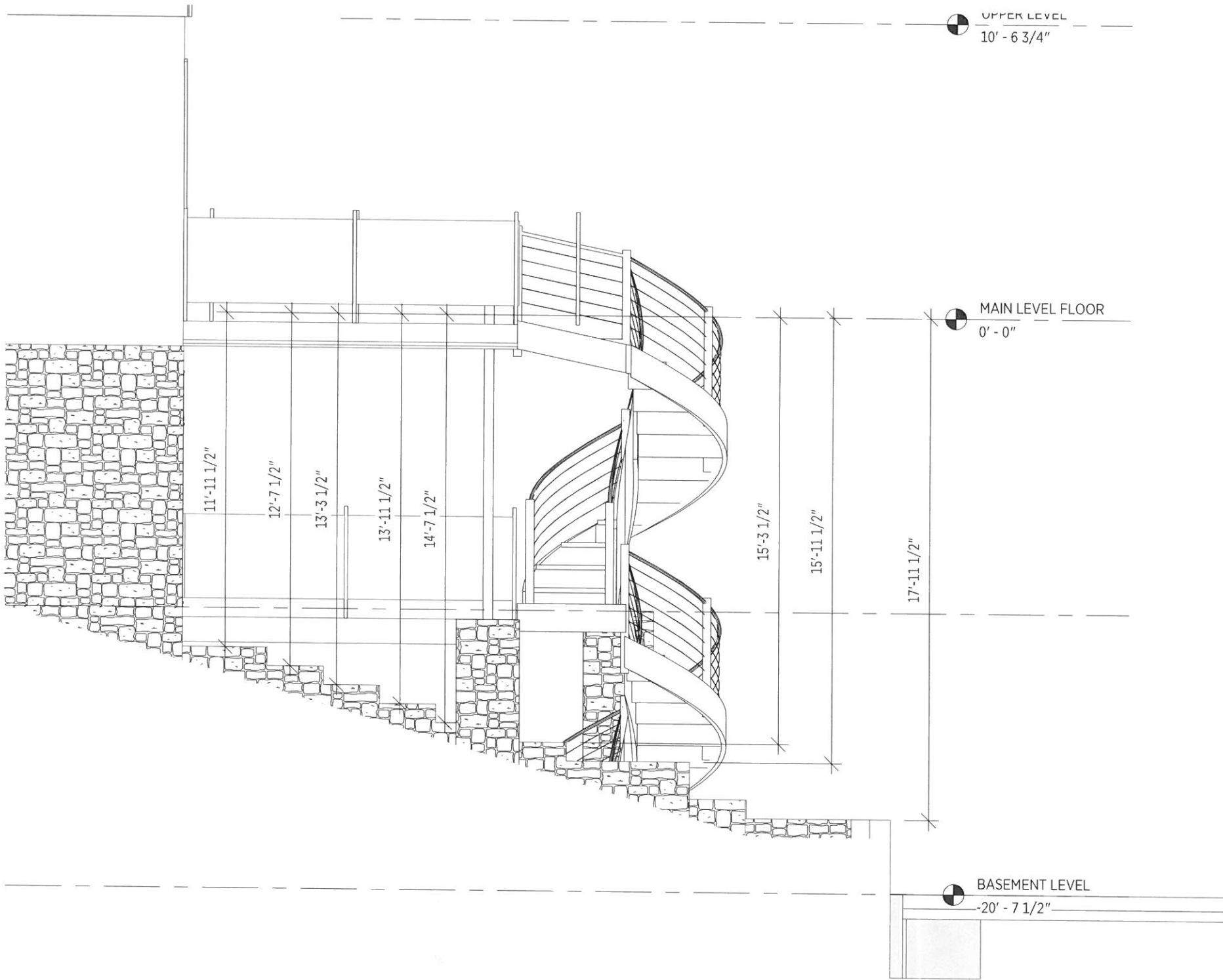
5'-10 7/16"

1'-0"

1'-0"

11'-6"

15'-2 3/4"



UPPER LEVEL

10' - 6 3/4"



MAIN LEVEL FLOOR

0' - 0"

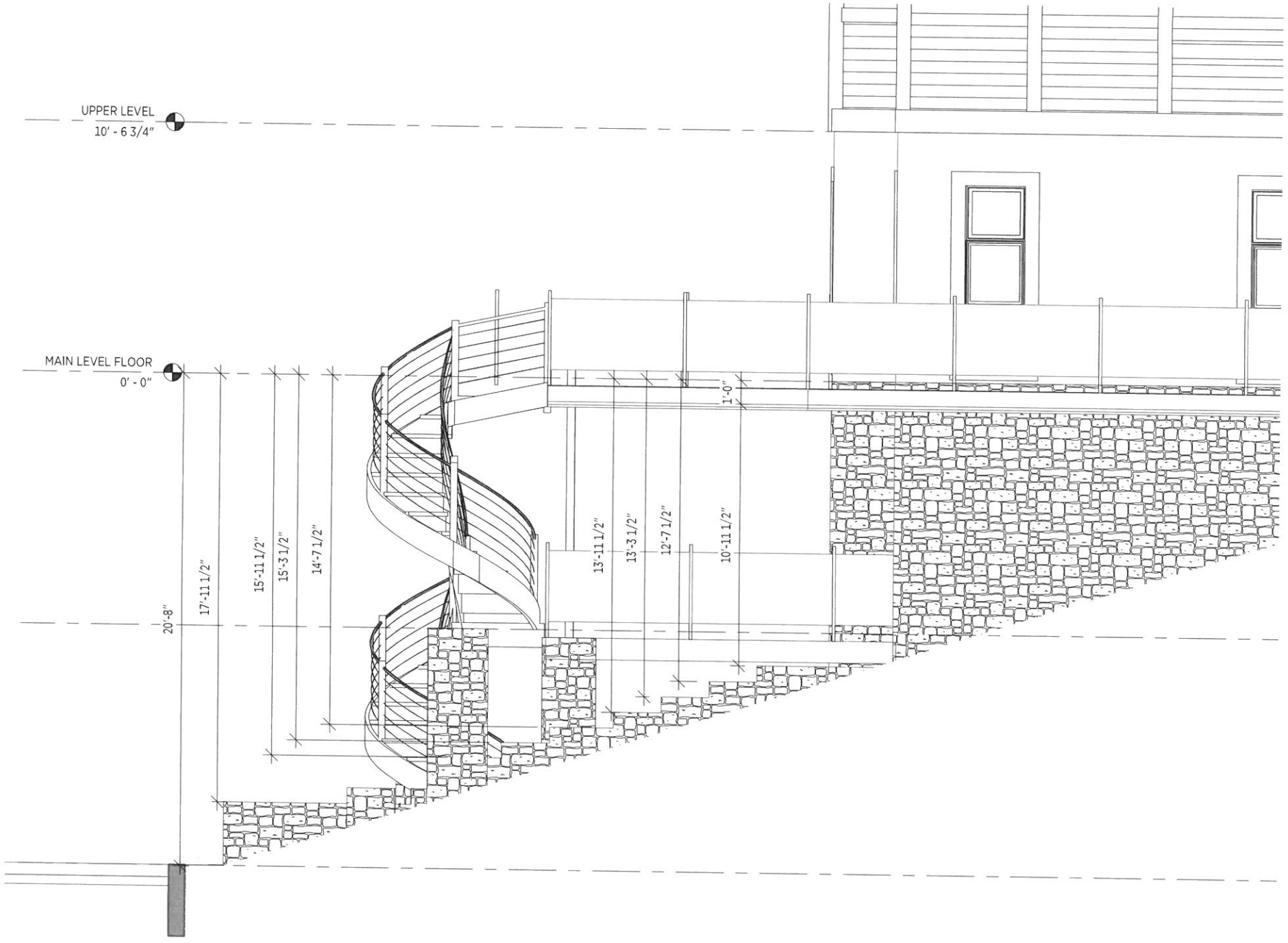


BASEMENT LEVEL

-20' - 7 1/2"

UPPER LEVEL
10' - 6 3/4"

MAIN LEVEL FLOOR
0' - 0"



Clear Lake

22

ABBOTT DR.

LEROY ST.

