

**CITY OF PELLA, IOWA
BOARD OF ADJUSTMENT MINUTES
JANUARY 28, 2020**

CALL TO ORDER BY THE CHAIRPERSON AND ROLL CALL

Chairperson Vander Wert called the Board of Adjustment to order at 6:00 p.m. in the Public Safety Complex. Members present were: Jim Corbett, Vince Nossaman, Susan Reiter, Mike Vander Wert, and Corey Westra. Absent: Merlan Rolffs and Lyle Vander Meiden. Staff present: Finance Director Corey Goodenow, Zoning Administrator Bryce Johnson, and Deputy City Clerk Cynthia Vaske. Four members of the public were in attendance.

Annual Elections of Chair and Vice-Chair

The Board elected Vander Meiden to be Chairperson and Vander Wert to be Vice-Chairperson for 2020.

CHAIRPERSON'S COMMENTS

Approval of the Tentative Agenda

Motion by Reiter, second by Corbett to approve the tentative agenda. Motion carried 5-0.

APPROVAL OF MINUTES

Motion by Nossaman, second by Reiter to approve the December 16, 2019 minutes. Motion carried 5-0.

NEW BUSINESS/PUBLIC HEARINGS

Consider a Variance Request to Waive the City's Accessory Structure Placement Regulations for the Property Located at 520 Huber Street

Ryan Hugen has submitted a variance application for his property mentioned located at 520 Huber Street. The applicant has requested a variance to permit a detached structure in the side yard. It should be noted currently located on the property is a detached structure, which would be removed if the variance and associated minor modification, considered as item D-2 of the agenda, are approved.

When considering this request, it is important to note that the property is located on the corner of Huber Street and E. 1st Street. Under the City's zoning code (165.10.125), the front yard is defined as:

“A yard measured across the full width of the lot and measured between the front lot line and the building or any projections thereof, other than the projections of the usual steps or

unenclosed porches. On corner lots, the property owner shall be entitled to choose which of the two (2) yards adjacent to the street will be considered the front yard.”

In considering this request, the applicant has selected the lot line along E. 1st Street as the front yard. This is an important distinction because this defines the location where the proposed detached structure can be placed. City Code Section 165.30.3. limits the location of the structure to the rear yard, as suggested by the following code section:

“Side Yards. An accessory building may be located a minimum of two feet (2’) from the side lot line of the property if it is located between the rear building line of the principal building and the rear property line. In no case, shall an accessory building be located between the front building line and the rear building line of the principal building. No accessory building shall be located in any easement or right-of-way.”

In summary, the applicant is requesting a variance to locate a detached accessory structure within the area between the front and rear building lines of the existing principal structure. It is important to note that, if the variance is approved, the building will be required to comply with all additional size and setback requirements for accessory structures under the City’s zoning code.

Staff believes the subject property is not unique when compared to others in the surrounding zoning district and alternatives exist to construct an accessory structure to a maximum of 957 square feet, which is more consistent with the size of accessory structures of surrounding properties. Additionally, staff does not believe that the approval of this variance is necessary for the property owner to yield a reasonable return. For these reasons, staff recommends denial.

Convened **Public Hearing** on the variance request.

One written comment was received.

Motion by Reiter, second by Corbett to enter the written comment into the public record. Motion carried 5-0.

Motion by Corbett, second by Nossaman to close the **Public Hearing** as no further comments were received. Motion carried 5-0.

In response to a question from the Board, Zoning Administrator Bryce Johnson explained that the setback requirements for an attached structure would have been different than those for the proposed detached structure and would have made the allowable structure size much smaller.

Nossaman questioned what the accessory structure’s use will be. Kelly Hugen, the applicant’s wife, informed the Board that the accessory structure would be used as storage for cars and car parts.

Motion by Nossaman, second by Reiter to deny the variance request. Motion carried 5-0.

Consider a Minor Modification Request to Increase the Maximum Height of an Accessory Structure for the Property Located at 520 Huber Street

This minor modification request, to increase the maximum height of a detached garage from 15 feet to 20 feet, would have only been considered if the variance request, considered as agenda item D-1, was approved. However, the variance request was denied.

NEW BUSINESS

None.

OTHER BUSINESS/PUBLIC FORUM

The Board discussed changing meetings from the second and fourth Tuesdays of the month at 6:00 p.m. to the third Monday of the month at 6:00 p.m. All members in attendance were in favor of this change. Staff will check with absent Board members to see if this change will work with their schedules.

The Board also discussed the two vacancies on the Board. Any interested parties would need to first be appointed by the Mahaska County Board of Supervisors and then appointed by the Pella Mayor/Council. Staff will prepare a map of the properties located within the Mahaska 2-mile area that would be eligible for appointment to the Board of Adjustment.

The next meeting is scheduled for February 11, 2020.

Adjourned at 6:45 p.m.