

Board of Adjustment
Meeting Minutes
July 9, 2013

1.) Call the meeting to Order

Vice Chairperson Lyle Vander Meiden called the meeting of the Board of Adjustment to order at 6:03 p.m.

2.) Roll Call.

Members Present: Larry Lautenbach, Vince Nossaman, John Van Den Berg, Lyle Vander Meiden, Mike Vander Wert, Glenn Van Wyk.

Members Absent: Jim Corbett, Kraig Downs, Merlan Rolffs.

Others Present: Jerry Byers, Roger Schakel, Stacey Schakel.

3.) Approval of Agenda

The agenda was approved as submitted.

4.) Approval of Minutes

The minutes for the June 25, 2013 meeting were approved as submitted

5.) Public Hearing

Public Hearing on a Variance Application by Roger and Stacey Schakel concerning a proposed addition at 404 Cedar Drive, Pella, Iowa 50219. The application is for a reduction in the rear setback from 20 feet to 15 feet or a difference of five feet for the proposed setback.

Vice Chairperson Vander Meiden asked if there were any written comments.

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

Vice Chairperson Vander Meiden opened the floor to oral comments.

Mr. Byers informed the Board that the Schakels could build an accessory structure, in the location they are requesting for a variance, within two feet of the rear property line without having to come in front of the Board. He continued by

clarifying the definition of the zoning front yard and identifying the side and rear yard in relation to the streets.

Discussion ensued concerning street yards and zoning front yards.

Mr. Schakel spoke to the Board about the neighborhood and the size of their family and the need for a larger home. He continued by explaining the layout in relation to the size of the yard and the proposed addition location.

John Van Den Berg asked questions about the proposed addition.

Vince Nossaman made reference to houses to the north that currently did not meet the required setbacks and had been built before current zoning laws. He stated that the houses in the neighborhood appeared to be squeezed on the lots and because of this no precedent would be started in the area.

The public hearing was closed.

6.) Variance Application

Variance Application by Roger and Stacey Schakel concerning a proposed addition at 404 Cedar Drive, Pella, Iowa 50219. The application is for a reduction in the rear setback from 20 feet to 15 feet or a difference of five feet for the proposed setback.

Larry Lautenbach made a motion to approve the variance request stating Subsection C. "The authorization of the variance will not be of substantial detriment to the adjacent property and the character of the district will not be changed by granting of the variance."

Glenn Van Wyk seconded the motion.

Upon vote, motion passed 6 to 0.

7.) Zoning Ordinance Draft

Mr. Byers reported to the Board that the changes to the ordinance were shown in the attached packet and that the Board had basically two options. One being to send the ordinance back to staff with changes. Staff would then bring it back to the Board at a future meeting for approval. Or two, to approve the changes and ask staff to forward the proposed changes to the Planning and Zoning Commission.

Mr. Byers walked through the changes to the ordinance with the Board, indicating that the changes were in red with any deletions being struck through to indicate removal.

Mr. Nossaman asked about clarification of the cantilever having to stay within the new side setbacks and not being allowed over the setback area.

Mr. Byers indicated that an enclosed room addition or main structure could cantilever out the two feet but would have to stay within the stated side yard setbacks.

Discussion ensued concerning the ordinance.

Vice Chairperson Vander Meiden asked if this was still a two part request with part A being the removal of 1 ½ stories and part B being the standard 10 foot side yard.

Mr. Byers indicated that the entire set of changes would be sent to Planning and Zoning. However, Planning and Zoning could accept or deny pieces as they see fit or accept or deny all of the changes.

Mr. Nossaman indicated that he felt the changes would help with clarification for both home buyers and builders.

Vice Chairperson Vander Meiden received approval from each member present to continue the process of adoption of the changes to the ordinance.

8.) Other Business.

There was no other business.

9.) Adjournment

The meeting adjourned at 6:35 p.m.

Respectfully submitted,
Jerry Byers
Building Official