

**CITY OF PELLA, IOWA
BOARD OF ADJUSTMENT MINUTES
MAY 16, 2022**

CALL TO ORDER BY THE CHAIRPERSON AND ROLL CALL

Chairperson Westra called the Board of Adjustment to order at 6:00 p.m. in the Public Safety Complex. Members present were: Kristi Kious, Vince Nossaman, Jaci Nunnikhoven, Susan Reiter, Lyle Vander Meiden, and Corey Westra; absent: Merlan Rolffs and Mike Vander Wert. Staff present: Planning and Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, and the Deputy City Clerk. One member of the public attended the meeting.

CHAIRPERSON'S COMMENTS

Approval of the Tentative Agenda

Motion by Reiter, second by Nunnikhoven to approve the tentative agenda. Motion carried 6-0.

APPROVAL OF MINUTES

Motion by Vander Meiden, second by Reiter to approve the amended April 18, 2022 minutes. Motion carried 6-0.

PUBLIC HEARINGS

Consider a Variance Request from Brett Nossaman to Construct an Accessory Structure in the Front Yard of the Property Located at 962 218th Ave.

V. Nossaman stated he would be abstaining from discussion as a Board member on this item, due to his familial relationship with the applicant.

Brett Nossaman submitted a variance application for his property located at 962 218th Ave. The applicant requested a variance to permit a detached garage in the front yard when City Code Sections 165.30.3 (A) and (B) require that all accessory structures be placed in the rear yard.

Convened **Public Hearing** on the variance request. No written comments were received.

B. Nossaman, the applicant, spoke in favor of the variance and answered questions from the Board. He explained that he bought the property prior to it being included in the City's extraterritorial jurisdiction. He stated that a concrete pad was poured years ago, with the intent of placing a detached garage in the proposed front yard location. He also explained that a large, old oak tree on the property also limits where the garage can be placed, as he would like to preserve the tree. The topography of the lot also presents issues with where the structure could be placed.

V. Nossaman also spoke in favor of the variance. He echoed B. Nossaman's statements and stated that the Board has approved variances for other properties with similar issues in the past.

Motion by Reiter, second by Nunnikhoven to close the **Public Hearing** as no further comments were received. On roll call, the vote was: ayes: Reiter, Nunnikhoven, Kious, Vander Meiden, Westra; nays: none; abstain: V. Nossaman. Motion carried 5-0-1.

Motion by Vander Meiden, second by Kious to approve the variance request as submitted, due to the property survey provided and the fact that the property was purchased with the intent to build a detached garage in the front yard prior to the change in extraterritorial zoning. On roll call, the vote was: ayes: Vander Meiden, Kious, Nunnikhoven, Reiter, Westra; nays: none; abstain: V. Nossaman. Motion carried 5-0-1.

OTHER BUSINESS

Next Meeting Date

The next meeting is scheduled for June 20, 2022. Planning and Zoning Director Gerald Buydos informed the Board that another SUP for a roof-mounted solar panel array, as well as a possible appeal of staff's decision, will be on the agenda for the next meeting.

Adjourned at 6:24 p.m.