

ZONING BOARD of ADJUSTMENT OF MASON CITY, IOWA

AGENDA

Tuesday, February 4, 2025, 4:00 p.m.
2nd Floor Conference Room, City Hall
10 First Street N.W.

Item 1: Call to Order and Roll Call

Item 2: Adopt the Agenda

Item 3: Approval of Minutes, December 3, 2024, meeting

Item 4: Special Exceptions

4.1: Robert J. Snook - 1045 17th St. NE: a request for an exception to the 150 ft. maximum lot depth in the Z2 Sub Urban Zoning District when such lot depth is 200 ft. or less

4.2: Tony & Patti Florman- 1640 12th St. NE: a request for an exception to allow construction of a detached garage that encroaches 18 ft. into the required front setback for detached garages in the Z2 Sub-Urban Zoning District

Item 5: Conditional Use Permit

5.1: Tony & Patti Florman- 1640 12th St. NE: a request for a conditional use permit to allow construction of a detached garage that encroaches 18 ft. into the required front setback for detached garages in the Z2 Sub-Urban Zoning District

Item 6: Other Business

Item 7: Adjourn

*In accordance with Title II of the American with Disabilities Act as it pertains to access to Public Meetings, the Development Services Department of the City of Mason City, upon 48-hour notice, will make reasonable accommodations for persons with special needs.
Please call (641) 421-3626 if you need assistance.*

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MINUTES

Mason City Zoning Board of Adjustment
Special In person Meeting
Tuesday, December 3, 2024 - 4:00 PM

Item 1: Call to Order and Roll Call

The meeting was called to order at 4:00 PM.

Board members present: Evans, Matthes, & Sjostrand

Staff present: Planning and Zoning Manager- Tricia Sandahl, and Administrative Assistant to Development Services- Regina Card

Roll was called:

Evans	Yes
Matthes	Yes
Sjostrand	Yes

Item 2: Approval of the Agenda

Approval of the Agenda: The agenda was approved as submitted.

Item 3: Approval of Minutes

November 20, 2024, Special Meeting Minutes: As there were no changes, the minutes were accepted as submitted.

Item 4: Variances

4.1: River City Moto- Jesse Bell- 3 4th St. SW & 406 S. Federal Ave.:

Sandahl informed the applicant as well as reiterated to the Board Members that the applicant has the opportunity to postpone the Board's review and vote on the application until a later meeting date due to the amount of Board Members present being the bare minimum to be able to vote. She further explained that all three Members need to vote unanimously for the vote to pass. Sandahl presented the staff report.

The applicant is requesting a variance to Title 12-12-5.H, which would modify a previously approved variance to allow the outdoor display of 10 passenger vehicles on a lot with an area of less than 30,000 sq. ft. The original variance limited the applicant to the display of two passenger vehicles for sale or rent on the property. There was no limit placed on the number of motorcycles that could be displayed on the property. The subject property is located at 3 4th St. SW and 406 S. Federal Avenue.

The applicant was granted a variance in 2019 that allowed him to establish a vehicle sales and rental function in the Z4 Multi-Use Zoning District on a lot of less than 30,000 sq. ft. At the time, the business was primarily focused on the sale and repair of motorcycles.

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Approval was subject to the condition that no more than two passenger vehicles be displayed on the property at any time. There was no limit on the number of motorcycles that could be displayed. The applicant's business model has changed and more of his sales are comprised of passenger vehicles. The number of motorcycles sold has decreased significantly. He is requesting that the conditions on the original variance be modified to allow the display of up to 10 passenger vehicles on the property. There would continue to be no limit on the number of motorcycles that could be displayed on site. The modification of the variance requires the same review as the original variance and must be approved by the Zoning Board of Adjustment in accordance with the five tests in the Zoning Ordinance. Staff wants to clarify that this request does not include the parking lot west of the subject properties. This property is not approved for a vehicle sales and rental function and is currently the subject of an enforcement action to end the unapproved uses taking place on that lot.

The relevant City departments and utility providers were asked to comment on this application. The Iowa DOT, which has jurisdiction over 4th St. SW and S. Federal Avenue in this location are requesting that the Board deny the variance. They do not support additional vehicles in the area. They are concerned about how vehicles will be parked without driving over the state's curb and sidewalk. They are also concerned about visibility. They note that the proposed additional vehicles do not have enough space to comply with the DOT's clear zone requirements. The clear zone measures 10 ft. from the back of the curb. In addition, they note that the vehicles should be at least 2 ft. back from the sidewalk to prevent them from becoming an obstacle to sidewalk users. Finally, DOT staff noted that when the sidewalk was repaired by Mr. Bell, a portion of the sidewalk was shifted to the east creating a larger paved area for the display of vehicles. The DOT granted a permit for work in the right-of-way to Mr. Bell, but it was for repair only and the sidewalk should have been placed back in the same location; the work completed is outside the scope of Mr. Bell's permit. Vehicles are now being displayed in the public right-of-way which is a violation of state and local regulations. Staff concurs with the DOT's comments and notes that the minimum setback from the property line for vehicle display related to a vehicle sales and rental function in the Z4 Multi-Use District is 10 ft.

Notice of the application was mailed to the owners of all properties within 350 ft. of the exterior boundaries of the subject property. A public notice sign was placed at each location and notice of the public hearing was published in the Globe Gazette. To date, we have received one comment regarding this application. Tim Latham, the owner of 412 S. Federal Avenue, contacted staff and expressed his opposition to the proposed variance. He noted that safe ingress/egress to his parking area is frequently obstructed by the applicant's business encroaching into the alley abutting the properties to the west. While Latham's parking area has access to S. Federal Avenue, visibility is limited because of the curve and the placement of the buildings. The safest access is via the alley. Mr. Latham also expressed concern about the general condition of the property and the visibility to southbound traffic on US 65.

The power to authorize a variance or special exception to the strict interpretation of the Zoning Ordinance is granted to the Zoning Board of Adjustment in Title 12 of the City Code. Such variance is permitted "where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property of record, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property the strict application of any provision of this Ordinance would result in peculiar and exceptional practical difficulties and particular

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hardship upon the owner of such property as distinguished from a mere inconvenience to such owner, provided such relief can be granted without substantial detriment to the public good and without substantially impairing the general purpose and intent of the Comprehensive Plan as established by the regulations and provision contained in this Ordinance.”

Further, the City Code states: “In considering all proposed variations to this Ordinance, the Board shall, before making any finding in the specific case, first determine that the proposed variance will not constitute any change in the zoning map, and will not impair an adequate supply of light and air to adjacent property, or unreasonably increase congestion in public streets, or increase the public danger of fire and safety, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals and welfare of the City.”

The Ordinance requires that the Zoning Board of Adjustment judge all applications for a variance against five tests. The first two determine if the public interest will be served if the variance or special exception is granted. The three remaining tests determine if the applicant has established that an unnecessary hardship exists. Each test must be met for a variance to be granted. The Board is reminded that the burden of proof for each test rests with the applicant. At hearing, the applicant may offer additional information to support their application.

The City’s Attorney has provided additional guidance to the Board about the appropriate granting of a variance. His memo was included in the packet and was read aloud for the record.

Each test from Title 12, with its accompanying analysis, was included and stated in the staff report.

Because the application does not meet any of the five tests, staff is very strongly recommending that the application be denied. If the Board votes to grant the Variance, the motion to approve must also include these three elements:

- a statement that the criteria outlined in Title 12 of the Municipal Code has been met;
- explicit expressions of the reasons the criteria have been met, if they are not included in the staff report and;
- an explicit statement of the Variance being granted.

Jesse Bell- 702 3rd St. NE, Mason City, IA 50401 – stated that prior to any cement work being done on site two years ago, everything was staked out by City Staff and that they told him exactly where it needed to be after he confirmed with them several times that it was correct. He went on to say that most of the time, he and his Staff back the vehicles they have for sale directly back into the alley and that he feels there is plenty of room to drive the vehicles back toward the alleyway, instead of over the curb and onto the road that way, which they don’t do. Mr. Bell stated that he’s had quite a few customers state that they feel it looks better when there are multiple vehicles displayed on site, instead of a fewer number. He went on to say that he has been working very diligently to bring the site into compliance with City code. He also stated that, contrary to what Tim Latham stated in his comment, he feels that they do not obstruct the alleyway ever.

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Sandahl explained the difference between the I.D.O.T.'s clear zone requirement(s) and the zoning requirement(s) that need to be met. Mr. Bell stated that he is a low number dealership regardless and that he would like to see this happen while bringing the business into compliance. He went on to say that there is easily room for an additional five-six vehicles to the west of the existing ones pictured in the aerial image.

The public hearing opened at 4:31 PM. The public hearing closed at 4:31 PM.

Matthes stated that City Staff did a good job explaining the difference between the clear zone and setback requirement. He clarified that the sidewalk is not something that he feels falls under the Board's purview. Sandahl gave a more detailed description of how Mr. Bell's vehicle would need to be parked on site (along the building) in order to comply with the zoning ordinance. Matthes went on to say that he's personally experienced issues with people turning into the alleyway while following behind them on the curve. Matthes also stated that he agrees with the statement made by the City's Legal Council that, "When a landowner purchases property, he or she assumes the circumstances created by the previous landowner". Mr. Bell stated that there was a preexisting fence on site at the time of the 2019 Variance that he feels may have also played a part in the Board's decision at that time. Evans stated that she doesn't feel there's any doubt that Mr. Bell has made worthwhile improvements to the property however, that doesn't change the facts that were stated by the I.D.O.T. Matthes stated that he doesn't see how they could approve additional sales of vehicles on site under these circumstances. Mr. Bell reiterated that he still would like to increase the number of vehicle sales on site. Matthes asked for more clarification on what was decided on during the meeting in 2019. Sandahl pulled up the February 5, 2019, ZBA Minutes and reviewed them with the Board.

Sjostrand moved to adopt the staff report as the Board's findings and to deny the application from Jesse Bell for a Variance to Title 12-12-5.H to modify a previously approved variance to allow the outdoor display of 10 passenger vehicles on a lot of less than 30,000 sq. ft. for the reasons stated in the staff report. Matthes seconded.

Roll was called:

Evans	Yes
Matthes	Yes
Sjostrand	Yes

Item 5: Adjourn

The meeting adjourned at 5:02 PM.

Next regularly scheduled meeting: Tuesday, January 7, 2025 - 4:00 PM.

Attest: Regina Card, Secretary

Vice Chair: Melissa Evans



SPECIAL EXCEPTION STAFF REPORT

Case #: 25-SE-01

Staff Project Contact: Tricia Sandahl, Planning and Zoning Manager

Meeting Date: Tuesday, February 4, 2025

Explanation of the Request

The applicant is requesting a Special Exception to Title 12-5-3.A.4, which would allow an exception to the 150 ft. maximum lot depth in the Z2 Sub Urban Zoning District when such lot depth is 200 ft. or less. The subject property is located at 1042 17th St. NE.

The applicant has submitted a Boundary Line Adjustment application that proposes to sever a portion of the lot to the north of 1042 17th St. NE and attach it to the parcel at that address. The property is located in the Z2 Sub-Urban Zoning District where the maximum allowed lot depth is 150 ft. The Boundary Line Adjustment would result in a lot with a depth of 182 feet. The Zoning Board of Adjustment can approve an exception to the maximum depth that meets the standards in the ordinance, so long as the lot depth is 200 ft. or less. A location map and site plan are attached.

Owner/Applicant

Owner: Robert J. Snook
1042 17th St. NE
Mason City, IA 50401

Applicant: Robert J. Snook
1042 17th St. NE
Mason City, IA 50401

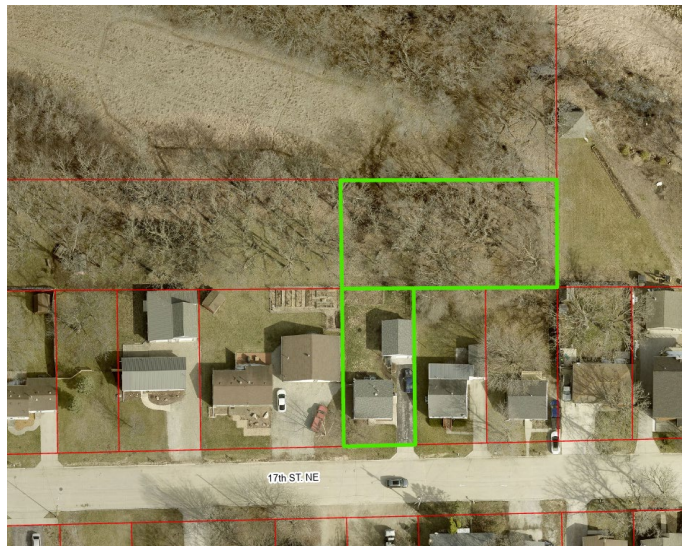
Property Information

Location: 1042 17th St. NE

Directions from City Hall: east on 1st St. NW to N. Pennsylvania Ave.; north to 13th St. NE; east to N. Rhode Island Ave.; north to 17th St. NE; east to subject property.

Surrounding Land Use: residential and outdoor recreation.

Existing Land Use: undeveloped.



Findings of Fact

1. The request is for relief of a strict application of to Title 12-5-3.A.4.
2. The applicant is requesting a special exception to the 150 ft. maximum lot depth when such lot depth is 200 ft. or less..
3. The property is located at 1042 17th St. NE.
4. The property is currently zoned Z2 Sub-Urban District. No change of zone is being requested for this property.
5. The application was filed on January 9, 2025.
6. The adjoining property owners were notified on January 16, 2025.
7. A public notice sign was posted on the property on January 17, 2025

Staff Comments

The relevant City departments and utility providers were asked to comment on this application. No adverse comments or requested conditions of approval were received.

Citizen Comments

Notice of the application was mailed to the owners of all properties within 350 ft. of the exterior boundaries of the subject property. A public notice sign was placed at each location and notice of the public hearing was published in the *Globe Gazette*. To date, we have not received any comments regarding this application. We did receive a call from a representative of a neighboring property owner asking if the City was going to be taking any of their property and giving it to the applicant. Staff clarified that the property that was going to be added to the subject property was going to be purchased from the owner and that the City was not involved in the transaction.

Analysis

1. **In the case of an exception to the setback requirements, the need for the special exception results from exceptional narrowness, shallowness, or shape of a specific piece of property of record, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific parcel or property.**

This request is for lot depth so this criterion **does not apply in this case.**

2. **That the specific proposed exception will not be detrimental to or endanger public health, safety, comfort or general welfare.**

Staff has not received or discovered any information that indicates that the proposed exception to allow a deeper lot than is generally allowed would have a detrimental impact on the public health, safety, comfort or general welfare. The land to be added to the Snook property is undeveloped and lacks the access necessary to be developed. Staff believes that this criterion **has been met.**

3. **That the specific proposed exception will not be injurious to the use and enjoyment of other property in the immediate vicinity and will not substantially diminish or impair property values within the neighborhood.**

The request is to take unused and undeveloped property and add it to the rear of the Snook property. The lot that is proposed to be severed lacks the access necessary to be developed on its own. It is beneficial open space that benefits the abutting property owners on the north side of 17th St. This will not change if the special exception is granted. Staff believes that this criterion **has been met.**

- 4. That establishment of the specific proposed exception will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district in which the property is located.**

The area proposed to be severed and attached to the Snook property is bordered by the Highland Golf Course to the north, a landlocked undeveloped lot to the east and developed residential lots to the west. The land to be severed is part of a landlocked lot that lacks the access to be independently developed. Staff has not received or discovered any information that indicates that the proposed exception would impede development in the area. Staff believes that this criterion **has been met.**

- 5. That adequate utilities, access roads, drainage and other necessary facilities are being provided.**

The increase in the depth of the lot will not place an undue additional burden on public utilities and services. Access will be via the Snook property. Drainage will not change as a result of the boundary line adjustment. Therefore, staff believes that this criterion **has been met.**

- 6. That, except for the specific special exception being proposed, the structure subject to the special exception shall in all other respects conform to the requirements of the zoning district in which it is located.**

The property that is being severed is undeveloped. With the exception of the lot depth, the Snook property will conform to the underlying requirements of the Z2 District if the boundary line adjustment is approved. Therefore, staff believes that this criterion **has been met.**

- 7. Approval of the special exception will not substantially impair the general purpose and intent of the Comprehensive Plan.**

The Comprehensive Plan has two fundamental purposes. The first provides an essential legal basis for land use regulation, such as zoning and subdivision control. Secondly, the Comprehensive Plan presents a unified and compelling vision for the community derived from the aspirations of its citizens; and establishes the specific actions necessary to fulfill that vision.

Communities prepare and adopt comprehensive plans for legal purposes. Iowa state statutes enable cities to adopt zoning and subdivision ordinances to promote the “health, safety, morals, or general welfare of the community.” Land use regulations such as the Mason City Zoning Ordinance recognize that people in the community live cooperatively and have certain responsibilities to one another. These regulations establish rules that govern how land is developed within Mason City. However, Mason City could not adopt land use ordinances without first adopting a comprehensive development plan. This requirement derives from the premise that land use decisions should not be arbitrary but should follow an accepted and reasonable concept of how the city should grow. The Mason City Comprehensive Plan provides the ongoing legal basis for the city’s authority to regulate land use and development.

The Comprehensive Plan also has an even more significant role in the growth of a community. The plan establishes a picture of Mason City’s future, based on the participation of residents in the planning of their community. This vision is particularly crucial as Mason City experiences demographic and economic changes. Beyond defining a vision, the plan presents a unified action program that will implement the city’s goals. The plan is designed as a working document that both defines the future and provides a working program for realizing the city’s great potential.

Staff has not received or discovered any information that the proposed special exception will ***substantially*** impair the purposed and intent of the Comprehensive Plan. Therefore, this criterion **has been met.**

Staff Recommendation and Requested Conditions

The Board may consider four alternatives: approve the Special Exception without conditions; approve the Special Exception with conditions; deny the Special Exception; and table the application pending additional review or information for the applicant and/or staff. Because the application meets six of the seven criteria, and because the first criterion is not applicable for this application, staff recommends that the application be approved, subject to the condition that the boundary line adjustment will not be approved until the Cerro Gordo County Auditor's office has confirmed the two parcels can be combined.

Board Decision

The Board's decision must include a finding of fact and substantiation for the decision. If the Board votes to grant the Special Exception, the motion to approve must also include these three elements:

- a statement that the criteria outlined in Title 12 of the Municipal Code has been met;
- explicit expressions of the reasons the criteria have been met, if they are not included in the staff report, and;
- an explicit statement of the Special Exception being granted.

The following motions are provided for the Board's consideration:

Proposed motion for approval of application:

- I move to adopt the staff report as the Board's findings and to approve the application by Robert J. Snook for a Special Exception to Title 12-5-3.A.4 to allow a special exception to the 150 ft. maximum lot depth in the Z2 Sub Urban Zoning District when such lot depth is 200 ft. or less. for the reasons outlined in the staff report.
- Approval is subject to this condition recommended by staff:
 - The boundary line adjustment will not be approved until the Cerro Gordo County Auditor's office has confirmed the two parcels can be combined.
- Approval of the application is effective immediately.

Proposed motion for denial of application:

- I move to adopt the staff report as the Board's findings and deny the application from Robert J. Snook for a Special Exception to Title 12-5-3.A.4 to allow a special exception to the 150 ft. maximum lot depth in the Z2 Sub Urban Zoning District when such lot depth is 200 ft. or less for the following reasons: [STATE REASONS FOR DENIAL].
- The reasons for denial shall be stated in the official minutes of the Board of Adjustment and shall be conveyed in writing to the applicant by the Board's Secretary.

EXHIBITS

- Exhibit 1: Aerial photo of site.
- Exhibit 2: Site plan from applicant
- Exhibit 3: Special Exception application from applicant.



1318.02

6.3

6.3

0.9471

706 18TH ST NE

18th ST NE

717 18TH ST NE

730 17TH ST NE 744 17TH ST NE 822 17TH ST NE

956 17TH ST NE

1016 17TH ST NE

1050 17TH ST NE

707 17TH ST NE

815 17TH ST NE

933 17TH ST NE 947 17TH ST NE

1005 17TH ST NE

1041 17TH ST NE

716 16TH ST NE

806 16TH ST NE

940 16TH ST NE 954 16TH ST NE

1008 16TH ST NE

1114 16TH ST NE

715 16TH ST NE

815 16TH ST NE

907 16TH ST NE 947 16TH ST NE

1017 16TH ST NE

1111 16TH ST NE

708 15TH PL NE

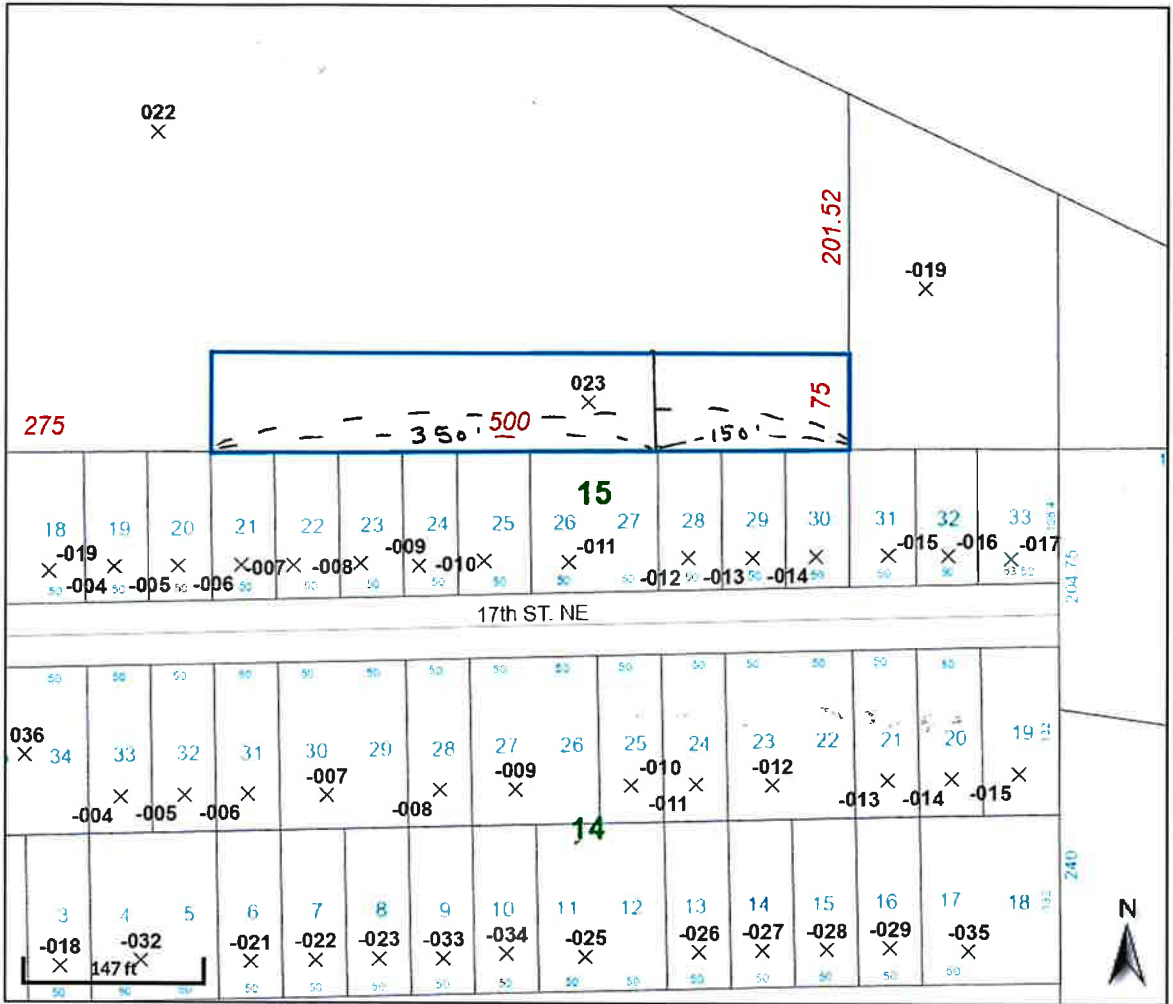
808 15TH PL NE

912 15TH PL NE 962 15TH PL NE

1004 15TH PL NE 1032 15TH PL NE

1055 15TH PL NE

1024 15TH PL NE



Overview



Legend

- × Parcel Point
- Railroads
- Roads
- Parcels
- Corporate Limits

Parcel ID	033530002300	Alternate ID	n/a	Owner Address	JOHNSON DEANE K JR & JEANNIE L
Sec/Twp/Rng	35/97/20	Class	Residential		1028 17TH ST NE
Property Address	MASON CITY	Acreage	0.861		MASON CITY, IA 50401
District	01001 - Mason City Corp				
Brief Tax Description	TRACT IN SW SW 35-97-20 BEG AT THE NE COR L 30 BLK 15 OF THE HIGHLANDS TH N 75' TH W APPROX 500' TH S 75' TO THE NW COR L 21 BLK 15 THE HIGHLANDS TH E APPROX 500' TO POB				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 6/24/2024
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Developed by Schneider GEOSPATIAL

Special Exception *Supporting Information*

The Mason City Zoning Ordinance allows the Zoning Board of Adjustment to authorize a special exception in three distinct instances:

- To permit the reconstruction of a nonconforming structure containing a nonconforming use that has been damaged or destroyed by any means to the extent of more than fifty percent (50%) of its replacement cost at the time prior to the damage or destruction, where the board finds some compelling necessity requiring a continuance of the nonconforming building or use.
- To permit the erection and use of a building or the use of premises in any location by a Public Service Corporation for public utility purposes that the board deems reasonably necessary for the public convenience or welfare.
- To allow an exception to the setback requirements of any district where the strict application of the setback requirements would result in peculiar or exceptional practical difficulties upon the owner of such property as distinguished from a mere inconvenience; provided, that relief can be granted without substantial detriment to the public good.

The Zoning Ordinance identifies seven tests an application must meet. In order to be approved, an application must meet all seven tests. So that the Zoning Board of Adjustment can review your case, please provide the requested information below. Please address each item as completely as possible and return with your application. If you need assistance, please contact the Development Services Department and ask speak with the Planning and Zoning Manager. A copy of your responses will be forwarded to the Board members prior to the meeting. If necessary, please attach additional pages. You may also wish to include supporting documentation and/or photos to support your arguments.

- **Please describe the unique conditions on the property that prevent you from meeting the required setbacks applicable to the property.** *(If you are not requesting a reduction to the required setback, you can skip this item. In the case of a setback reduction, the need for the special exception must result from exceptional narrowness, shallowness, or shape of a specific piece of the property, or exceptional topographical conditions or other extraordinary or exceptional situations or conditions of a specific parcel or property.)*

- **Please discuss how the proposed special exception will impact the public health and safety in the community.** *(Please note that a special exception cannot be approved if it will be detrimental to or endanger public health, safety, comfort or general welfare.)*

The land being added to the existing parcel is of the same character as the rest of the neighborhood. Adding the additional land and extending the length and width of the property will not pose a health or safety problem. There will be no impact upon the public health and safety in the community.

- **Please discuss how the proposed special exception will impact the use and value of nearby properties.** *(The specific proposed exception cannot be injurious to the use and enjoyment of other property in the immediate vicinity and cannot substantially diminish or impair property values within the neighborhood).*

The special exception to the maximum lot depth will not impact the use and value of the nearby properties. There will be no visual change in the character of the neighborhood. The addition of land to the existing parcel will have no negative impact on property values.

- *Please discuss how the proposed special exception will impact the development or redevelopment of nearby properties. (The establishment of the special exception cannot impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district in which the property is located.)*

The parcel is in a fully developed neighborhood. The land being added to the existing parcel was excess land the City no longer needed for City purposes. It is undevelopable as a separate parcel so adding the land to the existing parcel provides for the best use of the land.

- **Please describe what utilities are available on site, how the property will be accessed, how storm water drainage will be controlled and how other facilities will be provided.** *(Note that the Zoning Board of Adjustment must find that there are adequate utilities, access roads, drainage, and other necessary facilities to accommodate the special exception.)*

The existing parcel is served by all necessary utilities. The parcel is accessed by 17th Street N.E. Storm water drainage is controlled by the City storm sewer system and the natural flow of water, if any, per grade to the north.



SPECIAL EXCEPTION STAFF REPORT

Case #: 25-SE-02

Staff Project Contact: Tricia Sandahl, Planning and Zoning Manager

Meeting Date: Tuesday, February 4, 2025

Explanation of the Request

The applicant is requesting a special exception to Title 12-10-8, Table 1, which would allow construction of a detached garage that encroaches 18 ft. into the required front setback for detached garages in the Z2 Sub-Urban Zoning District. The subject property is located at 1640 12th St. NE.

The applicant has submitted a permit application to construct a new detached garage on the subject property. The site plan shows the garage in the side yard, which is allowed. However, the garage must be set back 20 ft. from the front edge of the house. In this case, the garage is set back 2 ft. from the front edge of the house. This placement requires a special exception from the Zoning Board of Adjustment. A location map and site plan are attached.

In addition to the special exception, the applicant is seeking a conditional use permit to allow detached accessory buildings with a total area greater than 1,200 sq. ft. Although the two applications are tied to the same project, the conditional use permit is not dependent on the approval of the special exception. This will be expanded upon further in the staff memo for the conditional use permit.

Owner/Applicant

Owner: Tony & Patti Florman
1640 12th St. NE
Mason City, IA 50401

Applicant: TEAM Builders, 2512 White Tail Dr., Ste 300, Cedar Falls, IA 50613
2512 White Tail Dr., Ste 300
Cedar Falls, IA 50613

Property Information

Location: 1640 12th St. NE

Directions from City Hall: east on 1st St. NW to N. Pennsylvania Ave.; north to 13th St. NE; east to the subject property.

Surrounding Land Use: residential and undeveloped.

Existing Land Use: residential.



Findings of Fact

1. The request is for relief of a strict application of Title 12-10-8, Table 1.
2. The applicant is requesting a special exception to allow construction of a detached garage that encroaches 18 ft. into the required front setback for detached garages in the Z2 Sub-Urban Zoning District.
3. The property is located at 1640 12th St. NE.
4. The property is currently zoned Z2 Sub-Urban District. No change of zone is being requested for this property.
5. The application was filed on January 10, 2025.
6. The adjoining property owners were notified on January 16, 2025.
7. A public notice sign was posted on the property on January 17, 2025.

Staff Comments

The relevant City departments and utility providers were asked to comment on this application. No adverse comments or requested conditions of approval were received.

Citizen Comments

Notice of the application was mailed to the owners of all properties within 350 ft. of the exterior boundaries of the subject property. A public notice sign was placed at each location and notice of the public hearing was published in the *Globe Gazette*. To date, we have not received any comments regarding this application.

Analysis

- 1. In the case of an exception to the setback requirements, the need for the special exception results from exceptional narrowness, shallowness, or shape of a specific piece of property of record, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific parcel or property.**

Staff has not identified any unique condition on this lot that requires the proposed garage to be placed as requested. Despite the fact that the house is legally non-conforming and has a larger front setback than allowed for new construction in the Z2 District, there is sufficient area on the east half of the lot to move the garage back to meet the minimum setback. Staff believes that this criterion **has not been met.**

- 2. That the specific proposed exception will not be detrimental to or endanger public health, safety, comfort or general welfare.**

Staff has not received any information that indicates the proposed special exception would endanger public health, safety, comfort or general welfare. The site is in a relatively undeveloped area. There are freestanding homes in the area but they are generally laid out in an urban estate pattern with legally non-conforming structures (for setbacks) and on non-conforming lots (for size). Staff believes that this criterion **has been met.**

- 3. That the specific proposed exception will not be injurious to the use and enjoyment of other property in the immediate vicinity and will not substantially diminish or impair property values within the neighborhood.**

As noted, the area is generally developed on very large lots. This creates distance for most of the neighboring properties. This distance acts as a buffer and limits the impact of the requested exception

on neighboring properties. Staff has not received or discovered any information that indicates the exception would diminish the value of properties in the area or inhibit their free use and enjoyment. Staff believes that this criterion **has been met.**

- 4. That establishment of the specific proposed exception will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district in which the property is located.**

The proposed garage is not in alignment with any planned street extensions. The area to the east and north are former gravel pits and the likelihood of development is low. Staff has not received or discovered any information that the exception would impede development or redevelopment. Staff believes that this criterion **has been met.**

- 5. That adequate utilities, access roads, drainage and other necessary facilities are being provided.**

The proposed garage will use existing utilities and will not drive additional traffic to the property. Staff does not believe the exception would create an additional undue burden on public services and utilities. Therefore, staff believes that this criterion **has been met.**

- 6. That, except for the specific special exception being proposed, the structure subject to the special exception shall in all other respects conform to the requirements of the zoning district in which it is located.**

Staff has reviewed the plans for the garage. Other than the front set back, the garage conforms to the requirement for accessory buildings in the Z2 District. Therefore, staff believes that this criterion **has been met.**

- 7. Approval of the special exception will not substantially impair the general purpose and intent of the Comprehensive Plan.**

The Comprehensive Plan has two fundamental purposes. The first provides an essential legal basis for land use regulation, such as zoning and subdivision control. Secondly, the Comprehensive Plan presents a unified and compelling vision for the community derived from the aspirations of its citizens; and establishes the specific actions necessary to fulfill that vision.

Communities prepare and adopt comprehensive plans for legal purposes. Iowa state statues enable cities to adopt zoning and subdivision ordinances to promote the “health, safety, morals, or general welfare of the community.” Land use regulations such as the Mason City Zoning Ordinance recognize that people in the community live cooperatively and have certain responsibilities to one another. These regulations establish rules that govern how land is developed within Mason City. However, Mason City could not adopt land use ordinances without first adopting a comprehensive development plan. This requirement derives from the premise that land use decisions should not be arbitrary but should follow an accepted and reasonable concept of how the city should grow. The Mason City Comprehensive Plan provides the ongoing legal basis for the city’s authority to regulate land use and development.

The Comprehensive Plan also has an even more significant role in the growth of a community. The plan establishes a picture of Mason City’s future, based on the participation of residents in the planning of their community. This vision is particularly crucial as Mason City experiences demographic and economic changes. Beyond defining a vision, the plan presents a unified action program that will

implement the city's goals. The plan is designed as a working document that both defines the future and provides a working program for realizing the city's great potential.

Staff has not received or discovered any information that the proposed special exception will ***substantially*** impair the purposed and intent of the Comprehensive Plan. Therefore, this criterion **has been met.**

Staff Recommendation and Requested Conditions

The Board may consider four alternatives: approve the Special Exception without conditions; approve the Special Exception with conditions; deny the Special Exception, and; table the application pending additional review or information for the applicant and/or staff. Because the application meets six of the seven criteria in the ordinance, staff is recommending that the application be approved subject to these conditions:

1. All construction shall be in strict conformance with the site plan submitted with this application.
2. If the conditional use permit is not approved, the applicant may downsize the garage to ensure that the total cumulative area of detached accessory structures on the lot does not exceed 1,200 sq. ft. The smaller garage can be built at the proposed setback.
3. All construction shall comply with the applicable local, state, and federal regulations.

Board Decision

The Board's decision must include a finding of fact and substantiation for the decision. If the Board votes to grant the Special Exception, the motion to approve must also include these three elements:

- a statement that the criteria outlined in Title 12 of the Municipal Code has been met;
- explicit expressions of the reasons the criteria have been met, if they are not included in the staff report, and;
- an explicit statement of the Special Exception being granted.

The following motions are provided for the Board's consideration:

Proposed motion for approval of application:

- I move to adopt the staff report as the Board's findings and to approve the application by TEAM Builders for a Special Exception to Title 12-10-8, Table 1 to allow construction of a detached garage that encroaches 18 ft. into the required front setback for detached garages in the Z2 Sub-Urban Zoning District for the reasons stated in the staff report.
- Approval is subject to the conditions recommended by staff.
- Approval of the application is effective immediately.

Proposed motion for denial of application:

- I move to adopt the staff report as the Board's findings and deny the application from TEAM Builders to allow construction of a detached garage that encroaches 18 ft. into the required front setback for detached garages in the Z2 Sub-Urban Zoning District for the following reasons: [STATE REASONS FOR DENIAL]
- The reasons for denial shall be stated in the official minutes of the Board of Adjustment, and shall be conveyed in writing to the applicant by the Board's Secretary.

EXHIBITS

- Exhibit 1: Aerial photo of site.
- Exhibit 2: Site plan from applicant
- Exhibit 3: Special Exception application from applicant.

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18th ST. NE

17th ST. NE

16th ST. NE

15th PL. NE

15th ST. NE

14th PL. NE

14th ST. NE

11th ST. NE

10th ST. NE

9th ST. NE

9th ST. NE

8th ST. NE

8th ST. NE

7th ST. NE

4th ST. NE

N. CAROLINA PL.

N. HAMPSHIRE AVE.

N. VIRGINIA AVE.

N. RHODE ISLAND AVE.

N. KENTUCKY AVE.

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ASBURY CT.

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ASBURY DR.

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BOULDER RD.

CYPRESS CT.

HEMLOCK CT.

SUMAC

WOODBINE

12th ST. NE

Contact: 1640 12th St. NE
MASON CITY, IA 50401

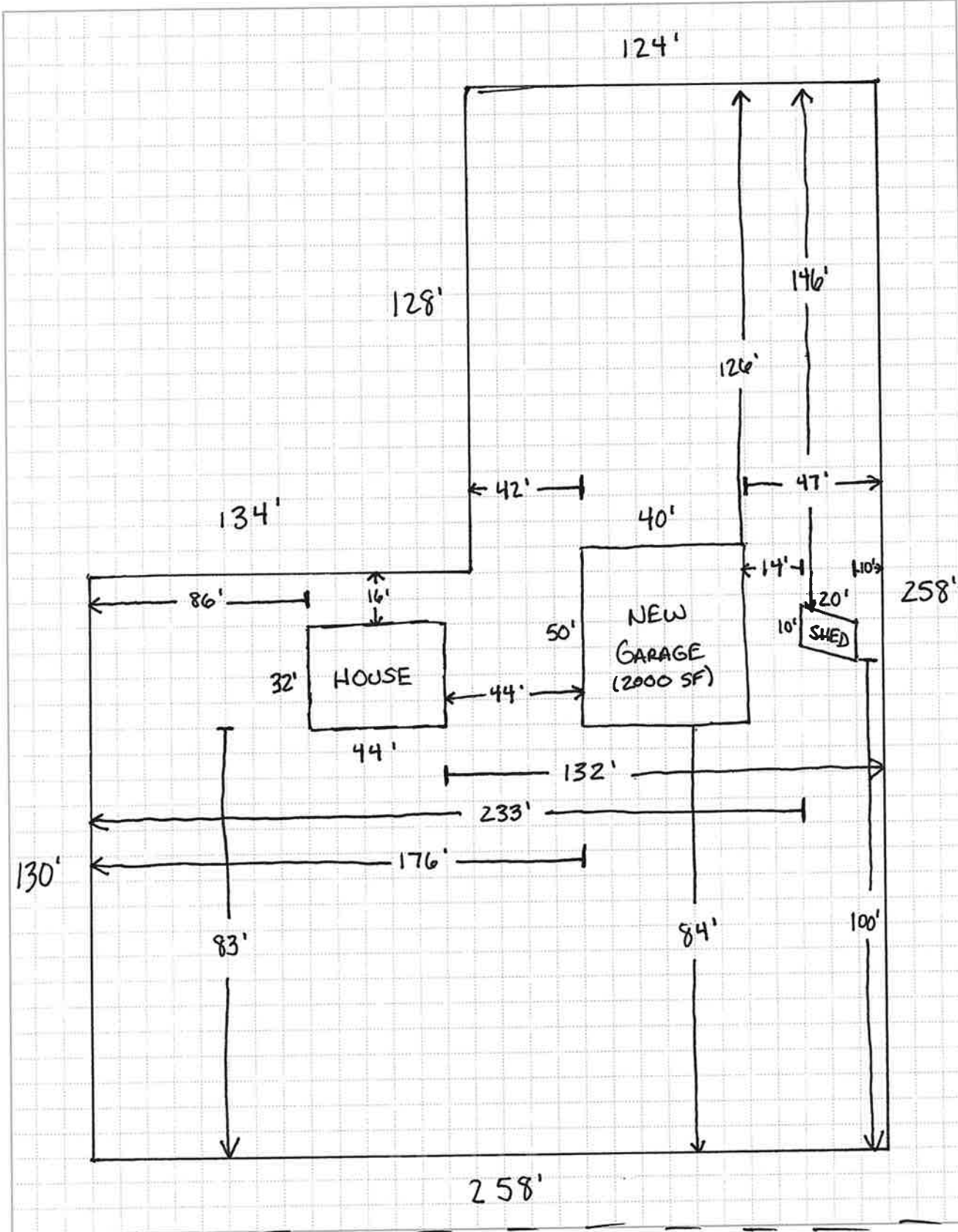
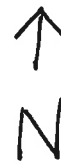
Dealer: _____

Phone: NOT TO SCALE

Email: _____



1-800-335-5909



Special Exception Supporting Information

The Mason City Zoning Ordinance allows the Zoning Board of Adjustment to authorize a special exception in three distinct instances:

- To permit the reconstruction of a nonconforming structure containing a nonconforming use that has been damaged or destroyed by any means to the extent of more than fifty percent (50%) of its replacement cost at the time prior to the damage or destruction, where the board finds some compelling necessity requiring a continuance of the nonconforming building or use.
- To permit the erection and use of a building or the use of premises in any location by a Public Service Corporation for public utility purposes that the board deems reasonably necessary for the public convenience or welfare.
- To allow an exception to the setback requirements of any district where the strict application of the setback requirements would result in peculiar or exceptional practical difficulties upon the owner of such property as distinguished from a mere inconvenience; provided, that relief can be granted without substantial detriment to the public good.

The Zoning Ordinance identifies seven tests an application must meet. In order to be approved, an application must meet all seven tests. So that the Zoning Board of Adjustment can review your case, please provide the requested information below. Please address each item as completely as possible and return with your application. If you need assistance, please contact the Development Services Department and ask speak with the Planning and Zoning Manager. A copy of your responses will be forwarded to the Board members prior to the meeting. If necessary, please attach additional pages. You may also wish to include supporting documentation and/or photos to support your arguments.

- Please describe the unique conditions on the property that prevent you from meeting the required setbacks applicable to the property. (If you are not requesting a reduction to the required setback, you can skip this item. In the case of a setback reduction, the need for the special exception must result from exceptional narrowness, shallowness, or shape of a specific piece of the property, or exceptional topographical conditions or other extraordinary or exceptional situations or conditions of a specific parcel or property.)

ONE UNIQUE CONDITION OF THE PROPERTY IS THAT THE AREA BEHIND THE GARAGE LOCATION WAS AT SOME POINT IN TIME FILLED IN WITH CONCRETE RUBBLE. WE WOULD LIKE TO KEEP THE EXISTING FRONT LINE LOCATION TO STAY IN GOOD SOIL CONDITIONS. ANOTHER REASON PERTAINS TO CONVENIENCE OF USE. WITH THE BUILDING DISTANCE ALREADY SO FAR FROM THE HOUSE, WE DO NOT WANT TO ADD ANY MORE WALKING DISTANCE TO THE GARAGE. THEY WILL BE PARKING + USING IT DAILY + WOULD BE BEST TO KEEP A STRAIGHT LINE WALKING PATH, LIKE IT IS CURRENTLY.

- Please discuss how the proposed special exception will impact the public health and safety in the community. (Please note that a special exception cannot be approved if it will be detrimental to or endanger public health, safety, comfort or general welfare.)

WE SEE NO IMPACT TO PUBLIC HEALTH OR COMMUNITY SAFETY
TO APPROVE THIS EXCEPTION.

- Please discuss how the proposed special exception will impact the use and value of nearby properties. (The specific proposed exception cannot be injurious to the use and enjoyment of other property in the immediate vicinity and cannot substantially diminish or impair property values within the neighborhood).

THERE WILL BE NO CHANGE TO THE USE OF NEARBY PROPERTIES,
WITH VALUE, BECAUSE THE BUILDING WILL INCREASE THE APPLICANTS
VALUE, IT WOULD HELP THE VALUE OF NEARBY PROPERTIES.

- Please discuss how the proposed special exception will impact the development or redevelopment of nearby properties. (The establishment of the special exception cannot impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district in which the property is located.)

THE EXCEPTION WILL NOT CHANGE/IMPACT THE ABILITY OF NEARBY PROPERTIES TO DEVELOP OR REDEVELOP. THE FUNCTION, USE, + LOCATION WOULD REMAIN THE SAME AS CURRENT CONDITIONS.

- Please describe what utilities are available on site, how the property will be accessed, how storm water drainage will be controlled and how other facilities will be provided. (Note that the Zoning Board of Adjustment must find that there are adequate utilities, access roads, drainage, and other necessary facilities to accommodate the special exception.)

THE PROPERTY CURRENTLY HAS CITY WATER, SEPTIC WASTE, AND POWER CONNECTED TO A POWER POLE ON SITE. WE WILL BE ADDING WATER SUPPLY + ~~BE~~ A NEW SEPTIC FOR THE NEW BUILDING. WE WILL BE USING THE POWER ALREADY IN USE OF THE EXISTING BUILDING FOR THE NEW ONE, JUST DISCONNECTING + RECONNECTING POWER. THE GRADING WILL ALL FUNCTION AS IT IS NOW, + DRAINAGE WILL BE CAPTURED VIA GUTTERS + DOWNSPOUTS LIKE IT IS TODAY. THE PROPERTY + EXISTING BUILDING HAS ~~OWN~~ LP TANK GAS + WILL CONTINUE TO USE THAT FOR THE NEW BUILDING.



CONDITIONAL USE PERMIT STAFF REPORT

Case #: CU2025-01

Staff Project Contact: Tricia Sandahl, Planning and Zoning Manager

Meeting Date: Tuesday, February 4, 2025

Explanation of the Request

The applicant is requesting a Conditional Use Permit to Title 12-10-4.D, which would allow construction of a detached garage on a lot less than 2 acres in size that occupies more than 1,200 sq. ft. but less than 30% of the area of the rear yard. The subject property is located at 1640 12th St. NE.

The applicant proposes to construct a detached garage measuring 40 ft. x 50 ft. There is also a 10' x 20' shed on the property. On a lot of 2 acres or less, the maximum cumulative total area of detached structures is 1,200 sq. ft. In this case, the total cumulative area would be 2,200 sq. ft. and a conditional use permit from the Zoning Board of Adjustment is required. The applicant is also requesting a special exception to reduce the required front setback for the garage. The Board may deny the special exception and still approve the conditional use permit since there is sufficient depth on the lot to accommodate the new garage at the required front setback. A location map and site plan are attached.

Owner/Applicant

Owner: Tony & Patti Florman
1640 12th St. NE
Mason City, IA 50401

Applicant: T.E.A.M. Builders
2512 White Tail Dr., Ste 300
Cedar Falls, IA 50613

Property Information

Location: 1640 12th St. NE

Directions from City Hall: east on 1st St. NW to N. Pennsylvania Ave.; north to 13th St. NE; east to the subject property

Surrounding Land Use: undeveloped and residential.

Existing Land Use: residential.



Findings of Fact

1. The request is for relief of a strict application of Title 12-10-4.D.
2. The applicant is requesting a conditional use permit that would allow construction of a detached garage on a lot less than 2 acres in size that occupies more than 1,200 sq. ft. but less than 30% of the area of the rear yard.
3. The property is located at 1640 12th St. NE.
4. The property is currently zoned Z2 Sub-Urban District. No change of zone is being requested for this property.
5. The application was filed on January 10, 2025.
6. The adjoining property owners were notified on January 16, 2025.
7. A public notice sign was posted on the property on January 17, 2025.

Staff Comments

The relevant City departments and utility providers were asked to comment on this application. No adverse comments or requested conditions of approval were received.

Citizen Comments

Notice of the application was mailed to the owners of all properties within 350 ft. of the exterior boundaries of the subject property. A public notice sign was placed at each location and notice of the public hearing was published in the *Globe Gazette*. To date, we have not received any comments regarding this application.

Analysis

According to Title 12-5-3 of the Mason City Zoning Ordinance, the Zoning Board of Adjustment shall recommend no Conditional Use unless such Board shall find that the proposed use meets the following five criteria:

- 1. The establishment, maintenance, or operation of the Conditional Use will not be detrimental to or endanger the public health, safety, convenience, comfort, or general welfare.**

Staff has not received or discovered any information that indicates the proposed conditional use would endanger public health, safety, convenience, comfort or general welfare. The lot is sufficiently sized to accommodate the proposed garage and the garage will have a substantial setback from 12th St. NE. Staff believes that this criterion **has been met.**

- 2. The Conditional Use will not be injurious to the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.**

Staff has not received or discovered any information that indicates the proposed garage would negatively impact the free use and enjoyment of neighboring properties or diminish their value. The neighborhood is populated with residential structures developed in a pattern of urban estates. This distance creates a buffer to neighboring properties. Staff believes that this criterion **has been met.**

- 3. The establishment of the use will not impede the normal orderly development and improvement of the surrounding property for uses permitted in the district.**

Former gravel mining operations have made the area to the north and west unsuitable for development. The area to the south is already developed. Staff has not received or discovered any information that indicates the proposed garage would inhibit the development or redevelopment of neighboring properties. Staff believes that this criterion **has been met.**

4. Adequate utilities, access roads, drainage, and/or necessary facilities have been or will be provided.

The garage will make use of utilities already on site. The lot is adequately sized to accommodate roof runoff on site. The garage will not generate additional traffic; the existing driveway approach is adequate. Staff believes that this criterion **has been met.**

5. Measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

As noted, the garage is for private use and will not generate additional traffic. The existing drive is adequate for the proposed use. Staff believes that this criterion **has been met.**

Staff Recommendation and Requested Conditions

The Board may consider four alternatives: approve the Conditional Use Permit without conditions; approve the Conditional Use Permit with conditions; deny the Conditional Use Permit, and; table the application pending additional review or information for the applicant and/or staff. Because the application meets each of the criteria, staff is recommending that the application be approved subject to these conditions:

1. All construction must be completed in accordance with the plans submitted with the application. However, if the requested special exception for the front setback is not approved, the garage may be relocated on the lot to meet the required setback, subject to review and approval of the site plan by the Administrative Official.
2. All construction must comply with the relevant local, state, and federal regulations.

Board Decision

The Board's decision must include a finding of fact and substantiation for the decision. If the Board votes to grant the Conditional Use Permit, the motion to approve must also include these three elements:

- a statement that the criteria outlined in Title 12 of the Municipal Code has been met;
- explicit expressions of the reasons the criteria have been met, if they are not included in the staff report, and;
- an explicit statement of the Conditional Use Permit being granted.

The following motions are provided for the Board's consideration:

Proposed motion for approval of application:

- I move to adopt the staff report as the Board's findings and to approve the application by T.E.A.M. Builders for a Conditional Use Permit to Title 12-10-4.D to allow construction of a detached garage on a lot less than 2 acres in size that occupies more than 1,200 sq. ft. but less than 30% of the area of the rear yard. for the reasons stated in the staff report.
- Approval is subject to the conditions recommended by staff and as modified by the Board of Adjustment to include [STATE ADDITIONAL CONDITIONS OF APPROVAL].
- Approval of the application is effective immediately.

Proposed motion for denial of application:

- I move to adopt the staff report as the Board's findings and deny the application from T.E.A.M. Builders for a Conditional Use Permit to Title 12-10-4.D to allow construction of a detached garage on a lot less than 2 acres in size that occupies more than 1,200 sq. ft. but less than 30% of the area of the rear yard. for the following reasons: [STATE REASONS FOR DENIAL].
- The reasons for denial shall be stated in the official minutes of the Board of Adjustment, and shall be conveyed in writing to the applicant by the Board's Secretary.

EXHIBITS

- Exhibit 1: Aerial photo of site.
- Exhibit 2: Site plan from applicant
- Exhibit 3: Conditional Use Permit application from applicant.

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18th ST. NE

17th ST. NE

16th ST. NE

15th PL. NE

15th ST. NE

14th PL. NE

14th ST. NE

N. CAROLINA PL.

N. HAMPSHIRE AVE.

N. VIRGINIA AVE.

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RIDGERD

QUARRY RD.

ASPEN CT.

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HEMLOCK CT.

SUMAC

ASBURY CT.

SUMAC

ASBURY DR.

BOULDER RD.

WOODBINE

4th ST. NE

N. KENTUCKY AVE.

BIRCH CT.

RIVERBEND CT.

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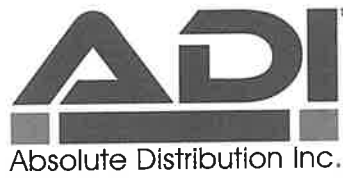
12th ST. NE

Contact: 1640 12th St. NE
MASON CITY, IA 50401

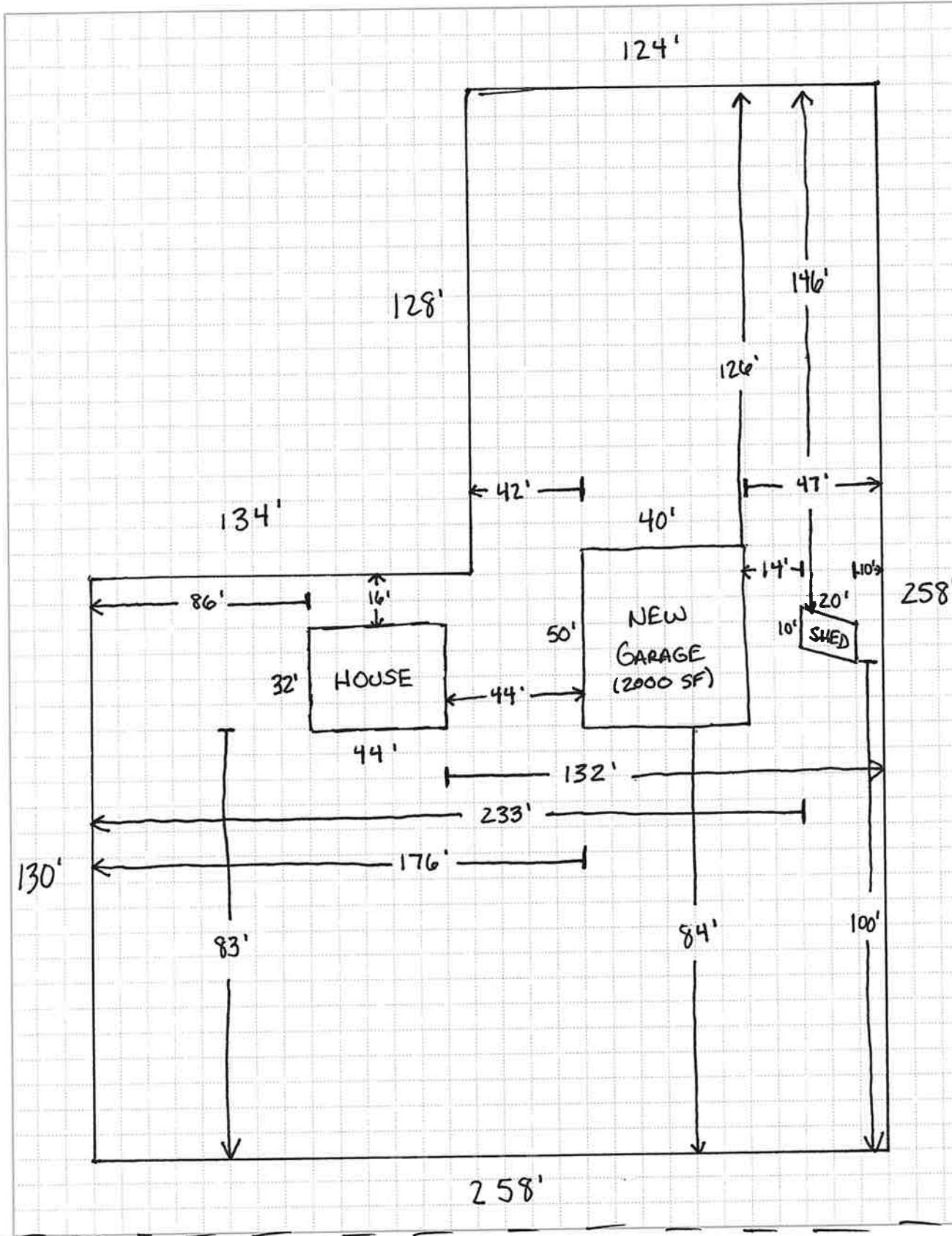
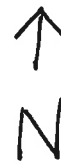
Dealer: _____

Phone: NOT TO SCALE

Email: _____



1-800-335-5909



Conditional Use Permit Supporting Information

This form must be filled out completely before your application will be accepted.

The Zoning Board of Adjustment may, by special permit, after a public hearing, and subject to such protective restrictions as necessary, authorize certain conditional uses of property as listed in Title 12 of the Municipal Code (Zoning Ordinance).

For the Board to grant a conditional use permit, five basic requirements must be met. To determine if these requirements are being met, the Board applies the five criteria listed below. In order to judge your application, you must address each of the standards below. Your application will not be considered complete without this information.

Please address each numbered item as completely as possible and return with your application. If you need assistance, please contact the Development Services Department and speak with a Planner. A copy of your responses will be forwarded to the Board members prior to the meeting. If necessary, please attach additional pages. You may also wish to include documentation and/or photos to support your arguments. This is a generic application for several different types of uses. The discussion of a specific requirement may need to be tailored to your request or project; not all information may be necessary to grant a permit. However, please answer each question to the best of your ability. Please contact a Planner in the Development Services Department if you need assistance.

- 1) **The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, convenience, comfort or general welfare.** (Refer to the site plan where appropriate. Include discussion of buffering features such as screening fences, berms and landscaping. Also discuss parking, signs and driveways. Provide a listing of the types of materials used or stored on the site. Explain how the public will be protected from the proposed use and the use's impact on the surrounding property.)

NO PLAN FOR CURRENTLY FOR FENCES, BERMS, OR LANDSCAPING
UNLESS REQUIRED BY THE CITY. REFER TO ATTACHED SITE PLAN
FOR PARKING & ACCESS. DESIGNATED AREAS FOR OWNER
PARKING, CONTRACTOR PARKING, & MATERIAL PLACEMENT. MATERIALS
WILL BE DROPPED OFF IN BUNKS & AS NEEDED FOR EACH PHASE
OF CONSTRUCTION. BUILDING MATERIALS WILL BE WOOD FRAMING,
VINYL SIDING, & ASPHALT ROOFING (SIMILAR TO HOME & EXISTING
BUILDING). GIVEN IT IS PRIVATE PROPERTY, THERE ARE NO SIDEWALKS,
AND THE PROPERTY IS SET FAR BACK FROM THE STREET & ADJACENT
PROPERTY/DWELLING, THERE WILL BE NO IMPACT TO THE PUBLIC
OR SURROUNDING PROPERTY.

- 2) **The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values in the neighborhood.** (Provide a brief summary of the proposed project and state the reasons the project will not decrease established property values. The amount of screening/landscaping for protection of adjacent property shall be included. An explanation of the materials used in construction and any landscaping or other aesthetic improvements should be noted.)

THE EXISTING GARAGE WILL BE TORN DOWN & A NEW GARAGE WILL BE BUILT IN THE SAME LOCATION. IT WILL BE LARGER & HAVE MUCH BETTER FUNCTION/PURPOSE. THE VALUE OF THE PROPERTY WILL CERTAINLY INCREASE. IT WILL NOW HAVE A FULLY FUNCTIONING 3 STALL GARAGE FRONT, SHOP SPACE, UTILITY SPACE, BATHROOM, & UPSTAIRS STORAGE AREAS. THE BUILDING WILL BE COMFORTABLY CONDITIONED, AND INCLUDE A BACK COVERED PORCH AREA. CONSTRUCTION MATERIALS LISTED UNDER QUESTION #1.

- 3) **The establishment of the use will not impede the normal orderly development and improvement of the surrounding property for uses permitted in the district.** (Will the proposed use make it more difficult to develop the surrounding property in the future?)

THE PROPOSED PROJECT WILL LEAVE THE PROPERTY ALMOST IDENTICAL TO THE WAY IT SITS TODAY AND WILL NOT CHANGE THE ABILITY TO DEVELOP THE SURROUNDING PROPERTY.

- 4) Adequate utilities, access roads, drainage and/or necessary facilities have been provided, or will be provided by the applicant. (Demonstrate that the proposed conditional use will not place an additional burden on utilities and City services such as water, sewer, storm sewer, and public transit.)

WITH THE ADDITION OF HAVING A BATHROOM IN THE NEW BUILDING, WE WILL BE ADDING WATER SUPPLY & ANOTHER SEPTIC SYSTEM. THE EXISTING BUILDING ALREADY HAS POWER, SO WE WILL DISCONNECT & RE-ESTABLISH POWER. THE EXISTING BUILDING ALREADY HAS GAS. WE WILL DISCONNECT & RECONNECT TO KEEP GAS IN THE NEW BUILDING. THEN THE OWNER MANAGE THAT GAS PRIVATELY.

- 5) Measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. (Demonstrate that the proposed conditional use will not generate traffic that cannot be accommodated by existing roadways. Show that traffic flow in and out of the property is designed to be safe and efficient.)

THE PROPERTY HAS LARGE AREAS TO TURN IN, PARK, DRIVE AROUND A CIRCLE DRIVE, AND WILL NOT IMPEDE TRAFIK FLOW IN ANY WAY. REFER TO ATTACHED SITE PLAN.