

Board of Adjustment
Meeting Minutes
September 11, 2012

1.) Chairperson Lyle Vander Meiden called the meeting of the Board of Adjustment to order at 6:00 p.m.

2.) Roll Call.

Members Present: Jim Corbett, Larry Lautenbach (6:03), Vince Nossaman, John Van Den Berg (6:03), Lyle Vander Meiden, Kraig Downs, and Glenn Van Wyk.

Members Absent: Mike Vander Wert, Merlan Rolffs.

Others Present: Jerry Byers, Amy Bokhoven, Stuart Bokhoven, Stuart Van Wyk, Kathy Van Wyk, Phil Slings.

3.) Approval of Agenda.

The Agenda was approved as submitted.

4.) Approval of Minutes.

The minutes for the July 24, 2012 meeting were approved as submitted.

5.) Public Hearing on a Variance by Stuart and Amy Bokhoven to build a garage addition to the west side of their home that would have a proposed side setback of three (3) feet.

The applicants are asking the Board for a variance of four (4) feet. Current zoning requires an interior side setback of seven (7) feet for R1A Moderate Density Single Family Residential use.

Chairperson Vander Meiden asked if there were any written comments.

Jerry Byers, secretary to the Board stated there were no written comments.

Chairperson Vander Meiden opened the floor to oral comments.

John Van Den Berg asked about the garage door to the rear.

Stuart Bokhoven stated that it was to allow access to the rear yard.

Kraig Downs asked if there had been any contact with the neighbor to the west.

Mr. Bokhoven commented that he had talked to the neighbor in the past but he had not made a comment either way.

Vince Nossaman asked if there was a footing under the existing slab.

Mr. Bokhoven spoke they had checked and there was a footing already under the slab for the garage.

There was discussion about the footing and if that was part of a garage already and if they would need a permit to do footings.

Mr. Downs asked if the fence was going to stay or not.

Mr. Bokhoven said that it was going to stay and that they had to do work on it just recently.

There was more discussion about the current garage and what options they Bokhovens had to add garage space.

The public hearing was closed.

6.) Variance Application by Stuart and Amy Bokhoven concerning a garage addition to the west side of their home that would have a proposed side setback of three (3) feet.

The applicants are asking the Board for a variance of four (4) feet. Current zoning requires an interior side setback of seven (7) feet for R1A Moderate Density Single Family Residential use.

Chairman Vander Meiden asked if there was a motion.

John Van Den Berg made a motion to approve the variance request with a two year time limit to start the project or the property would revert back to the original status. Mr. Van Den Berg stated that the hard ship was due to the lack of rear or side yard in which to build a garage or the ability to have options to build a garage.

Vince Nossaman seconded the motion.

There was discussion about time limits.

Mr. Byers indicated that the City Attorney expressed his opinion that a minimum of two years should be allowed, stating that if the variance is ok today, that it should be ok in two years.

Upon vote, motion passed 7 to 0.

7.) Variance Time Limit Extension Request for Stuart and Kathy Van Wyk at 410 Farmer Street regarding starting an approved project.

Mr. Byers spoke on behalf of the Van Wyk's stating that they had an approved variance for 410 Farmer Street and had started the project only to run into unforeseen issues with their dirt work.

Their contractor and Mr. Byers, City of Pella Building Official agreed that it would be in the Van Wyks best interest, for their building project, if the project area was allowed to sit over the winter to provide the Van Wyks with a better foundation for their project.

Mr. Van Wyk spoke that he hit large amounts of concrete while digging the footings for their project and they had to disturb the soil up to seven feet deep the entire front of their house in order to get the buried "junk" out of the way. He said they could go ahead with the project but would not want to build the project, only to have it settle due to the dirt being disturbed.

Mr. Vander Meiden asked for clarification on the original dates.

Mr. Byers confirmed that the variance was granted on June 12, 2012 and their deadline was December 12, 2012. Mr. Byers continued by stating that the Van Wyks would have been done with their project before their deadline if not for the unforeseen concrete in their front yard.

Jim Corbett made the motion to approve the variance request with a time limit of two years from 9-11-12.

Kraig Downs seconded the motion.

There was more discussion about time limits in general.

Upon vote, motion passed 7 to 0.

8.) Other Business.

There was no other business.

9.) The meeting adjourned at 6:28 p.m.

Respectfully submitted,
Jerry Byers
Building Official