

Office Use Only	9/21/23	\$ 175	BOA-23-28428
	Date Filed	Fee	Application Number



JOHNSON COUNTY, IOWA

APPLICATION FOR: SPECIAL EXCEPTION OR VARIANCE APPROVAL

Application is hereby made for approval of a:

- ☒ **Special Exception (reduction of requirement by 50% or less)**
☐ **Variance (reduction of requirement by more than 50%)**
☐ **Variance from Floodplain Management Regulation**
☐ **Modification of Subdivision Regulations**



on property located at (street address if available or layman's description):

1965 Lake Manor RD NE Solon IA 52333

Parcel Number: 0325352002

Current Zoning: AR Proposed Use of the Structure: as a family room

For setback reduction requests (Special Exception or Variance) – complete the following:

	Front	Side	Side	Rear
Required Setback:	<u>30</u>	<u>10</u>	<u>10</u>	<u>30</u>
Requested Setback:	<u>20</u>	<u>10</u>	<u>10</u>	<u>30</u>

Note: On a separate sheet you must explain how or why this request satisfies the practical difficulty, unnecessary hardship, or exception hardship criteria – as applicable. The location of these criteria in the Unified Development Ordinance is outlined on page 2 of this application.

The undersigned affirms that the information provided herein is true and correct. If applicant is not the owner, applicant affirms that the owner(s) of the property described on this application consent to this application being submitted, and said owners hereby give their consent for the office of Johnson County Planning, Development, and Sustainability to conduct a site visit and photograph the subject property.

Bill Burns

Name of Owner

GT Karr

Name of Applicant (if different)

1965 Lake Manor RD NE Solon IA 52333

Applicant Street Address (including City, State, Zip)

319-631-4342

Applicant Phone

gtkarr4@gmail.com

Applicant Email

Applicant Signature

See back page for Application Submittal Requirements and Checklist

Applications should be emailed to planning@johnsoncountyiowa.gov and delivered to the Planning, Development and Sustainability Office (913 South Dubuque Street, Iowa City, IA 52240)

BLD Permit # BOA-23-32095

The following items must be submitted for the application to be complete. Incomplete applications will be returned and will not be considered until the next submission deadline. Preference is that electronic submission is provided prior to hard copy submission, but will be accepted until 12:00 p.m. the day after the submittal deadline.

Initial each empty box below to ensure you included all necessary information in the appropriate form for an application to be considered complete. Some items may require both electronic and physical copies.

Items Required	Electronic Copy (PDF unless otherwise noted)	Hard Copy
Application Fee (varies based on application. Fee: \$ <u>175⁰⁰</u>)		<u>Y</u>
This application form with all information completed		(2)
<p>Brief cover letter explaining the nature of the request, as well as detailing practical difficulty (for special exceptions) or unnecessary hardship (for variances) as outlined in the ordinance sections listed below:</p> <ul style="list-style-type: none"> • <u>For Special Exceptions</u>: the practical difficulty standards are set forth in section 8:1.28.E.2.a-f of the Unified Development Ordinance. You must explain direct answers as to how or why this request satisfies ALL practical difficulty criteria listed in this section of the ordinance. • <u>For Variances</u>: the unnecessary hardship standards are set forth in section 8:1.28.D.2.a-e of the Unified Development Ordinance. You must provide direct answers as to how or why this request satisfies ALL hardship criteria listed in this section of the ordinance. • <u>For Variances from Floodplain Management Regulations</u>: the exceptional hardship standards are set forth in section 8:4.11.C and D.2.a.i-xiii of the Unified Development Ordinance. You must provide direct answers as to how or why this request satisfies ALL hardship criteria listed in this section of the ordinance. • <u>For Variances from Subdivision Regulations</u>: the unnecessary hardship standards are set forth in section 8:1.27.F.12.a and 8:1.28.G of the Unified Development Ordinance. You must provide direct answers as to how or why this request satisfies ALL hardship criteria listed in this section of the ordinance. 	<u>Y</u>	<u>Y</u>
<u>For setback reduction requests</u> : A complete building permit must be on file with the PDS Department before an application to reduce zoning requirements will be accepted.		





PO Box 2570
Iowa City IA 52244-2570
(319) 337-2246

Contractor

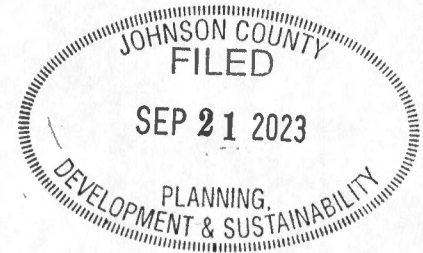
Sueppel's Building and Remodeling
804 S Capitol Street Iowa City IA 52240
Gtkarr4@gmail.com – 319-337-2246

Homeowner

Bill Burns
1965 Lake Manor RD NE Solon IA

September 21, 2023

Board of Adjustment
913 S. Dubuque St. St 204, Iowa City, IA 52240



Dear Members of the Board of Adjustment,

I am writing as the project contractor, Sueppel's Building and Remodeling, representing the homeowner, Bill Burns, to formally request a special exception from the 30' rear setback requirement to a 20' rear setback on the southwest property line at 1965 Lake Manor Road NE in Solon Iowa. Please see the enclosed information on the project and the property.

Sincerely,

A handwritten signature in blue ink, appearing to read "GT Karr".

GT Karr
Sueppel's Building and Remodeling

The property, located at 1965 Lake Manor Road NE, Solon, Iowa, is a single-family home in Johnson County, in Jefferson Township. I have reviewed the zoning regulations for this area, and while I understand the importance of setbacks in maintaining uniform streetscape and protecting the interests of neighboring properties, I believe that a special exception is justified for this project. Currently the deck has a 14' setback from the southwest property line and the great room of the house has a 30' setback from the southwest property line. Both the existing deck and great room have significant structural issues and need to be replaced. The plan, per the submitted blueprints, is to remove the deck on the south side of the house, remove the rotten walls, roof, and chimney in the great room, pour a small foundation well within the footprint of the removed deck, and rebuild the great room. The finished product would change the house setback from the current 14' to a 20' setback.

Based on the guidance for special exceptions, we believe this project is justified for the following reasons:

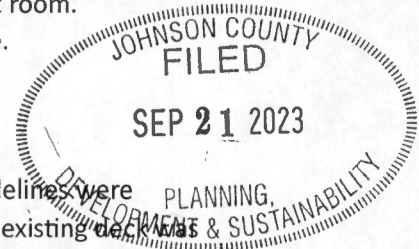
8:1.28 2a:

The homeowner has practical difficulty meeting the setback requirements on the southwest corner of the lot as the current deck is only 14 feet from the property line not the required 30 feet. The deck needs to be removed or rebuilt entirely to safely rebuild the rotten walls of the great room.

1. Granting this rear setback exception would relate entirely to a permitted use.
2. We feel that granting this setback exception is a reasonable necessity.

8:1.28 2b:

1. **Unique Property Configuration:** The home was built before the setback guidelines were developed and does not currently adhere to the setback requirements. The existing deck was granted an exception. Due to aging, the deck needs to be removed and the wall of the house with the deck has rotted and needs to be replaced. The blueprints reflect the plan to keep the existing footprint by removing the deck and squaring off the house with the addition. This will remedy the rotting walls and deck and stays within the earlier granted exception. The modifications area is improving the previous exception (20' vs. 14') and the home is still within the setback. The home predates the setback ruling – enforcing at this point would unduly impact Bill's use and enjoyment of his property.



8:1.28 2c:

Granting this setback exception would relate entirely to a permitted use.

8:1.28 2d:

A special exception is reasonably necessary due to the practical difficulty of making the needed repairs and being unable to adhere to setback requirements. The project will remedy the rotting exterior walls and deck by adding a properly constructed and updated look to the home, bringing substantial justice to the homeowner and other property owners.

8:1.28 2e:

Altering the zoning of the home will not alleviate the issue.

8:1.28 2f:

1. Granting the exception will NOT impede the normal and orderly development and improvement or enjoyment of the surrounding property.
2. It will NOT impair the provision of utilities, access roads, drainage, and/or other necessary facilities, either to the property or to nearby properties.
3. The exception will not increase the danger of the hazard from fire, flood, or similar dangers nor produce nuisance conditions to occupants, or nearby premises, by reason of dust, noise, fumes, odor, vibrations, smoke, or lights.

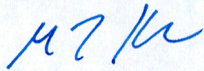
The addition is designed to minimize impact:

The proposed addition, which is intended to be used for additional living space, has been designed with utmost consideration for minimizing any adverse effects on neighboring properties. The smaller setback will not obstruct views or encroach upon neighboring lots.

We are committed to working closely with the city planning department to ensure that the proposed addition complies with all other zoning regulations, including height restrictions, lot coverage, and design guidelines. I am also open to any conditions or stipulations that the Board of Adjustments and the Planning and Zoning Department deems necessary to grant this exception.

We request the Board consider the application of a special exception to allow for a smaller setback for the planned addition to the property that will replace the existing deck. I firmly believe that this request is reasonable and fulfills the exception requirements for a special exemption.

Sincerely,



GT Karr
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Gtkarr4@gmail.com

